

BILL ANALYSIS

C.S.S.B. 1586
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Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas deer breeding industry must make annual monitoring reports regarding chronic wasting disease to both the Texas Parks and Wildlife Department (TPWD) and the Texas Animal Health Commission; however, the reports have different due dates. The reports consume the valuable time of both the breeder and the agencies. Obtaining copies of the disease reports from local veterinarians, completing the different forms required by each agency, and meeting with agency representatives are also very time consuming. Many breeders report that permit reissuance now lags up to two years. This delay causes deer breeders great concern as to whether they are out of compliance with mandatory legal requirements. Legislation enacted by the 80th Legislature, Regular Session, 2007, authorizes TPWD to issue permits that are valid for longer than one year; however, even if that increase were to occur, breeders are still required to report their herd inventory to TPWD and the Texas Animal Health Commission annually. Both agencies lack the personnel for the chronic wasting disease monitoring program. Report duplication results in many deer breeders opting out of the more laborious commission program because participation is too expensive and time consuming.

C.S.S.B. 1586 requires TPWD, in conjunction with the Texas Animal Health Commission, to develop and maintain a process for a shared database in order to permit breeders to submit herd inventory information in a form not requiring data entry by both agencies.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Parks and Wildlife Commission and to the Texas Animal Health Commission in SECTION 1 of this bill.

ANALYSIS

C.S.S.B. 1586 amends the Parks and Wildlife Code to require the Parks and Wildlife Department (TPWD), in conjunction with the Texas Animal Health Commission, not later than June 1, 2010, to develop and maintain a process for a database to be shared by both agencies. The bill requires the database to include the reporting data required to be provided by each deer breeder to TPWD under provisions regarding a deer breeder's permit and to the commission. The bill requires TPWD and the commission, to the extent possible, to share the database to eliminate the need for a deer breeder to submit duplicate reports to the two agencies.

C.S.S.B. 1586 requires TPWD and the commission, by rule, to provide incentives to deer breeders whose cooperation results in reduced costs and increased efficiency by offering reduced fees for the deer breeder permit and a permit with an extended duration. The bill authorizes TPWD and the commission to adopt rules to implement the bill's provisions. The bill defines "database."

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.S.B. 1586 requires the Parks and Wildlife Department (TPWD) and the Texas Animal Health Commission to develop and maintain a process for a deer breeder database, rather than to develop and maintain a deer breeder database as in the original. The substitute adds a provision not in the original specifying that the process for the database is to be developed and maintained not later than June 1, 2010.

C.S.S.B. 1586 omits a provision in the original requiring TPWD and the commission to develop a preliminary version of the database not later than June 1, 2010. The substitute omits a provision in the original establishing that the original bill does not make an appropriation and that a provision in the bill creating a new governmental program, creating a new entitlement, or imposing a new duty on a governmental entity is not mandatory during a fiscal period for which sufficient funds are not available in the General Revenue-Dedicated Game, Fish, and Water Safety Account No. 0009 to implement the bill's provisions.

C.S.S.B. 1586 differs from the original by clarifying that "database" means a deer breeder database used by TPWD, rather than the deer breeder database established under the bill's provisions as in the original.