

BILL ANALYSIS

C.S.H.B. 865
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Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A variety of invasive species negatively impact water availability, water quality, outdoor recreational opportunities, agricultural crops, ecosystem health, and human health resources. Under a 1999 presidential executive order, an invasive species is defined as a species that is non-native to a particular ecosystem and whose introduction does or is likely to cause economic or environmental harm or harm to human health. Texas needs an entity to coordinate efforts to prevent, control, and manage invasive species infestations.

C.S.H.B. 865 creates the Texas Invasive Species Coordinating Committee to serve as a catalyst for cooperation among state agencies and to facilitate state efforts to prevent and manage invasive species in Texas.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 865 amends the Government Code to establish the Texas Invasive Species Coordinating Committee. The bill includes as member agencies the Texas Department of Agriculture, the Parks and Wildlife Department, the State Soil and Water Conservation Board, the Texas AgriLife Extension Service, the Texas Forest Service, and the Texas Water Development Board. The bill authorizes the member agencies by unanimous agreement to add to the committee any other state agency, on request of that agency, that has an interest in controlling invasive species. The bill provides that the committee is composed of one representative of each member agency, and if an agency's representative is unable to attend a committee meeting or otherwise perform the representative's duties, the agency's alternate representative shall serve in the representative's place. The bill requires the administrative head of each member agency to designate one individual to serve as the agency's representative on the committee and one individual to serve as alternative representative. The bill authorizes the administrative head of each member agency to change the designated representative or alternative representative at will and requires the administrative head to notify the committee in writing of the name and position of the new representative or alternative representative. The bill provides that service on the committee by a state officer or employee is an additional duty of the representative's office or employment.

C.S.H.B. 865 requires the committee to serve as a catalyst for cooperation between state agencies in the area of invasive species control; facilitate governmental efforts, including efforts of local governments and special districts, to prevent and manage invasive species; make recommendations to state agencies regarding research, technology transfer, and management actions related to invasive species control; facilitate the exchange of information so that each member agency is informed of committee plans, recommendations, and proposals for research, education, and implementation of activities to prevent, detect, assess, monitor, contain, and

control or eradicate invasive species and reduce environmental and economic threats and threats to human health from invasive species; provide a forum for developing coordinated interagency strategies and policies for invasive species control; provide technical information and input to regional and national invasive species control coordination efforts, including the National Invasive Species Management Plan; facilitate the review of committee technical decisions and work product by specialists and interested persons; and report as needed to the governor, lieutenant governor, and speaker of the house of representatives on committee plans, work product, and accomplishments.

C.S.H.B. 865 requires each member agency of the committee to coordinate the agency's invasive species control activities with the committee and relevant coordinating bodies and to share with the committee the agency's technical expertise related to invasive species. The bill requires each member agency to advise the committee of known invasive species threats to natural and agricultural resources, and to cooperate, to the extent allowed by law, in initiatives to obtain appropriations and grants for invasive species control.

C.S.H.B. 865 requires the committee to adopt bylaws governing the committee's operations and requires the bylaws to provide a procedure to periodically elect one representative as committee chair, provide a procedure to call committee meetings, and require the committee to meet at least annually. The bill provides that the bylaws may provide for the creation of subcommittees and advisory committees. The bill provides that the committee is administratively attached to the State Soil and Water Conservation Board. The bill requires the State Soil and Water Conservation Board to provide one full-time equivalent employee to serve as committee coordinator.

C.S.H.B. 865 defines "committee" and "invasive species."

C.S.H.B. 865 makes the committee subject to the Texas Sunset Act and establishes a sunset date of September 1, 2013. The bill requires the State Soil and Water Conservation Board, to the extent that the Texas Sunset Act places a duty on a state agency subject to review under that act, to perform the duty as it relates to the committee.

C.S.H.B. 865 requires the administrative head of each member agency of the Texas Invasive Species Coordinating Committee to designate the agency's initial representative and alternate representative not later than November 1, 2009. The bill requires the Texas Invasive Species Coordinating Committee to hold its first meeting and adopt bylaws not later than February 1, 2010.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 865 differs from the original by defining "invasive species" as a species that is not native to an ecosystem and whose introduction to the ecosystem causes or has been demonstrated to cause economic harm, environmental harm, or harm to human health, whereas the original defines "invasive species" as a species that is not native to an ecosystem and whose introduction to the ecosystem causes or is likely to cause economic harm, environmental harm, or harm to human health.