

Suspending limitations on conference committee
jurisdiction, H.B. No. 12 (Hilderbran/Estes)

By: Estes

S.R. No. 1195

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 80th Legislature, Regular Session, 2007, That the Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill No. 12, relating to parks, wildlife, hunting, and historic sites, the funding, powers, and duties of the Parks and Wildlife Department, the Parks and Wildlife Commission, and the Texas Historical Commission, and standards for certain state law enforcement officers, and providing a criminal penalty, to consider and take action on the following matters:

(1) Senate Rule 12.03 is suspended to permit the committee to add Subsection (a), Section 614.152, Government Code, to read as follows:

(a) Out of appropriated funds, each law enforcement agency shall adopt physical fitness standards that a law enforcement officer must meet to continue employment with the agency as a law enforcement officer. The standards as applied to an officer must directly relate to the officer's job duties. A law enforcement agency shall use the services of a consultant to aid the agency in developing the standards.

Explanation: The change is necessary to require a law enforcement agency to use the services of a consultant to aid the agency in developing the standards.

(2) Senate Rule 12.03 is suspended to permit the committee to amend Section 12.013, Parks and Wildlife Code, to read as follows:

Sec. 12.013. POWER TO TAKE WILDLIFE; FISH. (a) An employee of the department acting within the scope of the employee's authority may possess, take, transport, release, and manage any of the wildlife and fish in this state for investigation, propagation, distribution, education, disease diagnosis or prevention, or scientific purposes.

(b) A person who is not an employee of the department who is participating under the supervision of a department employee in a program or event designated by the director as being conducted for research or species propagation and as exempt from the normally applicable size or bag limits may possess, take, transport, or release any fish in this state to accomplish the intent of the program or event.

Explanation: The change is necessary to allow certain persons participating in a state program or event related to fish to possess, take, transport, or release any fish to accomplish the intent of the program or event.

(3) Senate Rule 12.03 is suspended to permit the committee to amend Section 13.015, Parks and Wildlife Code, by amending Subsection (b) and adding Subsections (a-1), (a-2), (b-1), (b-2), and (b-3) to read as follows:

(a-1) The commission may waive the park entrance fee for a person who is at least 70 years of age. The commission may not waive the fee for use of a park facility, including a hook-up fee

for electricity or water.

(a-2) The department may promote visits and enhance revenue at parks, including amounts necessary for salaries, advertising, consumable supplies and materials, promotional products, fees, and related expenses.

(b) The department may operate or grant contracts to operate concessions in state parks or on causeways, beach drives, or other improvements in connection with state park sites. The department may make regulations governing the granting or operating of concessions. The department may establish and operate staff concessions, including salaries, consumable supplies and materials, operating expenses, rental and other equipment, and other capital outlays.

(b-1) The department may purchase products, including food items, for resale or rental at a profit.

(b-2) The department shall operate any resale concession program using standard business practice models to generate revenue and provide quality customer service while adhering to conservation principles.

(b-3) The department may recruit and select private service providers to enter into leased concession contracts with the department to provide necessary and appropriate visitor services.

Explanation: The change is necessary to expand and clarify the Parks and Wildlife Department's authority relating to concessions and admissions at state parks and other facilities operated and maintained by the department.

(4) Senate Rule 12.03 is suspended to permit the committee to add Subchapter G, Chapter 31, Parks and Wildlife Code, to read as follows:

SUBCHAPTER G. PARTY BOATS

Sec. 31.171. DEFINITIONS. In this subchapter:

(1) "Licensed party boat operator" means a person issued a license by the department under this subchapter.

(2) "Party boat" means a vessel:

(A) operated by the owner of the vessel or an employee of the owner; and

(B) rented or leased by the owner for a group recreational event for more than six passengers.

Sec. 31.172. APPLICABILITY; EXCEPTION. (a) This subchapter applies only to a party boat that operates on the inland waters of this state.

