

By: Estes

S.B. No. 1666

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Bioenergy Policy Council and the Bioenergy Research Committee to encourage the development of cellulosic biofuels in the state.

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

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

CHAPTER 50D. BIOENERGY POLICY COUNCIL; RESEARCH COMMITTEE

Sec. 50D.001. PURPOSE. The purpose of this chapter is to make cellulosic biofuels a significant part of the energy industry by 2019.

Sec. 50D.002. DEFINITIONS. In this chapter:

(1) "Policy council" means the Bioenergy Policy Council.

(2) "Research committee" means the Bioenergy Research Committee.

Sec. 50D.003. BIOENERGY POLICY COUNCIL. (a) The Bioenergy Policy Council is composed of the following 16 members:

(1) the commissioner, who serves as the chair;

(2) one member of the Railroad Commission of Texas;

(3) one member of the Texas Commission on Environmental Quality;

(4) one member of the Public Utility Commission of Texas;

1 (5) the chair of the Texas Water Development Board;

2 (6) the chancellor of The Texas A&M University System,

3 or the chancellor's designee;

4 (7) the chancellor of the Texas Tech University

5 System, or the chancellor's designee;

6 (8) the chancellor of The University of Texas System,

7 or the chancellor's designee;

8 (9) one member of the senate appointed by the

9 lieutenant governor;

10 (10) one member of the house of representatives

11 appointed by the speaker of the house of representatives; and

12 (11) six members appointed by the governor, with each

13 of the following industries or groups of industries represented by

14 one member:

15 (A) feedstock development and production, such

16 as a seed company or an algae grower;

17 (B) energy distribution, such as an electricity

18 delivery company or a distributor of gasoline and diesel fuel;

19 (C) biomass transportation, such as a pipeline

20 company, railroad, or seaborne shipper;

21 (D) farming and feedstock production, such as a

22 producer of grain, sugar, livestock waste, or agricultural waste or

23 a nontraditional-crop farmer;

24 (E) biofuel production; and

25 (F) biofuels-based and bio-based electricity

26 generation.

27 (b) Appointed members of the policy council serve two-year

1 terms.

2 Sec. 50D.004. DUTIES OF THE POLICY COUNCIL. (a) The
3 policy council shall:

4 (1) provide a vision for unifying the state's
5 agricultural, energy, and research strengths in a successful launch
6 of a cellulosic biofuel industry;

7 (2) foster development of cellulosic-based fuels and
8 build on the Texas emerging technology fund's investments in
9 leading-edge cellulosic energy research and efforts to
10 commercialize production of algae-based biodiesel;

11 (3) pursue the creation of a fourth energy biofuels
12 research program at a university in the state and work to draw
13 federal funding that will aid the state in becoming a bioenergy
14 leader; and

15 (4) perform other advisory duties as requested by the
16 commissioner regarding the responsible development of bioenergy
17 resources in the state.

18 (b) The policy council shall meet regularly as necessary at
19 the call of the commissioner.

20 Sec. 50D.005. REIMBURSEMENT; ADMINISTRATIVE SUPPORT.

21 (a) A member of the policy council may not receive compensation
22 for service on the council but is entitled to reimbursement of the
23 actual and necessary expenses incurred while conducting the
24 business of the council, as provided by the General Appropriations
25 Act.

26 (b) The department shall provide administrative support,
27 including staff, to the policy council. The commissioner may

1 allocate administrative support to the research committee as
2 appropriate.

3 Sec. 50D.006. BIOENERGY RESEARCH COMMITTEE. (a) The
4 Bioenergy Research Committee is composed of the following 16
5 members:

6 (1) the commissioner, who serves as the chair;

7 (2) one member of the Railroad Commission of Texas;

8 (3) one member of the Texas Commission on
9 Environmental Quality;

10 (4) one member of the Public Utility Commission of
11 Texas;

12 (5) the chair of the Texas Water Development Board;

13 (6) one researcher or specialist in the bioenergy
14 field from the following university systems, each appointed by the
15 chancellor of that system:

16 (A) The Texas A&M University System;

17 (B) Texas Tech University System; and

18 (C) The University of Texas System;

19 (7) one representative of the Texas Agricultural
20 Finance Authority appointed by the commissioner, to serve as a
21 nonvoting member;

22 (8) one representative of the Texas emerging
23 technology fund appointed by the governor, to serve as a nonvoting
24 member; and

25 (9) six members appointed by the governor, with each
26 of the following industries or groups of industries represented by
27 one member:

1 (A) feedstock development and production, such
2 as a seed company or an algae grower;

3 (B) energy distribution, such as an electricity
4 delivery company or a distributor of gasoline and diesel fuel;

5 (C) biomass transportation, such as a pipeline
6 company, railroad, or seaborne shipper;

7 (D) farming and feedstock production, such as a
8 producer of grain, sugar, livestock waste, or agricultural waste or
9 a nontraditional-crop farmer;

10 (E) biofuel production; and

11 (F) biofuels-based and bio-based electricity
12 generation.

13 (b) Appointed members of the research committee serve
14 two-year terms.

15 Sec. 50D.007. PURPOSES AND DUTIES OF THE RESEARCH
16 COMMITTEE. (a) The research committee is a research consortium
17 with academic research leadership and active involvement by all
18 sectors of the economy interested in biofuel development.

19 (b) The research committee shall:

20 (1) identify and research desirable biomass
21 feedstock, which may vary by geographic region and may range from
22 trees and forestry residues to perennial grasses, bioenergy forage
23 sorghum, sugarcane, and algae;

24 (2) investigate logistical challenges to the
25 planting, harvesting, and transporting of large volumes of biomass
26 and provide recommendations to the policy council that will aid in
27 overcoming barriers to the transporting, distributing, and

1 marketing of biofuel;

2 (3) provide a roadmap for the potential transition of
3 the agriculture industry in western regions to dryland bioenergy
4 crops that are not dependent on groundwater resources;

5 (4) explore regions in the state, including coastal
6 areas, that may have marginal land available for growing bioenergy
7 feedstocks; and

8 (5) perform other research duties as requested by the
9 commissioner regarding the responsible development of bioenergy
10 resources in the state.

11 (c) The research committee shall meet at the call of the
12 commissioner.

13 Sec. 50D.008. REIMBURSEMENT. A member of the research
14 committee may not receive compensation for service on the committee
15 but is entitled to reimbursement of the actual and necessary
16 expenses incurred while conducting the business of the committee,
17 as provided by the General Appropriations Act.

18 SECTION 2. (a) Appointments to the Bioenergy Policy
19 Council and the Bioenergy Research Committee under Chapter 50D,
20 Agriculture Code, as added by this Act, shall be made as soon as
21 practicable after the effective date of this Act.

22 (b) The Bioenergy Policy Council shall meet not later than
23 the 30th day after the date of the initial appointments made to the
24 council under Section 50D.003, Agriculture Code, as added by this
25 Act.

26 SECTION 3. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.