

By: Wentworth

S.B. No. 2534

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an interagency task force on economic growth and endangered species; providing information and direction regarding endangered species issues in certain areas of the state.

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

SECTION 1. Subtitle F, Title 4, Government Code, is amended by adding Chapter 490E to read as follows:

CHAPTER 490E. TASK FORCE ON ECONOMIC GROWTH AND ENDANGERED SPECIES

Sec. 490E.001. PURPOSE. The purpose of this chapter is to establish a mechanism for state agencies to provide policy and technical assistance regarding compliance with endangered species laws and regulations to local and regional governmental entities and their communities engaged in economic development activities so that compliance with endangered species laws and regulations is as effective and cost efficient as possible.

Sec. 490E.002. DEFINITIONS. In this chapter:

(1) "Endangered species" has the meaning assigned by Section 68.002, Parks and Wildlife Code.

(2) "Task force" means the interagency task force on economic growth and endangered species created under this chapter.

Sec. 490E.003. CREATION. (a) The task force on economic growth and endangered species is created and is composed of:

(1) the comptroller;

(2) the commissioner of agriculture;

1 (3) the executive director of the Parks and Wildlife
2 Department;

3 (4) the executive director of the Texas Department of
4 Transportation; and

5 (5) the executive director of the State Soil and Water
6 Conservation Board.

7 (b) The comptroller is the presiding officer of the task
8 force.

9 (c) The task force shall meet as often as necessary to
10 fulfill its duties under this chapter.

11 (d) New members may be added to the task force by the
12 unanimous consent of the existing members.

13 (e) A member of the task force may designate another person
14 to act on the member's behalf.

15 Sec. 490E.004. FUNCTIONS AND DUTIES. (a) The task force
16 may:

17 (1) assess the economic impact on the state of
18 federal, state, or local regulations relating to endangered
19 species;

20 (2) assist landowners and other persons in this state
21 to identify, evaluate, and implement cost-efficient strategies for
22 mitigation of impacts to and recovery of endangered species that
23 will promote economic growth and development in this state; and

24 (3) facilitate state and local governmental efforts to
25 effectively implement endangered species regulations in a
26 cost-efficient manner.

27 (b) If requested by a local government or a state official,

1 the task force may review state and local governmental efforts to
2 address endangered species issues and provide recommendations to
3 make those efforts more cost effective. The task force shall
4 consider all available options as part of its recommendations. The
5 options considered must include:

- 6 (1) fee simple acquisition of land;
- 7 (2) conservation easements;
- 8 (3) use of land owned by local governments or this
9 state;
- 10 (4) recovery crediting; and
- 11 (5) all relevant federal programs.

12 Sec. 490E.005. ADVISORY COMMITTEES. (a) With the advice
13 of the task force, the comptroller may create advisory committees
14 to assist the task force with its work. Of the members of an
15 advisory committee:

- 16 (1) one-third must be representatives of affected
17 landowners;
- 18 (2) one-third must be representatives of conservation
19 interests; and
- 20 (3) one-third must be representatives of
21 municipalities or other affected jurisdictions.

22 (b) The composition of an advisory committee must provide
23 the balance necessary to address economic, environmental, and
24 policy issues related to the specific issue or action under
25 consideration.

26 (c) The comptroller shall designate one member of an
27 advisory committee as interim presiding officer for the purpose of

1 calling and conducting the initial meeting of the committee.

2 (d) An advisory committee shall:

3 (1) at its initial meeting, select a presiding officer
4 from among its members for the purpose of conducting meetings;

5 (2) conduct meetings as necessary to perform the
6 business of the advisory committee; and

7 (3) provide recommendations to the task force as
8 requested by the task force.

9 (e) Chapter 2110 does not apply to the size, composition, or
10 duration of an advisory committee created under this section.

11 Sec. 490E.006. COORDINATION WITH OTHER ENTITIES. (a) The
12 task force shall work in coordination with the United States Fish
13 and Wildlife Service, institutions of higher education, and
14 agriculture and conservation organizations in performing its
15 functions and duties.

16 (b) The Texas A&M University System shall, within its
17 expertise:

18 (1) assist in the analysis of biological and economic
19 impacts of proposed actions; and

20 (2) direct programs recommended by the task force.

21 Sec. 490E.007. REPORTS. The task force may provide reports
22 as needed on:

23 (1) innovative programs to address endangered species
24 issues while promoting economic growth;

25 (2) the activities of the task force; and

26 (3) recommendations for future programs or
27 legislation.

1 Sec. 490E.008. ADMINISTRATIVE SUPPORT. The comptroller's
2 office shall provide administrative support to the task force.

3 SECTION 2. (a) In this section:

4 (1) "Endangered Species Act" means the federal
5 Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.).

6 (2) "Task force" has the meaning assigned by Section
7 490E.002, Government Code, as added by this Act.

8 (b) Not later than the 30th day after the effective date of
9 this Act, the comptroller of public accounts shall create an
10 advisory committee to assist the task force in identifying
11 cost-efficient and effective recommendations for economic
12 development and Endangered Species Act compliance in the Camp
13 Bullis area in Bexar County.

14 (c) Not later than October 31, 2009, the task force, with
15 input from the advisory committee created under Subsection (b) of
16 this section, shall provide a recommendation on a specific,
17 coordinated program of work to assist Camp Bullis in accomplishing
18 its training missions in a manner consistent with applicable
19 endangered species regulations and programs.

20 (d) Not later than January 15, 2011, the task force shall
21 provide a report to the legislature on the activities of the task
22 force and the status of efforts to mitigate harm to and efforts
23 toward recovery of endangered species at Camp Bullis.

24 (e) The advisory committee created under this section is
25 abolished on the completion of its duties as determined by the task
26 force.

27 SECTION 3. This Act does not make an appropriation. A

1 provision in this Act that creates a new governmental program,
2 creates a new entitlement, or imposes a new duty on a governmental
3 entity is not mandatory during a fiscal period for which the
4 legislature has not made a specific appropriation to implement the
5 provision.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2009.