

By: Hunter

H.B. No. 3600

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the commercial oyster mariculture advisory board.

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

SECTION 1. Chapter 75, Parks and Wildlife Code, is amended by adding Section 75.0108 to read as follows:

Sec. 75.0108. COMMERCIAL OYSTER MARICULTURE ADVISORY BOARD. (a) In this section, "advisory board" means the commercial oyster mariculture advisory board established under this section.

(b) The commercial oyster mariculture advisory board is established within the office of the governor to advise all state agencies with regulatory authority over the commercial oyster mariculture industry.

(c) The advisory board consists of seven members appointed by the governor as follows:

(1) four members must:

(A) represent the commercial oyster mariculture industry, seafood industry, or related industries; and

(B) have a documented interest in the promotion of entrepreneurship, free enterprise, and the increased use, consumption, marketing, and sale of native oysters in this state; and

(2) three members must:

(A) represent the scientific and conservation

1 community in this state; and

2 (B) have a documented interest in the
3 sustainability of the natural coastal environment of this state.

4 (d) Advisory board members serve staggered three-year
5 terms, with the terms of two or three members expiring February 1 of
6 each year.

7 (e) If a vacancy occurs on the advisory board, the governor
8 shall appoint a replacement who meets the qualifications for the
9 vacant position to serve for the remainder of the term.

10 (f) The governor shall designate an advisory board member
11 described by Subsection (c)(1) to serve as the advisory board's
12 presiding officer for a one-year term. The presiding officer may
13 vote on any matter before the advisory board.

14 (g) Advisory board members serve without compensation but
15 are entitled to reimbursement for actual and necessary expenses
16 incurred in performing official duties authorized by the office of
17 the governor.

18 (h) The advisory board shall make recommendations to the
19 governor and all relevant agencies concerning the commercial oyster
20 mariculture industry, including recommendations regarding:

21 (1) promoting the use, consumption, marketing, and
22 sale of maricultured oysters;

23 (2) promoting sustainable commercial oyster
24 mariculture; and

25 (3) commercial oyster mariculture permits and
26 regulations.

27 (i) In performing the advisory board's duties under this

1 section, the advisory board may consult with agencies of this state
2 and the United States, including the:

- 3 (1) Parks and Wildlife Department;
- 4 (2) General Land Office;
- 5 (3) Department of Agriculture;
- 6 (4) Department of State Health Services;
- 7 (5) National Marine Fisheries Service;
- 8 (6) United States Army Corps of Engineers; and
- 9 (7) United States Coast Guard.

10 (j) Chapter 2110, Government Code, does not apply to the
11 advisory board.

12 SECTION 2. Not later than December 31, 2021, the governor
13 shall appoint the initial members of the commercial oyster
14 mariculture advisory board under Section 75.0108, Parks and
15 Wildlife Code, as added by this Act. Notwithstanding Section
16 75.0108(d), Parks and Wildlife Code, as added by this Act, in making
17 the initial appointments, the governor shall designate two members
18 to terms expiring February 1, 2023, two members to terms expiring
19 February 1, 2024, and three members to terms expiring February 1,
20 2025.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2021.