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S.B. No. 185

A BILL TO BE ENTITLED

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AN ACT

relating to the powers and duties of the border commerce coordinator.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 772.010, Government Code, as added by Chapters 429 and 1339, Acts of the 76th Legislature, Regular Session, 1999, is reenacted and amended to read as follows:

Sec. 772.010. BORDER COMMERCE COORDINATOR. (a) The governor shall designate a border commerce coordinator in the governor's office or the office of the secretary of state as determined by the governor. The coordinator shall:

(1) examine trade issues between the United States, Mexico, and Canada;

(2) act as an ombudsman for government agencies within the Texas and Mexico border region to help reduce regulations by improving communication and cooperation between federal, state, and local governments;

(3) study the flow of commerce at ports of entry between this state and Mexico, including the movement of commercial vehicles across the border, [+] and establish a plan to aid that commerce and improve the movement of those vehicles;

(4) [~~3~~] work with federal officials to resolve transportation issues involving infrastructure, including roads and bridges, to allow for the efficient movement of goods and people

1 across the border between Texas and Mexico;

2 (5) [~~(4)~~] work with federal officials to create a
3 unified federal agency process to streamline border crossing needs;

4 (6) [~~(5)~~] work to increase funding for the North
5 American Development Bank to assist in the financing of water and
6 wastewater facilities; and

7 (7) [~~(6)~~] explore the sale of excess electric power
8 from Texas to Mexico.

9 (b) The governor shall appoint a border commerce
10 coordinator to serve at the will of the governor in the governor's
11 office or in the office of the secretary of state and may select the
12 secretary of state as the coordinator.

13 (c) The coordinator shall work with local governments,
14 metropolitan planning organizations, and other appropriate
15 community organizations adjacent to the border of this state with
16 the United Mexican States, and with comparable entities in Mexican
17 states adjacent to that border, to address the unique planning and
18 capacity needs of those areas. The coordinator shall assist those
19 governments, organizations, and entities to identify and develop
20 initiatives to address those needs. Before January 1 of each year,
21 the coordinator shall submit to the presiding officer of each house
22 of the legislature a report of the coordinator's activities under
23 this subsection during the preceding year.

24 (d) The coordinator shall:

25 (1) work with private industry and appropriate
26 entities of Texas and the United States to require that low-sulfur
27 fuel be sold along highways in Texas carrying increased traffic

1 related to activities under the North American Free Trade
2 Agreement; and

3 (2) work with representatives of the government of
4 Mexico and the governments of those Mexican states bordering Texas
5 to increase the use of low-sulfur fuel.

6 SECTION 2. Chapter 772, Government Code, is amended by
7 adding Sections 772.0101 and 772.0102 to read as follows:

8 Sec. 772.0101. BORDER INSPECTION, TRADE, AND
9 TRANSPORTATION ADVISORY COMMITTEE. (a) The border commerce
10 coordinator shall establish and appoint the members of the Border
11 Inspection, Trade, and Transportation Advisory Committee. The
12 members must include representatives of the Texas Department of
13 Transportation, the Department of Public Safety of the State of
14 Texas, the Office of State-Federal Relations, the United States
15 Department of Transportation, the Federal Motor Carrier Safety
16 Administration, and other representatives of state and federal
17 agencies involved in border crossing issues. Chapter 2110 does not
18 apply to the size, composition, or duration of the Border
19 Inspection, Trade, and Transportation Advisory Committee.

20 (b) The coordinator shall work with the advisory committee
21 to:

22 (1) identify problems involved with border truck
23 inspections and related trade and transportation infrastructure;
24 and

25 (2) develop recommendations for addressing those
26 problems.

27 (c) The coordinator shall work with the advisory committee

1 and appropriate agencies of Texas, the United States, and Mexico to
2 develop initiatives to mitigate congestion at ports of entry at the
3 Mexican border by conducting in Mexico inspections of trucks
4 entering Texas. In developing the initiatives, the coordinator
5 shall give consideration to similar initiatives proposed or
6 implemented at the border of the United States and Canada.

7 (d) The coordinator shall report quarterly to the presiding
8 officer of each house of the legislature on the findings and
9 recommendations of the advisory committee.

10 Sec. 772.0102. TRADE AND COMMERCE PLAN. (a) The border
11 commerce coordinator shall develop, in conjunction with
12 representatives of chambers of commerce, metropolitan planning
13 organizations adjacent to the United Mexican States, and private
14 industry groups, a comprehensive trade and commerce plan for the
15 region designed to:

16 (1) increase trade by attracting new business
17 ventures;

18 (2) support expansion of existing industries; and

19 (3) address workforce training needs.

20 (b) The plan must cover five-year, 10-year, and 15-year
21 periods.

22 (c) The coordinator shall work with industries and
23 communities on both sides of the border to develop international
24 industry cluster initiatives to capitalize on resources available
25 in communities located adjacent to each other across the border.

26 (d) The coordinator shall conduct annual conferences of
27 interested persons, working with chambers of commerce and

1 universities of this state along the Texas and Mexico border
2 region, and shall host those conferences at no cost to the
3 coordinator. The purposes of the conferences are to:

- 4 (1) make the trade and commerce plan public;
5 (2) report on updated findings and progress of
6 implementation of the plan; and
7 (3) develop new international industry cluster
8 initiatives.

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

15 SECTION 4. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2005.