86R13801 SLB-F

By:  Guillen H.B. No. 2948

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an advisory panel to study and compile a report on best management practices and funding mechanisms for the prevention, mitigation, and abatement of windblown and waterborne litter in communities.

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

SECTION 1.  DEFINITION. In this Act, "advisory panel" means the Texas Litter Advisory Panel created under Section 2 of this Act.

SECTION 2.  TEXAS LITTER ADVISORY PANEL. (a) The Texas Litter Advisory Panel consists of members appointed not later than November 1, 2019, as follows:

(1)  the executive director or the executive director's designee of the following entities shall appoint a representative for that entity:

(A)  the Department of Agriculture;

(B)  the General Land Office;

(C)  the Parks and Wildlife Department;

(D)  the Railroad Commission of Texas;

(E)  the Texas Commission on Environmental Quality;

(F)  the Texas Department of Transportation; and

(G)  the Texas Economic Development and Tourism Office within the office of the governor;

(2)  the lieutenant governor shall appoint three members with each member to represent one of the following:

(A)  a county;

(B)  an irrigation district; and

(C)  a navigation district or a flood control district;

(3)  the governor shall appoint four members with each member to represent one of the following:

(A)  the interests of the private solid waste remediation industry;

(B)  a statewide nonprofit organization focused on litter prevention, mitigation, and abatement;

(C)  the interests of agricultural land owners; and

(D)  the interests of cattle raisers; and

(4)  the speaker of the house of representatives shall appoint three members with each member to represent one of the following:

(A)  a municipality;

(B)  a river authority; and

(C)  a drainage district.

(b)  The representative of the Texas Commission on Environmental Quality is the presiding officer of the advisory panel.

(c)  A member of the advisory panel is not entitled to receive compensation for service on the advisory panel but is entitled to reimbursement of the travel expenses incurred by the member while conducting the business of the advisory panel.

(d)  The advisory panel may accept gifts and grants from any source to be used to carry out a function of the advisory panel.

SECTION 3.  STUDY. The advisory panel shall conduct a study on existing best management practices and funding mechanisms in this state for the prevention, mitigation, and abatement of windblown and waterborne litter, including helium balloons, in communities by:

(1)  identifying and evaluating best management practices for municipal, commercial, industrial, and agricultural properties, including the feasibility, costs, and benefits of those practices; and

(2)  evaluating:

(A)  the feasibility and implementation needs of best management practices in different regions of the state;

(B)  the jurisdiction and effectiveness of law enforcement;

(C)  the role of state funding for incentive programs; and

(D)  the appropriate state oversight and community support efforts.

SECTION 4.  RECOMMENDATIONS. At the conclusion of the study, the advisory panel shall make recommendations to the Texas Commission on Environmental Quality and the Texas Department of Transportation on:

(1)  standardized methods for reporting and using best management practices; and

(2)  other possible strategies, as appropriate.

SECTION 5.  ASSISTANCE OF STATE AGENCIES. On request by the advisory panel, a state agency shall provide assistance to the advisory panel, including necessary support staff.

SECTION 6.  PUBLIC MEETINGS. The advisory panel may hold public meetings as needed to carry out the duties described by this Act.

SECTION 7.  BEST PRACTICES GUIDE AND REPORT TO LEGISLATURE. Not later than November 1, 2020, the advisory panel shall:

(1)  publish a best management practices guide for use by state agencies and counties, municipalities, and other political subdivisions responsible for the prevention, mitigation, and abatement of litter, including information on potential funding sources; and

(2)  make a final report to the lieutenant governor, the speaker of the house of representatives, and the legislative committees with primary jurisdiction over the issues described in the report. The report must include recommendations on additional legislative action, if any, that is needed to implement the recommended best management practices.

SECTION 8.  EXPIRATION. This Act expires and the advisory panel is abolished on January 1, 2022.

SECTION 9.  EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.