(b) This subchapter does not apply to a boat that is less than 30 feet in length or to a sailboat.

Sec. 31.173. PARTY BOAT OPERATOR AND STAFF. (a) Except as provided by Subsection (c), the party boat owner shall provide staff members, including a licensed party boat operator, who:

(1) operate and staff the party boat for the duration of a rental or lease for a group recreational event as follows:

(A) for a boat with not more than 25 passengers, one staff member who is an operator;

(B) for a boat with at least 26 but not more than 50 passengers, two staff members, including one operator;

and

(C) for a boat with more than 50 passengers, three staff members, including one operator; and

(2) have each successfully completed a boater safety course approved under this chapter.

(b) At least one staff member on the boat must be certified to conduct cardiopulmonary resuscitation.

(c) This section does not apply to a party boat rented or leased for an overnight or longer period for which the owner, or the owner's staff, does not intend to remain in constant possession, command, and control of the party boat.

Sec. 31.174. BOAT REQUIREMENTS. A party boat:

(1) may not carry more than the maximum number of passengers the boat may safely accommodate as determined by the department on inspection;

(2) must have a direct and reliable communication connection to the land-based office of the owner and law enforcement and emergency services by cellular telephone or very high frequency radio; and

(3) must pass an annual water safety inspection conducted by the department or a person under contract with the department.

Sec. 31.175. PASSENGER SAFETY INFORMATION; INSURANCE.

(a) The owner of a party boat shall provide each passenger with written and verbal safety information and require each passenger to sign a form acknowledging that the passenger reviewed and understands the information.

(b) The verbal and written safety information must disclose that no lifeguard is present on the party boat if there is not at least one staff member on the boat who is certified as a lifeguard by the American Red Cross, the American Lifeguard Association, or another comparable nationally recognized organization.

(c) The owner of a party boat must obtain at least a minimum amount of liability insurance from an insurer licensed to do business in this state. The commission shall set the amount.

Sec. 31.176. PARTY BOAT OPERATOR LICENSE. (a) The commission by rule shall establish, as necessary to protect the public health and safety, the requirements and procedures for the issuance and renewal of a party boat operator license under this subchapter.

(b) Except as provided by Subsection (c), the rules for obtaining a license as a party boat operator must require at a minimum that the applicant:

- (1) be at least 21 years of age;
- (2) observe for at least four hours a licensed party boat operator operating a party boat on open water;
- (3) operate for at least four hours a party boat on open water while being supervised and observed by a licensed party boat operator; and
- (4) pass a written examination covering onboard safety procedures and the applicable provisions of this chapter.

(c) An applicant is not required to comply with Subsections (b)(2) and (3) if the applicant has:

(1) at least 25 hours of experience operating a party boat as shown by appropriate documentation; and

(2) no record of boating violations.

Sec. 31.177. FEES. (a) The commission by rule shall establish and collect a reasonable fee for:

(1) the issuance of a party boat operator license under this subchapter; and

(2) the annual water safety inspection of a party boat required by this subchapter.

(b) A fee collected by the department under this subchapter and any interest that accrues on the fee shall be deposited to the credit of the game, fish, and water safety account established under Section 11.032.

Sec. 31.178. DRUG AND ALCOHOL TESTING. If a party boat is involved in an accident causing serious personal injury or death, each staff member on board is subject to mandatory drug and alcohol testing.

Sec. 31.179. ENFORCEMENT. (a) In addition to a game warden, any peace officer of a municipality or other political subdivision of this state who is certified as a marine safety enforcement officer under Section 31.121 may enforce this subchapter:

(1) in the area of a navigable body of water that is in the jurisdiction of the municipality or other political subdivision; or

(2) in any part of a lake that is partly or wholly inside the boundaries of:

(A) the municipality or its extraterritorial jurisdiction; or

(B) the political subdivision.

(b) A party boat is subject to enforcement inspections conducted under Section 31.124.

