

By: Wentworth

S.B. No. 2534

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of an interagency task force on economic
3 growth and endangered species; providing information and direction
4 regarding endangered species issues in certain areas of the state;
5 making an appropriation.

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

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

9 CHAPTER 490E. TASK FORCE ON ECONOMIC DEVELOPMENT AND ENDANGERED
10 SPECIES

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

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

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

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

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

- 1 (1) the comptroller;
- 2 (2) the commissioner of agriculture;
- 3 (3) the executive director of the Parks and Wildlife
4 Department;
- 5 (4) the executive director of the Texas Department of
6 Transportation; and
- 7 (5) the executive director of the State Soil and Water
8 Conservation Board.

9 (b) The comptroller is the presiding officer of the task
10 force.

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

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

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

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

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

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

26 (3) facilitate state and local governmental efforts to
27 effectively implement endangered species regulations in a

1 cost-efficient manner.

2 (b) If requested by a local government or a state official,
3 the task force may review state and local governmental efforts to
4 address endangered species issues and provide recommendations to
5 make those efforts more cost effective. The task force shall
6 consider all available options as part of its recommendations. The
7 options considered must include:

8 (1) fee simple acquisition of land;

9 (2) conservation easements;

10 (3) use of land owned by local governments or this
11 state;

12 (4) recovery crediting; and

13 (5) all relevant federal programs.

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

18 (1) one-third must be representatives of affected
19 landowners;

20 (2) one-third must be representatives of conservation
21 interests; and

22 (3) one-third must be representatives of
23 municipalities or other affected jurisdictions.

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

1 (c) The comptroller shall designate one member of an
2 advisory committee as interim presiding officer for the purpose of
3 calling and conducting the initial meeting of the committee.

4 (d) An advisory committee shall:

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

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

9 (3) provide recommendations to the task force as
10 requested by the task force.

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

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

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

20 (1) assist in the analysis of biological and economic
21 impacts of proposed actions; and

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

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

25 (1) innovative programs to address endangered species
26 issues while promoting economic growth;

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

1 (3) recommendations for future programs or
2 legislation.

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

5 SECTION 2. (a) In this section:

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

8 (2) "Task force" has the meaning assigned by Section
9 490E.002, Government Code, as added by this Act.

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

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

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

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

1 SECTION 3. The amount of \$250,000 is appropriated from the
2 general revenue fund for the fiscal biennium beginning September 1,
3 2009, to the comptroller of public accounts to be used for the
4 activities of the interagency task force on economic growth and
5 endangered species created under Chapter 490E, Government Code, as
6 added by this Act.

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