

1-1 By: Lucio, Shapleigh, Zaffirini S.B. No. 185
1-2 (In the Senate - Filed January 13, 2005; February 1, 2005,
1-3 read first time and referred to Committee on International
1-4 Relations and Trade; March 22, 2005, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 4,
1-6 Nays 1; March 22, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 185 By: Lucio

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

1-10 relating to the powers and duties of the border commerce
1-11 coordinator.

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

1-13 SECTION 1. Section 772.010, Government Code, as added by
1-14 Chapters 429 and 1339, Acts of the 76th Legislature, Regular
1-15 Session, 1999, is reenacted and amended to read as follows:

1-16 Sec. 772.010. BORDER COMMERCE COORDINATOR. (a) The
1-17 governor shall designate a border commerce coordinator in the
1-18 governor's office or the office of the secretary of state as
1-19 determined by the governor. The coordinator shall:

1-20 (1) examine trade issues between the United States,
1-21 Mexico, and Canada;

1-22 (2) act as an ombudsman for government agencies within
1-23 the Texas and Mexico border region to help reduce regulations by
1-24 improving communication and cooperation between federal, state,
1-25 and local governments;

1-26 (3) study the flow of commerce at ports of entry
1-27 between this state and Mexico, including the movement of commercial
1-28 vehicles across the border, ~~[+]~~ and establish a plan to aid that
1-29 commerce and improve the movement of those vehicles;

1-30 (4) ~~[(3)]~~ work with federal officials to resolve
1-31 transportation issues involving infrastructure, including roads
1-32 and bridges, to allow for the efficient movement of goods and people
1-33 across the border between Texas and Mexico;

1-34 (5) ~~[(4)]~~ work with federal officials to create a
1-35 unified federal agency process to streamline border crossing needs;

1-36 (6) ~~[(5)]~~ work to increase funding for the North
1-37 American Development Bank to assist in the financing of water and
1-38 wastewater facilities; and

1-39 (7) ~~[(6)]~~ explore the sale of excess electric power
1-40 from Texas to Mexico.

1-41 (b) The governor shall appoint a border commerce
1-42 coordinator to serve at the will of the governor in the governor's
1-43 office or in the office of the secretary of state and may select the
1-44 secretary of state as the coordinator.

1-45 (c) The coordinator shall work with local governments,
1-46 metropolitan planning organizations, and other appropriate
1-47 community organizations adjacent to the border of this state with
1-48 the United Mexican States, and with comparable entities in Mexican
1-49 states adjacent to that border, to address the unique planning and
1-50 capacity needs of those areas. The coordinator shall assist those
1-51 governments, organizations, and entities to identify and develop
1-52 initiatives to address those needs. Before January 1 of each year,
1-53 the coordinator shall submit to the presiding officer of each house
1-54 of the legislature a report of the coordinator's activities under
1-55 this subsection during the preceding year.

1-56 (d) The coordinator shall:

1-57 (1) work with private industry and appropriate
1-58 entities of Texas and the United States to require that low-sulfur
1-59 fuel be sold along highways in Texas carrying increased traffic
1-60 related to activities under the North American Free Trade
1-61 Agreement; and

1-62 (2) work with representatives of the government of
1-63 Mexico and the governments of those Mexican states bordering Texas

2-1 to increase the use of low-sulfur fuel.

2-2 SECTION 2. Chapter 772, Government Code, is amended by
2-3 adding Sections 772.0101, 772.0102, and 772.0103 to read as
2-4 follows:

2-5 Sec. 772.0101. BORDER INSPECTION, TRADE, AND
2-6 TRANSPORTATION ADVISORY COMMITTEE. (a) The border commerce
2-7 coordinator shall establish and appoint the members of the Border
2-8 Inspection, Trade, and Transportation Advisory Committee. The
2-9 members must include representatives of the Texas Department of
2-10 Transportation, the Department of Public Safety of the State of
2-11 Texas, the Office of State-Federal Relations, the United States
2-12 Department of Transportation, the Federal Motor Carrier Safety
2-13 Administration, and other representatives of state and federal
2-14 agencies involved in border crossing issues. Chapter 2110 does not
2-15 apply to the size, composition, or duration of the Border
2-16 Inspection, Trade, and Transportation Advisory Committee.

2-17 (b) The coordinator shall work with the advisory committee
2-18 to:

2-19 (1) identify problems involved with border truck
2-20 inspections and related trade and transportation infrastructure;
2-21 and

2-22 (2) develop recommendations for addressing those
2-23 problems.

2-24 (c) The coordinator shall work with the advisory committee
2-25 and appropriate agencies of Texas, the United States, and Mexico to
2-26 develop initiatives to mitigate congestion at ports of entry at the
2-27 Mexican border by conducting in Mexico inspections of trucks
2-28 entering Texas. In developing the initiatives, the coordinator
2-29 shall give consideration to similar initiatives proposed or
2-30 implemented at the border of the United States and Canada.

2-31 (d) The coordinator shall report quarterly to the presiding
2-32 officer of each house of the legislature on the findings and
2-33 recommendations of the advisory committee.

2-34 Sec. 772.0102. TRADE AND COMMERCE PLAN. (a) The border
2-35 commerce coordinator shall develop, in conjunction with
2-36 representatives of chambers of commerce, metropolitan planning
2-37 organizations adjacent to the United Mexican States, and private
2-38 industry groups, a comprehensive trade and commerce plan for the
2-39 region designed to:

2-40 (1) increase trade by attracting new business
2-41 ventures;

2-42 (2) support expansion of existing industries; and

2-43 (3) address workforce training needs.

2-44 (b) The plan must cover five-year, 10-year, and 15-year
2-45 periods.

2-46 (c) The coordinator shall work with industries and
2-47 communities on both sides of the border to develop international
2-48 industry cluster initiatives to capitalize on resources available
2-49 in communities located adjacent to each other across the border.

2-50 (d) The coordinator shall conduct annual conferences of
2-51 interested persons, working with chambers of commerce and
2-52 universities of this state along the Texas and Mexico border
2-53 region, and shall host those conferences at no cost to the
2-54 coordinator. The purposes of the conferences are to:

2-55 (1) make the trade and commerce plan public;

2-56 (2) report on updated findings and progress of
2-57 implementation of the plan; and

2-58 (3) develop new international industry cluster
2-59 initiatives.

2-60 Sec. 772.0103. FUNDING. The border commerce coordinator is
2-61 entitled to reimbursement for necessary expenses incurred in
2-62 performing the coordinator's duties under this chapter to the same
2-63 extent provided by the General Appropriations Act in the budget of
2-64 the secretary of state for a border affairs coordinator.

2-65 SECTION 3. This Act takes effect immediately if it receives
2-66 a vote of two-thirds of all the members elected to each house, as
2-67 provided by Section 39, Article III, Texas Constitution. If this
2-68 Act does not receive the vote necessary for immediate effect, this
2-69 Act takes effect September 1, 2005.

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