Sec. 31.180. RULES. The commission shall adopt and enforce rules necessary to implement this subchapter.

(b) Not later than January 1, 2008, the Parks and Wildlife Commission shall adopt rules to implement Subchapter G, Chapter 31, Parks and Wildlife Code, as added by this Act.

(c) Subchapter G, Chapter 31, Parks and Wildlife Code, as added by this Act, applies only to the rental or lease of a party boat on the public water of this state for a group recreational event held on or after June 1, 2008.

Explanation: This change is necessary to regulate the operation and safety of certain party boats through a fee, license, and other requirements administered by the Parks and Wildlife Department.

(5) Senate Rule 12.03 is suspended to permit the committee to amend Subsections (a) and (b), Section 43.402, Parks and Wildlife Code, to read as follows:

(a) Except as provided by Subsection (b) or (c) of this section, no person may engage in fishing in saltwater for sporting purposes in this state, or unload in this state fish or other aquatic life taken for sporting purposes from waters managed by the Gulf of Mexico Fishery Management Council established under the Fishery Conservation and Management Act of

1976 (16 U.S.C. Section 1801 et seq.), unless the person has acquired a saltwater sportfishing stamp endorsement issued to the person by the department. The commission by rule may prescribe requirements relating to possessing a stamp endorsement required by this subchapter.

(b) A person who is exempted from obtaining a fishing license under Chapter 46 [~~of this code~~] is not required to obtain a saltwater sportfishing stamp endorsement.

Explanation: The change is necessary to prohibit certain persons from unloading fish or other aquatic life taken for sporting purposes from waters managed by the Gulf of Mexico Fishery Management Council.

(6) Senate Rule 12.03 is suspended to permit the committee to amend Chapter 43, Parks and Wildlife Code, by adding Subchapter V, and to add SECTION 57 to the bill, to read as follows:

SUBCHAPTER V. NONINDIGENOUS SNAKE PERMIT

Sec. 43.851. PERMIT. (a) The commission by rule shall establish permits that allow permit holders to possess or transport in this state a live nonindigenous:

(1) venomous snake; or

(2) constrictor that is one of the following:

(A) African rock python, *Python sebae*;

(B) Asiatic rock python, *Python molurus*;

(C) green anaconda, *Eunectes murinus*;

(D) reticulated python, *Python reticulatus*;

or

(E) southern African python, *Python natalensis*.

(b) The commission shall establish separate permits for recreational and commercial purposes.

(c) A permit under this subchapter is not required for:

(1) a state or county official performing an official duty;

(2) a licensed zoo that possesses or transports a snake for exhibition or scientific purposes;

(3) a research facility, including a university, licensed under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) that possesses or transports a snake for scientific purposes; or

(4) a person who assists a department employee in the handling or transport of a snake under this subchapter.

(d) Except as provided by Subsection (c), a person may not possess or transport in this state a snake described by Subsection (a) without a permit issued by the department under this subchapter.

(e) A person convicted of a violation of this subchapter or a rule adopted under this subchapter may not obtain a permit before the fifth anniversary of the date of the conviction.

Sec. 43.852. INSPECTION OF PERMIT AND RECORDS. An authorized department employee may inspect at any time and without a warrant a permit or any records required by this subchapter.

Sec. 43.853. RELEASE FROM CAPTIVITY. A person may not

intentionally, knowingly, recklessly, or with criminal negligence release or allow the release from captivity of a snake covered by this subchapter.

Sec. 43.854. SEIZURE OF CONTRABAND; FINANCIAL RESPONSIBILITY. (a) The department may arrange for the seizure and removal of a snake covered by this subchapter from a person who possesses the snake without the required permit. The person is responsible for any costs incurred by the department in the seizure, removal, and disposition of the snake.

(b) A department employee is not required to handle, remove, or dispose of the snake.

(c) The department may contract with a person who has knowledge of or expertise in the handling of a snake covered by this subchapter to assist the department in the handling, removal, and disposition of the snake.

