

SENATE AMENDMENTS

2nd Printing

By: Swinford

H.B. No. 865

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas Invasive Species Coordinating Committee.

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

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

CHAPTER 776. TEXAS INVASIVE SPECIES COORDINATING COMMITTEE

Sec. 776.001. DEFINITIONS. In this chapter:

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

(2) "Invasive species" means 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. Humans, domestic livestock, and non-harmful exotic organisms are not invasive species.

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

(1) the Department of Agriculture;

(2) the Parks and Wildlife Department;

(3) the State Soil and Water Conservation Board;

(4) the Texas AgriLife Extension Service;

(5) the Texas Forest Service;

(6) the Texas Water Development Board; and

1 (7) any other state agency added to the committee
2 under Subsection (b).

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

7 Sec. 776.003. REPRESENTATIVES. (a) The committee is
8 composed of one representative of each member agency. If an
9 agency's representative is unable to attend a committee meeting or
10 otherwise perform the representative's duties, the agency's
11 alternate representative shall serve in the representative's
12 place.

13 (b) The administrative head of each member agency:

14 (1) shall designate one individual to serve as the
15 agency's representative on the committee and one individual to
16 serve as alternate representative;

17 (2) may change the designated representative or
18 alternate representative at will; and

19 (3) after designating or changing the representative
20 or alternate representative, shall promptly notify the committee in
21 writing of the name and position of the new representative or
22 alternate representative.

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

25 Sec. 776.004. DUTIES. (a) The committee shall:

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

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

4 (3) make recommendations to state agencies regarding
5 research, technology transfer, and management actions related to
6 invasive species control;

7 (4) facilitate the exchange of information so that
8 each member agency is informed of committee plans, recommendations,
9 and proposals for research, education, and implementation of
10 activities to:

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

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

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

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

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

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

26 (b) Each member agency of the committee shall:

27 (1) coordinate the agency's invasive species control

1 activities with the committee and relevant coordinating bodies,
2 including the National Invasive Species Council;

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

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

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

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

12 (b) The bylaws:

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

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

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

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

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

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

27 Sec. 776.007. SUNSET PROVISION. (a) The committee is

1 subject to Chapter 325 (Texas Sunset Act). Unless continued in
2 existence as provided by that chapter, the committee is abolished
3 and this chapter expires September 1, 2013.

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

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

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

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

ADOPTED

MAY 07 2009

Atty. Gen.
Secretary of the Senate

31-0

By: Swinford/Hegar

H.B. No. 865

Substitute the following for H.B. No. 865:

By: 

C.S. H.B. No. 865

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas Invasive Species Coordinating Committee.

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

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

CHAPTER 776. TEXAS INVASIVE SPECIES COORDINATING COMMITTEE

Sec. 776.001. DEFINITIONS. In this chapter:

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

(2) "Invasive species" means 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. Humans, domestic and exotic livestock, and non-harmful exotic organisms are not invasive species.

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

(1) the Department of Agriculture;

(2) the Parks and Wildlife Department;

(3) the State Soil and Water Conservation Board;

(4) the Texas AgriLife Extension Service;

(5) the Texas Forest Service;

(6) the Texas Water Development Board; and

1 (7) any other state agency added to the committee
2 under Subsection (b).

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

7 Sec. 776.003. REPRESENTATIVES. (a) The committee is
8 composed of one representative of each member agency. If an
9 agency's representative is unable to attend a committee meeting or
10 otherwise perform the representative's duties, the agency's
11 alternate representative shall serve in the representative's
12 place.

13 (b) The administrative head of each member agency:

14 (1) shall designate one individual to serve as the
15 agency's representative on the committee and one individual to
16 serve as alternate representative;

17 (2) may change the designated representative or
18 alternate representative at will; and

19 (3) after designating or changing the representative
20 or alternate representative, shall promptly notify the committee in
21 writing of the name and position of the new representative or
22 alternate representative.

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

25 Sec. 776.004. DUTIES. (a) The committee shall:

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

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

4 (3) make recommendations to state agencies regarding
5 research, technology transfer, and management actions related to
6 invasive species control;

7 (4) facilitate the exchange of information so that
8 each member agency is informed of committee plans, recommendations,
9 and proposals for research, education, and implementation of
10 activities to:

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

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

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

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

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

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

26 (b) Each member agency of the committee shall:

27 (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

1 subject to Chapter 325 (Texas Sunset Act). Unless continued in
2 existence as provided by that chapter, the committee is abolished
3 and this chapter expires September 1, 2013.

