

## **BILL ANALYSIS**

S.B. 185  
By: Lucio  
Border and International Affairs  
Committee Report (Amended)

### **BACKGROUND AND PURPOSE**

In 1999, the legislature established the position of the Border Commerce Coordinator (coordinator) in order to have a governor-appointed official pro-actively examining trade and transportation related issues between the United States, Mexico, and Canada. Since the creation of the position, there has been a lack of continuity in the coordinator's office. Legislative bodies with jurisdiction over trade and commerce have become concerned about the lack of continuity and performance of the coordinator's office.

Senate Bill 185 expands the duties of the Border and Commerce Coordinator, requires the coordinator to establish and appoint a Border, Inspection, Trade, and Transportation advisory committee including certain members and develop a trade and commerce plan for the border region. The bill also requires the coordinator to submit various reports to the legislature.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **ANALYSIS**

SECTION 1 Reenacts and amends Section 772.010, Government Code, as added by Chapters 429 and 1339, Acts of the 76th Legislature, Regular Session, 1999, as follows:

Requires the border commerce coordinator (coordinator) to work with local governments, metropolitan planning organizations, and other appropriate community organizations adjacent to the Texas-Mexico border, and with comparable entities in Mexican states adjacent to that border, to address the unique planning and capacity needs of those areas. Requires the coordinator to assist those governments, organizations, and entities to identify and develop initiatives to address those needs. Requires the coordinator before January 1 of each year to submit to the presiding officer of each house of the legislature a report of the coordinator's activities under Section 772.010(c), Government Code, during the preceding year.

Requires the coordinator to work with private industry and appropriate entities of Texas and the United States to require that low-sulfur fuel be sold along highways in Texas carrying increased traffic related to activities under the North American Free Trade Agreement.

SECTION 2 Amends Chapter 772, Government Code, by adding Sections 772.0101 and 772.0102, to require the border commerce coordinator to establish the Border Inspection, Trade, and Transportation Advisory Committee.

Requires the border commerce coordinator to establish and appoint the members of the Border Inspection, Trade, and Transportation Advisory Committee (advisory committee). The members of the advisory committee must include representatives of the Texas Department of Transportation, the Department of Public Safety of the State of Texas, the Office of State-Federal Relations, the United States Department of Transportation, the Federal Motor Carrier Safety Administration, and other representatives of state and federal agencies involved in

border crossing issues. Provides that Chapter 2110, (State Agency Advisory Committees), Government Code, does not apply to the size, composition, or duration of the advisory committee.

Requires the coordinator to work with the advisory committee to identify problems involved with border truck inspections and related trade and transportation infrastructure and develop recommendations for addressing those problems.

Requires the coordinator to work with the advisory committee and appropriate agencies of Texas, the United States, and Mexico to develop initiatives to mitigate congestion at ports of entry at the Texas-Mexico border by conducting in Mexico inspections of trucks entering Texas. Requires the coordinator, in developing the initiatives, to give consideration to similar initiatives proposed or implemented at the border of the United States and Canada.

Requires the coordinator to report quarterly to the presiding officer of each house of the legislature on the findings and recommendations of the advisory committee.

Requires the border commerce coordinator to develop, in conjunction with representatives of chambers of commerce and metropolitan planning organizations adjacent to the United Mexican States, and private industry groups, a comprehensive trade and commerce plan for the region designed to increase trade by attracting new business ventures, support expansion of existing industries, and address workforce training needs. The plan must cover five-year, 10-year, and 15- year periods.

Requires the coordinator to work with industries and communities on both sides of the border to develop international industry cluster initiatives to capitalize on resources available in communities located adjacent to each other across the border.

Requires the coordinator to conduct annual conferences of interested persons, working with chambers of commerce and universities of this state along the Texas and Mexico border region, and to host those conferences at no cost to the coordinator. Sets forth the purposes of the conferences.

**SECTION 3** This Act takes effect only if a specific appropriation for the implementation of this Act is provided in S.B. No. 1 (General Appropriations Act), Acts of the 79th Legislature, Regular Session, 2005. If no specific appropriation is provided in the General Appropriations Act, this Act has no effect.

**SECTION 4** The Act takes effect immediately if it receives a two-thirds vote of all members elected to each house. Otherwise, the Act takes effect September 1, 2005.

### **EFFECTIVE DATE**

The Act takes effect immediately if it receives a two-thirds vote of all members elected to each house. Otherwise, the Act takes effect September 1, 2005.

### **EXPLANATION OF AMENDMENT**

Committee Amendment No. 1 requires the Border Commerce Coordinator to initiate efforts to coordinate with counterpart officials in the Mexican states bordering Texas to develop initiatives and agreements regarding but not limited to international infrastructure needs, international transportation conferences, trade corridors, border crossings and inspections, and higher education programs.