(d) The department, including an enforcement officer of the department, who acts under this section is not liable in a civil action for the seizure, sale, donation, or other disposition of the snake.

Sec. 43.855. RULES. The commission may adopt rules to implement this subchapter, including rules to govern:

(1) the possession or transport of a snake covered by this subchapter;

(2) permit application forms, fees, and procedures;

(3) the release of the snake;

(4) reports that the department may require a permit holder to submit to the department; and

(5) other matters the commission considers necessary.

Sec. 43.856. OFFENSE. (a) Except as provided by Subsection (c), a person who violates this subchapter or a rule adopted under this subchapter commits an offense that is a Class C Parks and Wildlife Code misdemeanor.

(b) A person who violates Section 43.853 or a rule adopted to implement Section 43.853 commits an offense that is a Class A Parks and Wildlife Code misdemeanor.

SECTION 57. (a) The Parks and Wildlife Commission shall adopt the rules necessary under Subchapter V, Chapter 43, Parks and Wildlife Code, as added by this Act, not later than April 1, 2008.

(b) The Parks and Wildlife Department shall begin issuing permits under Subchapter V, Chapter 43, Parks and Wildlife Code, as added by this Act, not later than April 1, 2008.

Explanation: The change is necessary to regulate the possession of certain nonindigenous snakes and constrictors in this state, through the issuance of permits, the adoption of rules, the imposition of criminal offenses, and certain other measures.

(7) Senate Rule 12.03 is suspended to permit the committee to amend Section 46.001, Parks and Wildlife Code, to read as follows:

Sec. 46.001. PROHIBITED ACTS. No person may fish in the public water of this state, or unload in this state fish or other aquatic life taken for sporting purposes from waters managed by

the Gulf of Mexico Fishery Management Council established under the Fishery Conservation and Management Act of 1976 (16 U.S.C. Section 1801 et seq.), unless he has acquired a fishing license issued under this subchapter, except as provided by Sections 46.0012 and 46.002 [~~of this code~~]. The commission by rule may prescribe requirements relating to possessing a license required by this subchapter.

Explanation: The change is necessary to prohibit certain persons from unloading fish or other aquatic life taken for sporting purposes from waters managed by the Gulf of Mexico Fishery Management Council.

(8) Senate Rule 12.03 is suspended to permit the committee to amend Section 62.001, Parks and Wildlife Code, by adding Subdivision (3) to read as follows:

(3) "Public road or right-of-way" means a public street, alley, road, right-of-way, or other public way, including a berm, ditch, or shoulder.

Explanation: The change is necessary to define "public road or right-of-way."

(9) Senate Rule 12.03 is suspended to permit the committee to amend Subchapter A, Chapter 62, Parks and Wildlife Code, by adding Section 62.0031 to read as follows:

Sec. 62.0031. HUNTING FROM PUBLIC ROAD OR RIGHT-OF-WAY PROHIBITED. (a) Except as provided by Subsection (b), a person may not hunt a wild animal or bird when the person is on a public road or right-of-way.

(b) This section does not apply to the trapping of a

raptor for educational or sporting purposes as provided by Chapter 49.

Explanation: The change is necessary to prohibit certain persons from hunting a wild animal or bird when the person is on a public road or right-of-way.

(10) Senate Rule 12.03 is suspended to permit the committee to amend the heading to Chapter 284, Parks and Wildlife Code, and amend Section 284.001, Parks and Wildlife Code, by amending Subsections (b) and (d) and adding Subsection (f) to read as follows:

CHAPTER 284. DIMMIT, EDWARDS, FRIO, IRION, KENEDY, KIMBLE,
LLANO, MASON, MAVERICK, REAL, UVALDE, AND ZAVALA COUNTIES

(b) This section applies only to a navigable river or stream located wholly or partly in Dimmit, Edwards, Frio, Irion, Kenedy, Kimble, Llano, Mason, Maverick, Real, Uvalde, or Zavala County.