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

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

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

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 7, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB865** by Swinford (Relating to the establishment of the Texas Invasive Species Coordinating Committee.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to create the Texas Invasive Species Coordinating Committee to: serve as a catalyst for cooperation between state agencies in the area of invasive species control; facilitate governmental efforts 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; 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; and facilitate the review of committee technical decisions and work product by specialists and interested persons.

The Soil and Water Conservation Board indicates that they would need 1.0 additional FTE to implement the provisions of the bill, but all related costs could be absorbed by the agency.

Based on the LBB's analysis of the affected agencies, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 551 Department of Agriculture, 555 Texas AgriLife Extension Service, 580 Water Development Board, 582 Commission on Environmental Quality, 592 Soil and Water Conservation Board, 710 Texas A&M University System Administrative and General Offices, 802 Parks and Wildlife Department

LBB Staff: JOB, SD, SZ, AH, SK

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 30, 2009

TO: Honorable Craig Estes, Chair, Senate Committee on Agriculture & Rural Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB865 by Swinford (Relating to the establishment of the Texas Invasive Species Coordinating Committee.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to create the Texas Invasive Species Coordinating Committee to: serve as a catalyst for cooperation between state agencies in the area of invasive species control; facilitate governmental efforts 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; 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; and facilitate the review of committee technical decisions and work product by specialists and interested persons.

The Soil and Water Conservation Board indicates that they would need 1.0 additional FTE to implement the provisions of the bill, but all related costs could be absorbed by the agency.

Based on the LBB's analysis of the affected agencies, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

This bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 551 Department of Agriculture, 555 Texas AgriLife Extension Service, 580 Water Development Board, 582 Commission on Environmental Quality, 592 Soil and Water Conservation Board, 710 Texas A&M University System Administrative and General Offices, 802 Parks and Wildlife Department

LBB Staff: JOB, SD, SZ, AH, SK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 27, 2009

TO: Honorable Craig Estes, Chair, Senate Committee on Agriculture & Rural Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB865 by Swinford (Relating to the establishment of the Texas Invasive Species Coordinating Committee.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to create the Texas Invasive Species Coordinating Committee to: serve as a catalyst for cooperation between state agencies in the area of invasive species control; facilitate governmental efforts 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; 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; and facilitate the review of committee technical decisions and work product by specialists and interested persons.

Based on the LBB's analysis of the affected agencies, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

This bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 551 Department of Agriculture, 555 Texas AgriLife Extension Service, 580 Water Development Board, 582 Commission on Environmental Quality, 592 Soil and Water Conservation Board, 710 Texas A&M University System Administrative and General Offices, 802 Parks and Wildlife Department

LBB Staff: JOB, SD, SZ, AH, SK

3

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 7, 2009

TO: Honorable Yvonne Gonzalez Toureilles, Chair, House Committee on Agriculture & Livestock

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB865 by Swinford (relating to the establishment of the Texas Invasive Species Coordinating Committee.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to create the Texas Invasive Species Coordinating Committee to: serve as a catalyst for cooperation between state agencies in the area of invasive species control; facilitate governmental efforts 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; 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; and facilitate the review of committee technical decisions and work product by specialists and interested persons.

Based on the LBB's analysis of the affected agencies, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

This bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 551 Department of Agriculture, 555 Texas AgriLife Extension Service, 580 Water Development Board, 582 Commission on Environmental Quality, 592 Soil and Water Conservation Board, 710 Texas A&M University System Administrative and General Offices, 802 Parks and Wildlife Department

LBB Staff: JOB, SZ, AH, WK, SK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 27, 2009

TO: Honorable Yvonne Gonzalez Toureilles, Chair, House Committee on Agriculture & Livestock

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB865 by Swinford (Relating to the establishment of the Texas Invasive Species Coordinating Committee.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to create the Texas Invasive Species Coordinating Committee to: serve as a catalyst for cooperation between state agencies in the area of invasive species control; facilitate governmental efforts 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; 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; and facilitate the review of committee technical decisions and work product by specialists and interested persons.

Based on the LBB's analysis of the affected agencies, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

This bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 551 Department of Agriculture, 555 Texas AgriLife Extension Service, 580 Water Development Board, 582 Commission on Environmental Quality, 592 Soil and Water Conservation Board, 710 Texas A&M University System Administrative and General Offices, 802 Parks and Wildlife Department

LBB Staff: JOB, WK, AH, SK

5