

SUBJECT: Appointing members of the Texas Parks and Wildlife Commission

COMMITTEE: Government Reform — favorable, without amendment

VOTE: 4 ayes — Swinford, Allen, Casteel, R. Cook

0 nays

3 absent — Gallego, Callegari, T. Smith

WITNESSES: No public hearing

BACKGROUND: The Texas Parks and Wildlife Commission has nine members appointed by the governor with the advice and consent of the Senate. Parks and Wildlife Code, sec. 11. 012(d) directs the governor to attempt to include people with expertise in diverse fields, including historic preservation, conservation, and outdoor recreation.

DIGEST: HB 5 would require the governor to consider geographical representation and the appropriate balance between urban and rural representation in appointing members of the Parks and Wildlife Commission. The governor also could appoint members with an interest in and knowledge of hunting, fishing, wildlife, environmental concerns, land or water use issues, or water quality issues.

As soon as possible after December 1, 2003, the governor would have to appoint nine members to the commission. The position of a member serving on the commission immediately before December 1 would be abolished when five or more newly appointed members qualified for office. The governor could reappoint an existing commissioner. The newly appointed members' terms would expire in 2005, 2007, or 2009, with the governor designating the three members whose terms would expire in these years.

The bill would take effect December 1, 2003.

SUPPORTERS SAY: HB 5 would help improve representation of hunting and fishing interests on the Parks and Wildlife Commission. Because the Texas Parks and Wildlife

Department is funded primarily by fees, hunters and anglers are the agency's largest source of revenue, generating about \$52 million per year. Despite paying a hefty share of the agency's budget, these constituent groups have seen many issues important to them fall by the wayside or receive lower priorities than other efforts undertaken by the agency. For example, an initiative important to hunters, finding a way to resurrect the bobwhite quail population in Texas, has languished while the agency has established elaborate bird-watching facilities in South Texas. HB 5 would direct the governor to take into account the interests of the agency's primary constituent groups when appointing members to the commission.

The commission continues to make parks a higher priority than hunting and fishing. Wealthy ranch owners interested in wildlife may serve on the commission, but issues important to the thousands of regular hunters or fishermen across Texas have not received adequate attention. For example, an initiative to examine the future of hunting in Texas has yet to get off the ground, while the commission continues to emphasize parks.

**OPPONENTS
SAY:**

HB 5 is unnecessary. The commission's current composition is well-balanced and provides fair representation of interests in parks, hunting, and fishing. Current law does not prohibit the governor from appointing representatives of hunting and fishing interests to the commission. In fact, most of the current commission members are ranch owners with substantial interests in wildlife issues.

Revenue from sales of hunting and fishing licenses cannot be spent on parks but is dedicated to hunting and fishing-related programs, such as law enforcement, wildlife biology, or fish hatcheries. Moreover, comparing the quail initiative to the World Birding Center is misleading. Local interests see the birding center as an economic development tool, and the Legislature has appropriated more funding to develop it, whereas the agency has had to fund the quail initiative from its wildlife biology budget. Also, the quail initiative is a research and outreach program. Increasing the quail population would require habitat restoration on private lands and increased rainfall.

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NOTES: HB 5 is identical to HB 60 by Allen, first called session, except that HB 5 would take effect on December 1, 2003. HB 60 passed the House on July 10 by 106-37, but died in the Senate.