

1-1 By: Swinford (Senate Sponsor - Hegar) H.B. No. 865
1-2 (In the Senate - Received from the House April 23, 2009;
1-3 April 24, 2009, read first time and referred to Committee on
1-4 Agriculture and Rural Affairs; May 4, 2009, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; May 4, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 865 By: Hegar

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the establishment of the Texas Invasive Species
1-11 Coordinating Committee.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Title 7, Government Code, is amended by adding
1-14 Chapter 776 to read as follows:

1-15 CHAPTER 776. TEXAS INVASIVE SPECIES COORDINATING COMMITTEE

1-16 Sec. 776.001. DEFINITIONS. In this chapter:

1-17 (1) "Committee" means the Texas Invasive Species
1-18 Coordinating Committee.

1-19 (2) "Invasive species" means a species that is not
1-20 native to an ecosystem and whose introduction to the ecosystem
1-21 causes or has been demonstrated to cause economic harm,
1-22 environmental harm, or harm to human health. Humans, domestic and
1-23 exotic livestock, and non-harmful exotic organisms are not invasive
1-24 species.

1-25 Sec. 776.002. MEMBER AGENCIES. (a) The member agencies of
1-26 the committee are:

- 1-27 (1) the Department of Agriculture;
1-28 (2) the Parks and Wildlife Department;
1-29 (3) the State Soil and Water Conservation Board;
1-30 (4) the Texas AgriLife Extension Service;
1-31 (5) the Texas Forest Service;
1-32 (6) the Texas Water Development Board; and
1-33 (7) any other state agency added to the committee
1-34 under Subsection (b).

1-35 (b) On the request of a state agency that has an interest in
1-36 controlling invasive species, the member agencies listed in
1-37 Subsections (a)(1)-(6) by unanimous agreement may add the agency to
1-38 the committee.

1-39 Sec. 776.003. REPRESENTATIVES. (a) The committee is
1-40 composed of one representative of each member agency. If an
1-41 agency's representative is unable to attend a committee meeting or
1-42 otherwise perform the representative's duties, the agency's
1-43 alternate representative shall serve in the representative's
1-44 place.

1-45 (b) The administrative head of each member agency:

1-46 (1) shall designate one individual to serve as the
1-47 agency's representative on the committee and one individual to
1-48 serve as alternate representative;

1-49 (2) may change the designated representative or
1-50 alternate representative at will; and

1-51 (3) after designating or changing the representative
1-52 or alternate representative, shall promptly notify the committee in
1-53 writing of the name and position of the new representative or
1-54 alternate representative.

1-55 (c) Service on the committee by a state officer or employee
1-56 is an additional duty of the representative's office or employment.

1-57 Sec. 776.004. DUTIES. (a) The committee shall:

1-58 (1) serve as a catalyst for cooperation between state
1-59 agencies in the area of invasive species control;

1-60 (2) facilitate governmental efforts, including
1-61 efforts of local governments and special districts, to prevent and
1-62 manage invasive species;

1-63 (3) make recommendations to state agencies regarding

research, technology transfer, and management actions related to
invasive species control;

(4) 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:

(A) prevent, detect, assess, monitor, contain,
and control or eradicate invasive species; and

(B) reduce environmental and economic threats
and threats to human health from invasive species;

(5) provide a forum for developing coordinated
interagency strategies and policies for invasive species control;

(6) provide technical information and input to
regional and national invasive species control coordination
efforts, including the National Invasive Species Management Plan;

(7) facilitate the review of committee technical
decisions and work product by specialists and interested persons;
and

(8) report as needed to the governor, lieutenant
governor, and speaker of the house of representatives on committee
plans, work product, and accomplishments.

(b) Each member agency of the committee shall:

(1) coordinate the agency's invasive species control
activities with the committee and relevant coordinating bodies,
including the National Invasive Species Council;

(2) share with the committee the agency's technical
expertise related to invasive species;

(3) advise the committee of known invasive species
threats to natural and agricultural resources; and

(4) cooperate, to the extent allowed by law, in
initiatives to obtain appropriations and grants for invasive
species control.

Sec. 776.005. BYLAWS. (a) The committee shall adopt bylaws
governing the committee's operations.

(b) The bylaws:

(1) must provide a procedure to periodically elect one
representative as committee chair;

(2) must provide a procedure to call committee
meetings;

(3) must require the committee to meet at least
annually; and

(4) may provide for the creation of subcommittees and
advisory committees.

Sec. 776.006. STAFF; ATTACHMENT. (a) The committee is
administratively attached to the State Soil and Water Conservation
Board.

(b) The State Soil and Water Conservation Board shall
provide one full-time equivalent employee to serve as committee
coordinator.

Sec. 776.007. SUNSET PROVISION. (a) The committee is
subject to Chapter 325 (Texas Sunset Act). Unless continued in
existence as provided by that chapter, the committee is abolished
and this chapter expires September 1, 2013.

(b) To the extent that Chapter 325 (Texas Sunset Act) places
a duty on a state agency subject to review under that chapter, the
State Soil and Water Conservation Board shall perform the duty as it
relates to the committee.

SECTION 2. Not later than November 1, 2009, the
administrative head of each member agency of the Texas Invasive
Species Coordinating Committee shall designate the agency's
initial representative and alternate representative as provided by
Section 776.003, Government Code, as added by this Act.

SECTION 3. Not later than February 1, 2010, the Texas
Invasive Species Coordinating Committee shall hold its first
meeting and adopt bylaws as required by Section 776.005, Government
Code, as added by this Act.

SECTION 4. This Act takes effect September 1, 2009.

* * * * *