

BILL ANALYSIS

S.B. 1025
By: Lucio
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Department of Economic Development and the Texas Department of Transportation both participate in projects and funding relating to ports. There is some duplication of effort, and some contend that the interests of the state and ports would be better served if port funding were integrated more closely with the rest of the state's transportation infrastructure. S.B. 1025 provides for the funding of port transportation, port facility projects, and port studies, including port security projects, within the Texas Department of Transportation.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 8 (Section 55.009, Transportation Code) of this bill.

ANALYSIS

SECTION 1. Amends the heading to Chapter 55, Transportation Code, to read as follows:

CHAPTER 55. FUNDING OF PORT SECURITY, PROJECTS, AND STUDIES

SECTION 2. Amends Section 55.001, Transportation Code, to provide that "commission" means the Texas Transportation Commission (TTC), "committee" means the Port Authority Advisory Committee (PAAC), "department" means the Texas Department of Transportation (TxDOT), rather than the Texas Department of Economic Development (TDED), and to define "port security, transportation, or facility project."

SECTION 3. Amends Section 55.002, Transportation Code, as follows:

Sec. 55.002. New heading: PORT DEVELOPMENT FUNDING. (a) Requires TxDOT, from money in the port access account fund, to fund port security projects. Makes nonsubstantive changes.

(b) Prohibits TxDOT from funding a port security, transportation, or facility project unless a certain amount is invested in the project by a port authority or navigation district.

(c) Includes the construction or improvement of facilities necessary or useful in providing port security as a project eligible for funding under this chapter. Makes conforming and nonsubstantive changes.

(d) Requires TTC, rather than TDED, after receiving recommendations from PAAC and TxDOT, to approve projects or studies for funding based on its review. Makes a nonsubstantive change.

SECTION 4. Amends Section 55.004, Transportation Code, to delete text authorizing TDED to

BILL ANALYSIS

S.B. 1025
By: Lucio
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Department of Economic Development and the Texas Department of Transportation both participate in projects and funding relating to ports. There is some duplication of effort, and some contend that the interests of the state and ports would be better served if port funding were integrated more closely with the rest of the state's transportation infrastructure. S.B. 1025 provides for the funding of port transportation, port facility projects, and port studies, including port security projects, within the Texas Department of Transportation.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 8 (Section 55.009, Transportation Code) of this bill.

ANALYSIS

SECTION 1. Amends the heading to Chapter 55, Transportation Code, to read as follows:

CHAPTER 55. FUNDING OF PORT SECURITY, PROJECTS, AND STUDIES

SECTION 2. Amends Section 55.001, Transportation Code, to provide that "commission" means the Texas Transportation Commission (TTC), "committee" means the Port Authority Advisory Committee (PAAC), "department" means the Texas Department of Transportation (TxDOT), rather than the Texas Department of Economic Development (TDED), and to define "port security, transportation, or facility project."

SECTION 3. Amends Section 55.002, Transportation Code, as follows:

Sec. 55.002. New heading: PORT DEVELOPMENT FUNDING. (a) Requires TxDOT, from money in the port access account fund, to fund port security projects. Makes nonsubstantive changes.

(b) Prohibits TxDOT from funding a port security, transportation, or facility project unless a certain amount is invested in the project by a port authority or navigation district.

(c) Includes the construction or improvement of facilities necessary or useful in providing port security as a project eligible for funding under this chapter. Makes conforming and nonsubstantive changes.

(d) Requires TTC, rather than TDED, after receiving recommendations from PAAC and TxDOT, to approve projects or studies for funding based on its review. Makes a nonsubstantive change.

SECTION 4. Amends Section 55.004, Transportation Code, to delete text authorizing TDED to

adopt rules pertaining to audits.

SECTION 5. Amends Section 55.006, Transportation Code, as follows:

Sec. 55.006. New heading: PORT AUTHORITY ADVISORY COMMITTEE. (a) Provides that PAAC consists of seven members appointed by TTC. Sets forth procedures for the appointment of PAAC members. Deletes text regarding the designation of membership of the Texas Port Transportation and Economic Development Advisory Committee (TPTEDAC).

(b) Provides that a PAAC member serves at the pleasure of TTC. Deletes text relating to actions and bylaws of TPTEDAC.

(c) Deletes text pertaining to meetings of TPTEDAC.

(d) No changes made to this subsection.

(e) Deletes text stating that Section 2110.008, Government Code (Duration of Advisory Committees), does not apply to PAAC.

SECTION 6. Amends Section 55.007, Transportation Code, to require PAAC to advise TTC and TxDOT on matters relating to port authorities. Deletes text regarding the adoption of rules.

SECTION 7. Amends Section 55.008, Transportation Code, as follows:

(a) Provides that the port capital program prepared by PAAC must include projects or studies submitted to PAAC by any port, rather than each port that is a member of the committee, and recommendations for the efficient, cost-effective development of transportation facilities or port facilities for the purpose of enhancing port security. Makes nonsubstantive changes.

(b) Requires PAAC to submit the port capital program by a certain time to TTC, rather than TDED.

SECTION 8. Amends Chapter 55, Transportation Code, by adding Section 55.009, as follows:

Sec. 55.009. RULES. Requires TTC to adopt rules to implement this chapter.

SECTION 9. Repealer: Chapter 53 (Port Authority Advisory Committee), Transportation Code.

SECTION 10. Effective date: upon passage or September 1, 2003.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

adopt rules pertaining to audits.

SECTION 5. Amends Section 55.006, Transportation Code, as follows:

Sec. 55.006. New heading: PORT AUTHORITY ADVISORY COMMITTEE. (a) Provides that PAAC consists of seven members appointed by TTC. Sets forth procedures for the appointment of PAAC members. Deletes text regarding the designation of membership of the Texas Port Transportation and Economic Development Advisory Committee (TPTEDAC).

(b) Provides that a PAAC member serves at the pleasure of TTC. Deletes text relating to actions and bylaws of TPTEDAC.

(c) Deletes text pertaining to meetings of TPTEDAC.

(d) No changes made to this subsection.

(e) Deletes text stating that Section 2110.008, Government Code (Duration of Advisory Committees), does not apply to PAAC.

SECTION 6. Amends Section 55.007, Transportation Code, to require PAAC to advise TTC and TxDOT on matters relating to port authorities. Deletes text regarding the adoption of rules.

SECTION 7. Amends Section 55.008, Transportation Code, as follows:

(a) Provides that the port capital program prepared by PAAC must include projects or studies submitted to PAAC by any port, rather than each port that is a member of the committee, and recommendations for the efficient, cost-effective development of transportation facilities or port facilities for the purpose of enhancing port security. Makes nonsubstantive changes.

(b) Requires PAAC to submit the port capital program by a certain time to TTC, rather than TDED.

SECTION 8. Amends Chapter 55, Transportation Code, by adding Section 55.009, as follows:

Sec. 55.009. RULES. Requires TTC to adopt rules to implement this chapter.

SECTION 9. Repealer: Chapter 53 (Port Authority Advisory Committee), Transportation Code.

SECTION 10. Effective date: upon passage or September 1, 2003.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.