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92E

Chapter 886

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

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

8 CHAPTER 490E. TASK FORCE ON ECONOMIC GROWTH AND ENDANGERED SPECIES

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

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

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

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

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

- 23 (1) the comptroller;  
24 (2) the commissioner of agriculture;

1           (3) the executive director of the Parks and Wildlife  
2 Department;

3           (4) the executive director of the Texas Department of  
4 Transportation; and

5           (5) the executive director of the State Soil and Water  
6 Conservation Board.

7           (b) The comptroller is the presiding officer of the task  
8 force.

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

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

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

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

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

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

24           (3) facilitate state and local governmental efforts to  
25 effectively implement endangered species regulations in a  
26 cost-efficient manner.

27           (b) If requested by a local government or a state official,

1 the task force may review state and local governmental efforts to  
2 address endangered species issues and provide recommendations to  
3 make those efforts more cost effective. The task force shall  
4 consider all available options as part of its recommendations. The  
5 options considered must include:

6 (1) fee simple acquisition of land;

7 (2) conservation easements;

8 (3) use of land owned by local governments or this  
9 state;

10 (4) recovery crediting; and

11 (5) all relevant federal programs.

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

16 (1) one-third must be representatives of affected  
17 landowners;

18 (2) one-third must be representatives of conservation  
19 interests; and

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

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

26 (c) The comptroller shall designate one member of an  
27 advisory committee as interim presiding officer for the purpose of

1 calling and conducting the initial meeting of the committee.

2 (d) An advisory committee shall:

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

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

7 (3) provide recommendations to the task force as  
8 requested by the task force.

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

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

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

18 (1) assist in the analysis of biological and economic  
19 impacts of proposed actions; and

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

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

23 (1) innovative programs to address endangered species  
24 issues while promoting economic growth;

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

26 (3) recommendations for future programs or  
27 legislation.

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

3        SECTION 2. (a) In this section:

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

6                (2) "Task force" has the meaning assigned by Section  
7 490E.002, Government Code, as added by this Act.

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

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

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

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

27        SECTION 3. This Act does not make an appropriation. A

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1 provision in this Act that creates a new governmental program,  
2 creates a new entitlement, or imposes a new duty on a governmental  
3 entity is not mandatory during a fiscal period for which the  
4 legislature has not made a specific appropriation to implement the  
5 provision.

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

S.B. No. 2534

Rand Newkirk  
President of the Senate

Jim Strawn  
Speaker of the House

I hereby certify that S.B. No. 2534 passed the Senate on May 7, 2009, by the following vote: Yeas 31, Nays 0.

Daisy Grew  
Secretary of the Senate

I hereby certify that S.B. No. 2534 passed the House on May 26, 2009, by the following vote: Yeas 143, Nays 2, one present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

19 JUN '09  
Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2:00 O'CLOCK  
JUN 19 2009

Coley Hunter III