(d) This section does not apply to:

(1) an individual acting in the scope of the individual's duties as a peace officer or department employee; [~~or~~]

(2) the discharge of a shotgun loaded with ammunition that releases only shot when discharged, except as provided by Subsection (f); or

(3) bow fishing.

(f) In Dimmit, Uvalde, or Zavala County, a person may discharge a shotgun loaded with ammunition that releases only shot when discharged only if the person is hunting:

(1) migratory birds, as defined by Section 34.021;

or

(2) game animals, as defined by Section 63.001, except mule deer, white-tailed deer, or antelope.

Explanation: This change is necessary to regulate certain types of hunting in the counties of Irion, Kimble, Mason, Dimmit, Uvalde, and Zavala.

(11) Senate Rules 12.03(1) and (3) are suspended to permit the committee to amend Section 151.801, Tax Code, by amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c) Subject to Subsection (c-1), the ~~[The]~~ proceeds from the collection of the taxes imposed by this chapter on the sale, storage, or use of sporting goods shall be deposited as follows:

(1) an amount equal to 94 percent of the proceeds ~~[For the period beginning September 1, 1993, and ending August 31, 1995, an amount equal to 50 cents per 1,000 cigarettes shall be deposited to the credit of the general revenue fund, state parks account, and an amount equal to 50 cents per 1,000 cigarettes shall be deposited to the credit of the general revenue fund, Texas recreation and parks account, and the balance shall be retained in the general revenue fund.~~

~~[(2) Beginning September 1, 1995, the taxes collected]~~ shall be credited to the Parks and Wildlife Department and deposited as specified in the Parks and Wildlife Code; and

(2) an amount equal to six percent of the proceeds shall be credited to the Texas Historical Commission and

deposited as specified in Section 442.073, Government Code. [~~The comptroller shall not credit in excess of \$32 million in sporting goods tax revenue annually to the Parks and Wildlife Department.~~]

(c-1) The comptroller may not credit to the Parks and Wildlife Department or the Texas Historical Commission any amounts under this section that are in excess of the amounts appropriated to the department or commission for that biennium, less any other amounts to which the department or commission is entitled.

Explanation: This change is necessary to clarify that the comptroller of public accounts may not credit to the Parks and Wildlife Department or the Texas Historical Commission more than the amount appropriated to the department or commission, less certain other amounts.

(12) Senate Rule 12.03 is suspended to permit the committee to add SECTION 53 to read as follows:

SECTION 53. (a) In this section, "historic site" means a historic site or park listed under Section 442.072, Government Code, as added by this Act.

(b) On or after January 1, 2008, as provided by this section, the following are transferred to the Texas Historical Commission:

(1) each historic site and all obligations and liabilities of the Parks and Wildlife Department relating to the site;

(2) all unobligated and unexpended funds appropriated to the Parks and Wildlife Department designated for

the administration of each site;

(3) all equipment and property of the Parks and Wildlife Department used for the administration of or related to each site; and

(4) all files and other records of the Parks and Wildlife Department kept by the department regarding each site.

(c) A rule adopted by the Parks and Wildlife Commission that is in effect immediately before January 1, 2008, and that relates to a historic site is, on January 1, 2008, a rule of the Texas Historical Commission and remains in effect until amended or repealed by the Texas Historical Commission. A rule that applies to both a transferred site and park that is not transferred is a rule of both commissions and applies to the transferred site until amended or repealed by the Texas Historical Commission.

(d) A transfer under this Act does not diminish or impair the rights of a holder of an outstanding bond or other obligation issued by the Parks and Wildlife Department in relation to the support of a historic site.

(e) On January 1, 2008, a reference in the Parks and Wildlife Code or other law to a power, duty, obligation, or liability of the Parks and Wildlife Department or the Parks and Wildlife Commission that relates to a historic site is a reference to the Texas Historical Commission. The Texas Historical Commission is the successor agency to the Parks and Wildlife Department and the Parks and Wildlife Commission for the site.

