

By: Wentworth

S.B. No. 822

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the atmosphere modification research program and center.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 3, Agriculture Code, is amended by adding Chapter 50C to read as follows:

CHAPTER 50C. ATMOSPHERE MODIFICATION RESEARCH

SUBCHAPTER A. ATMOSPHERE MODIFICATION RESEARCH PROGRAM

Sec. 50C.001. PURPOSE. The atmosphere modification research program is established to increase understanding of precipitation and the ability to control precipitation to decrease the damaging effects of drought, hail, and flooding on the environment and man-made structures.

Sec. 50C.002. PARTICIPATION. The atmosphere modification research program is a competitive research grant program for faculty researchers at Texas public and private institutions of higher education with expertise in weather modification or an atmospheric science.

Sec. 50C.003. ADMINISTRATION OF PROGRAM. The department shall:

(1) administer the atmosphere modification research program;

(2) administer grants for research under the program;

(3) select research proposals submitted for

1 participation in the program by a peer review process;

2 (4) give preference to multi-institutional and  
3 multidisciplinary proposals and proposals with federal or private  
4 matching funds; and

5 (5) adopt rules for the implementation and  
6 administration of the program.

7 Sec. 50C.004. DURATION OF GRANT. A grant made by the  
8 department under this chapter shall be for a period of five years  
9 and, subject to department review, may be extended for a period of  
10 not more than two years.

11 Sec. 50C.005. REPORT. Not later than October 31 of each  
12 year, a participant in the atmosphere modification research program  
13 must file with the department an annual report detailing the  
14 progress of the participant's project.

15 Sec. 50C.006. EVALUATION OF PROGRAM. The department shall  
16 cause an independent evaluation of the atmosphere modification  
17 research program to be conducted by a team of experts not associated  
18 with the program or the department during the second year after the  
19 program is created and every two years thereafter.

20 [Sections 50C.007-50C.050 reserved for expansion]

21 SUBCHAPTER B. ATMOSPHERE MODIFICATION RESEARCH CENTER

22 Sec. 50C.051. PURPOSE. The department shall establish an  
23 atmosphere modification research center at Texas Tech University to  
24 conduct basic and applied research designed to increase  
25 understanding of precipitation and the ability to control  
26 precipitation to decrease the damaging effects of drought, hail,  
27 and flooding on the environment and man-made structures.

1       Sec. 50C.052. PUBLIC FORUM. The atmosphere modification  
2 research center must provide a public forum to disseminate research  
3 findings and recommendations and to obtain comments from state and  
4 local government agencies, business entities, and citizens.

5       Sec. 50C.053. ATMOSPHERE MODIFICATION RESEARCH CENTER  
6 FUND. (a) The atmosphere modification research center fund is  
7 created as a trust fund with the comptroller and shall be  
8 administered by the department as a trustee on behalf of the center.

9 The fund is composed of:

10           (1) gifts, grants, and other donations received by the  
11 department for the fund;

12           (2) revenue from operation of the center; and

13           (3) until September 1, 2013, any amounts appropriated  
14 by the legislature for deposit to the credit of the fund from the  
15 general revenue fund, and after that date, an amount appropriated  
16 by the legislature for deposit to the credit of the fund from the  
17 general revenue fund that does not exceed nonstate funding.

18       (b) Money in the atmosphere modification research center  
19 fund may be used only to finance the atmosphere modification  
20 research of the center.

21       Sec. 50C.054. DIRECTOR; STAFF. (a) The department shall  
22 select a director for the atmosphere modification research center  
23 from among the faculty at Texas Tech University.

24       (b) The center shall be staffed by Texas Tech University  
25 faculty members, research professionals, students, and other  
26 personnel as determined by the department.

27       Sec. 50C.055. SCIENTIFIC ADVISORY BOARD. (a) The

1 department shall establish a scientific advisory board to advise  
2 the atmosphere modification research center on research  
3 priorities, guidelines, and procedures.

4 (b) The board shall establish and review metrics to assess  
5 the effectiveness of the center's research projects.

6 Sec. 50C.056. REPORT. The atmosphere modification research  
7 center shall file annually with the department and the legislature  
8 a report detailing the center's activities, findings, and  
9 recommendations.

10 SECTION 2. This Act takes effect September 1, 2007.