

SUBJECT: Control and eradication of cotton pests

COMMITTEE: Agriculture and Livestock — committee substitute recommended

VOTE: 8 ayes — Patterson, R. Cuellar, Finnell, Hawley, Rabuck, Rusling, Swinford, Walker

0 nays

1 absent — King

WITNESSES: For — Durwood Tucker, Texas Farm Bureau

Against — None

On — Barry McBee, Texas Department of Agriculture

BACKGROUND: The Texas Department of Agriculture has authority to establish control programs for the boll weevil and pink bollworm, insects that threaten cotton crops. The department is authorized to regulate cotton planting dates, the destruction of cotton stalk residue and the movement of articles contaminated with cotton pests.

Upon receiving a petition from a recognized producer organization, the commissioner of agriculture is required to establish boll weevil control zones and create an administrative committee responsible for making recommendations to the commissioner. Agriculture Code Subchapter A, lists three zones. Six zones are regulated under Subchapter B, pink bollworm control, which does not require petitions from producer organizations nor the formation of administrative committees.

DIGEST: HB 3003 would consolidate the boll weevil and pink bollworm programs into a single cotton pest control program. Cotton pests would include boll weevils and pink bollworms, which would be declared a public nuisance that threatens the continued stability of the cotton industry.

The bill would establish and define pest management zones, geographical zones established by the agriculture department for purposes of cotton pest

control and prevention. A producer organization could petition the commissioner for certification to establish a pest management zone.

The administrative committee governing a zone would consist of a producer representative from each county in the zone and a representative of the agriculture department, each appointed by the agriculture commissioner.

The bill would clarify that the authority to quarantine a cotton pest-infested area belongs to the department, not the governor, and remove the statutory authority to create cotton escrow accounts.

The bill would take effect immediately if approved by two-thirds of the membership of each house.

**SUPPORTERS
SAY:**

CSHB 3003 would eliminate confusion by combining the two separate, but very similar, cotton pest control programs. The legislation would heighten the awareness of Texans by declaring boll weevils and pink bollworms to be cotton pests that are a threat to the cotton industry.

The bill would not change producer requirements or rights relating to the control of boll weevils and pink bollworms in regulated pest management zones. All rights, duties and responsibilities of all growers would remain the same. The legislation would make no substantive changes, only technical and clarifying revisions related to the control of these cotton pests.

This legislation is producer-backed and would require newly created pest management zones to be managed by committees that have producers and an agency representative to direct the pest control program in the area. The agency, as well as producers in the area, would have input into the control of pests in the area, ensuring that sound reasonable pest control measures will be implemented.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

The original version of the bill did not provide for the composition of the administrative committee or a definition for "pest management zone." The

substitute added both of these elements and would give producer organizations that are recognized by the department and representative of cotton producers the authority to petition the commissioner to establish pest management zones. The original version would have repealed provisions relating to the establishment of uniform planting dates; the substitute would retain this provision. The substitute would clarify that the authority to quarantine a cotton pest infested area belongs to the department, not the governor, and require the department to inspect all items transported in the state that come from a cotton pest quarantined area and are susceptible to cotton pest infestation. The original version would have only required the inspection of such items carried into the state, and would not have accounted for items carried within the state.

The Senate companion bill, SB 1189 by Sims and Lucio, is scheduled for a public hearing today in the Senate Natural Resources subcommittee on Agriculture.