(f) The Texas Historical Commission shall prepare a base operating plan for each historic site before the transfer of any site or associated artifact or archival materials from the Parks and Wildlife Department to the commission. The base operating plan for each site must be completed on or before January 1, 2008. The base operating plan for each site must include:

(1) a mission statement outlining the goals for the site;

(2) an interpretive plan showing how the mission is to be accomplished;

(3) an operational plan, including:

(A) facilities, documents, records, and other assets to be transferred;

(B) parties responsible for daily site management, including staff that will be transferred;

(C) off-site support structure;

(D) plans for artifact and archival curation;

(E) signed memoranda of understanding or memoranda of agreement with appropriate friends groups and volunteer organizations; and

(F) emergency plans;

(4) a maintenance plan, including maintenance and repair needs;

(5) a marketing plan;

(6) a business plan, including revenue and visitation goals;

(7) a plan for compliance with:

(A) Chapter 191, Natural Resources Code (the Antiquities Code of Texas); and

(B) the National Historic Preservation Act (16 U.S.C. Section 470 et seq.); and

(8) fiscal plans and budgets associated with Subdivisions (1) through (7) of this subsection.

(g) Not later than September 1, 2007, the chair of the House Committee on Culture, Recreation, and Tourism shall appoint from that committee an interim study subcommittee to review the base operating plan described by Subsection (f) of this section. The interim subcommittee shall obtain feedback and information from professionals familiar with the work of the Parks and Wildlife Department, the Texas Historical Commission, the National Park Service, the Council of Texas Archeologists, professional archivists, park managers, and the tourism industry. Not later than September 1, 2008, the interim study subcommittee shall report to the House Committee on Culture, Recreation, and Tourism on the results of the study conducted under this subsection.

(h) Until a historic site is transferred to the Texas Historical Commission in accordance with this Act, the Parks and Wildlife Department shall continue to operate and maintain the site under applicable law as it existed on January 1, 2007.

(i) The Parks and Wildlife Department and the Texas Historical Commission shall keep the House Committee on Culture, Recreation, and Tourism, the subcommittee on Agriculture, Rural Affairs and Coastal Resources, and the Senate and House members

in whose district, a historic site is being transferred, informed of the progress of the transfer of each historic site under this Act.

(j) An employee of the Parks and Wildlife Department whose job responsibilities are more than 50 percent related to a historic site transferred to the Texas Historical Commission under this Act becomes an employee of the Texas Historical Commission on the date of the transfer of that site. An employee whose job is transferred may not be dismissed after the transfer except for cause before the first anniversary of the date of the transfer.

Explanation: This change is necessary to provide for the transfer of certain historic sites to the Texas Historical Commission, require the commission to adopt base operating plans for the sites, and establish an interim study subcommittee to review the base operating plans.

(13) Senate Rule 12.03 is suspended to permit the committee to add SECTION 56 to read as follows:

SECTION 56. (a) The House Committee on Culture, Recreation, and Tourism shall conduct a study to determine whether this state should permit the possession of nonindigenous venomous snakes and nonindigenous constrictors as provided by Subchapter V, Chapter 43, Parks and Wildlife Code, as added by this Act.

(b) The study must include:

(1) a comparison of laws regulating nonindigenous snakes in other states;

(2) alternative methods of regulating the possession of nonindigenous snakes;

(3) the economic, environmental, and other effects of allowing nonindigenous snakes to be held in the state, including:

(A) the potential to harbor and spread diseases or parasites, or other adverse effects; and

(B) the economic and other benefits to this state that may be obtained by regulating the trade in nonindigenous snakes; and

(4) other related matters the committee finds useful.

(c) Not later than November 1, 2008, the committee shall report its findings to the governor, the executive directors of the Parks and Wildlife Department and the Department of Agriculture, and each member of the committee.

