

1-1 By: Shapleigh S.B. No. 786  
1-2 (In the Senate - Filed February 28, 2003; March 5, 2003,  
1-3 read first time and referred to Committee on International  
1-4 Relations and Trade; April 8, 2003, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 6, Nays  
1-6 0; April 8, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 786 By: Shapleigh

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to establishing task forces in certain border communities  
1-11 to study impediments to trade in the border region.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. DEFINITIONS. In this Act:

1-14 (1) "Border region" means the area composed of the  
1-15 counties of Brewster, Cameron, Culberson, Dimmit, El Paso, Hidalgo,  
1-16 Hudspeth, Jeff Davis, Kinney, La Salle, Maverick, Presidio, Starr,  
1-17 Terrell, Val Verde, Webb, Willacy, Zapata, and Zavala.

1-18 (2) "Task force" means a border community trade task  
1-19 force established under this Act.

1-20 SECTION 2. BORDER COMMUNITY TRADE TASK FORCE. The  
1-21 lieutenant governor and speaker of the house of representatives  
1-22 shall establish a border community trade task force for each of the  
1-23 four municipalities with the largest populations in the border  
1-24 region to identify procedural and infrastructure impediments to the  
1-25 free flow of trade between the United States and Mexico along the  
1-26 border region and make findings and recommendations as considered  
1-27 appropriate regarding those trade impediments.

1-28 SECTION 3. MEMBERSHIP; OFFICERS. (a) As soon as  
1-29 practicable after the effective date of this Act, the speaker of the  
1-30 house of representatives and lieutenant governor jointly shall  
1-31 appoint the following members to serve on each task force:

1-32 (1) one or more persons representing the United States  
1-33 Department of Homeland Security;

1-34 (2) one person representing the governmental agency of  
1-35 Mexico that performs the functions of a transportation department;

1-36 (3) one person representing the Texas Department of  
1-37 Transportation;

1-38 (4) one person representing the Department of Public  
1-39 Safety of the State of Texas;

1-40 (5) one person representing the interests of local  
1-41 customs brokers;

1-42 (6) one person representing the interests of local  
1-43 freight forwarders;

1-44 (7) one person representing the interests of motor  
1-45 carriers;

1-46 (8) one person representing the interests of drayage  
1-47 carriers;

1-48 (9) one person representing the local maquiladora  
1-49 industry;

1-50 (10) one person representing the interests of plant or  
1-51 crop agriculture; and

1-52 (11) one person representing the interests of animal  
1-53 agriculture.

1-54 (b) The speaker of the house of representatives and  
1-55 lieutenant governor shall jointly select the presiding officer of  
1-56 each task force from among the task force members. A task force may  
1-57 designate other officers as the task force considers appropriate.

1-58 SECTION 4. ASSISTANCE; EXPENSES. (a) Each task force may  
1-59 request assistance and information, other than confidential  
1-60 information relating to an individual, from the Department of  
1-61 Public Safety of the State of Texas and the Texas Department of  
1-62 Transportation. The departments shall provide the assistance and  
1-63 information requested to the extent practicable.

2-1 (b) The Texas Department of Transportation is responsible  
2-2 for the expenses of its representative's service on each task  
2-3 force.

2-4 (c) The Department of Public Safety of the State of Texas is  
2-5 responsible for the expenses of its representative's service on  
2-6 each task force.

2-7 SECTION 5. TASK FORCE DUTIES. (a) Each task force shall  
2-8 study and evaluate the procedures and practices maintained at the  
2-9 port of entry between Texas and Mexico nearest to the municipality  
2-10 represented by the task force to determine what modifications could  
2-11 be made to expedite the flow of trade from Mexico, including:

2-12 (1) identifying the cause of traffic congestion at the  
2-13 border crossing from Mexico;

2-14 (2) reviewing customs broker practices, including the  
2-15 batch release process;

2-16 (3) reviewing the drayage business and drayage  
2-17 concerns;

2-18 (4) reviewing United States Department of Homeland  
2-19 Security animal and plant health inspection practices;

2-20 (5) reviewing and considering the standardization of  
2-21 the hours of operation for financial institutions, customs brokers,  
2-22 United States Customs Service offices, United States Department of  
2-23 Homeland Security offices, and maquiladoras along the Texas-Mexico  
2-24 border;

2-25 (6) determining the feasibility of establishing a  
2-26 program authorizing the Department of Public Safety of the State of  
2-27 Texas officers or inspectors certified by the department to conduct  
2-28 commercial vehicle and driver safety inspections in Mexico;

2-29 (7) reviewing United States Customs Service practices  
2-30 to determine what procedures and processes need to be changed to  
2-31 permit a precleared Mexican commercial vehicle to bypass the  
2-32 primary customs inspection point;

2-33 (8) determining the feasibility of interagency  
2-34 agreements that would allow a state agency to administer the laws of  
2-35 this state relating to the registration of motor carriers and the  
2-36 inspection of commercial motor vehicles for another state agency;  
2-37 and

2-38 (9) identifying the federal and state infrastructure  
2-39 and manpower resources necessary to expedite the free flow of trade  
2-40 across the border crossing from Mexico.

2-41 (b) Each task force shall also study the primary and  
2-42 secondary inspection processes relating to motor carrier safety  
2-43 regulations and commercial driver's licensure requirements  
2-44 administered by the Department of Public Safety of the State of  
2-45 Texas to determine which of those processes, regulations, and  
2-46 requirements may be automated to expedite the free flow of trade  
2-47 across the border crossing from Mexico.

2-48 (c) Each task force shall focus on analyzing current  
2-49 situations and developing solutions in anticipation of the removal  
2-50 of geographical access barriers on Mexican commercial trucks.

2-51 SECTION 6. REPORTS. Not later than December 31, 2004, each  
2-52 task force shall file a report of the task force's activities,  
2-53 findings, and recommendations with the lieutenant governor and the  
2-54 speaker of the house of representatives. Each report shall include  
2-55 any recommendations for legislative or administrative action the  
2-56 task force considers appropriate.

2-57 SECTION 7. EXPIRATION. The task forces are abolished and  
2-58 this Act expires September 1, 2005.

2-59 SECTION 8. EFFECTIVE DATE. This Act takes effect  
2-60 immediately if it receives a vote of two-thirds of all the members  
2-61 elected to each house, as provided by Section 39, Article III, Texas  
2-62 Constitution. If this Act does not receive the vote necessary for  
2-63 immediate effect, this Act takes effect September 1, 2003.

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