

Amend CSHB 3509 (house committee report) as follows:

(1) On page 3, strike lines 6 through 7, and substitute the following:

(b) A state agency may:

(2) On page 3, strike lines 18 through 22 and substitute the following:

(c) An agency that takes an action described by Subsection (b) must:

(1) cooperate with the department; and

(2) enter into an interagency contract that may provide for the payment of funds held by the department, or funds to which the department has access, for purposes of carrying out the action.

(3) On page 3, line 24, between "department" and "shall", insert "or state agency".

(4) On page 4, line 13, between "department" and "may", insert "or state agency".

(5) On page 4, line 14, between "department" and "in", insert "or state agency".

(6) On page 4, line 15, after the underlined period, add the following:

The membership of an advisory committee created under this subsection must be appointed so that one-third of the members are representatives of affected landowners or property owners.

(c-1) The composition of an advisory committee created under Subsection (c) must provide the balance necessary to address economic, environmental, and policy issues related to the specific issue or action under consideration.

(7) On page 5, line 1, strike "at the department".

(8) On page 5, line 3, strike "by the department".

(9) On page 5, line 6, strike "department" and substitute "state agency".

(10) On page 5, line 11, between "members" and the underlined colon, insert "or their designees".

(11) On page 5, strike line 12 and renumber subsequent subdivisions of the section accordingly.

(12) On page 5, line 26, strike "attorney general" and

substitute "commissioner of the Department of Agriculture".

(13) On page 6, between lines 16 and 17, insert the following:

(d) Notwithstanding Section 402.045, Government Code, the attorney general, at the request of the response committee, shall provide legal advice to the response committee.

(14) On page 6, strike lines 17 through 22 and substitute the following:

Sec. 83.104. DUTIES OF RESPONSE COMMITTEE. The response committee shall:

(1) oversee and guide the state's:

(A) coordinated response to listings and potential listings of endangered species in this state; and

(B) comments and positions in response to actions of the United States Fish and Wildlife Service; and

(2) select the holder of a federal permit issued in connection with a habitat conservation plan, candidate conservation plan, or similar plan, authorized or required by federal law in connection with a candidate species or endangered species.

(15) On page 9, line 2, strike "403.452(a)(1), [~~(2)~~] (3)," and substitute "403.452(a)(3), [403.452(a)(1), (2), (3),]".