Explanation: This change is necessary to require a study to determine whether this state should permit the possession of nonindigenous venomous snakes and nonindigenous constrictors.

(14) Senate Rule 12.03 is suspended to permit the committee to add SECTION 58 to read as follows:

SECTION 58. (a) The joint legislative task force on the use of the sales tax on sporting goods is composed of eight members, as follows:

(1) two members of the House Culture, Recreation and Tourism Committee, one being the chair of the committee and one appointed by the speaker of the house of representatives;

(2) two members, each of whom must be a member of the House Appropriations Committee or House Ways and Means Committee, as appointed by the speaker of the house of representatives;

(3) two members of the Senate Committee on Natural Resources, one being the chair of the committee and one appointed by the lieutenant governor; and

(4) two members of the Senate Committee on Finance, appointed by the lieutenant governor.

(b) The speaker of the house of representatives shall designate the chair of the House Committee on Culture, Recreation, and Tourism to serve as a joint presiding officer of the task force, and the lieutenant governor shall designate another task force member to serve as the other joint presiding officer.

(c) The task force meets at the call of the joint presiding officers.

(d) The task force shall:

(1) review the items that are included in the definition of "sporting goods" under Section 151.801(e), Tax Code;

(2) determine the amount of sales tax revenue that must be generated from the sale of "sporting goods" to fund, at a minimum, the appropriations made by the 80th Legislature regarding state parks, local parks, historic sites, coastal management programs, and water planning;

(3) not later than December 15, 2008, prepare and

present to the legislature a report that describes the findings of the task force and includes recommendations regarding the specific items that should be included in the definition of "sporting goods" under Section 151.801(e), Tax Code in order to more evenly match the revenue streams needed to cover ongoing appropriations (estimated to be \$70 million per annum), net of the use of unexpended balances in 2008-2009 biennium, without creating large dedicated fund balances.

(e) It is the intent of the 80th Legislature that Section 151.801(c-1), Tax Code, as added by this Act, be repealed on adoption of a statute implementing the recommendations of the task force.

Explanation: This change is necessary to require a task force to study the appropriate collection and distribution of the sporting goods sales tax.

(15) Senate Rule 12.03 is suspended to permit the committee to add SECTION 59 to read as follows:

SECTION 59. If the Parks and Wildlife Department does not receive a grant of funds from the Department of Transportation, the Parks and Wildlife Department may spend no more than \$50,000 to maintain a river-access point and picnic area in Zavala County that is adjacent to the Nueces River and United States Highway 83 intersection north of La Pryor, Texas. If the Parks and Wildlife Department receives a grant of funds from the Department of Transportation, the Parks and Wildlife Department may not spend money, other than money received under the grant, on maintenance described by this section.

Explanation: This change is necessary to administer the use of funds expended by the Parks and Wildlife Department for certain projects.

(16) Senate Rule 12.03 is suspended to permit the committee to add SECTION 60 to read as follows:

SECTION 60. (a) The Parks and Wildlife Department shall conduct a study of ways to improve the efficiency and ease of use of the department's hunting and fishing license systems. The study must:

(1) evaluate the efficiency of the hunting and fishing license systems in effect on September 1, 2007;

(2) identify problems and suggest improvements to those systems; and

(3) identify ways to increase ease of use for individuals applying for a hunting or fishing license in this state.

(b) The Parks and Wildlife Department shall complete the study conducted under Subsection (a) of this section not later than July 1, 2008.

(c) Not later than October 1, 2008, the Parks and Wildlife Department shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the chair of each committee of the legislature that has primary oversight jurisdiction over the department a written report that summarizes the findings of the study conducted under Subsection (a) of this section.

Explanation: This change is necessary to require the

S.R. No. 1195

Parks and Wildlife Department to study the department's fishing and license systems and report its findings to the legislature.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 28, 2007.

Secretary of the Senate