

By: Olivo

H.B. No. 1879

A BILL TO BE ENTITLED

AN ACT

relating to a citizen trade policy commission and an office of trade development.

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

SECTION 1. Subtitle F, Title 4, Government Code, is amended by adding Chapters 482 and 483 to read as follows:

CHAPTER 482. CITIZEN TRADE POLICY COMMISSION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 482.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Citizen Trade Policy Commission established under this chapter.

(2) "Trade agreement" means any agreement between the United States and another country or international political entity that proposes to regulate trade among the parties to the agreement.

[Sections 482.002-482.050 reserved for expansion]

SUBCHAPTER B. ESTABLISHMENT OF COMMISSION

Sec. 482.051. COMPOSITION OF COMMISSION. The commission is an advisory body composed of:

(1) three members of the senate appointed by the lieutenant governor;

(2) three members of the house of representatives appointed by the speaker of the house of representatives;

(3) the attorney general or a person designated by the attorney general;

1           (4) the following persons appointed by the governor:

2                   (A) an owner of a small business;

3                   (B) an owner of a small farm;

4                   (C) an academic or other professional with  
5 expertise in international trade; and

6                   (D) a representative of a corporation based in  
7 this state that is active in international trade;

8           (5) the following persons appointed by the lieutenant  
9 governor:

10                   (A) a health care professional;

11                   (B) a person who is active in the religious  
12 community; and

13                   (C) a representative of the Texas Municipal  
14 League; and

15           (6) the following persons appointed by the speaker of  
16 the house of representatives:

17                   (A) a person who is active in the organized labor  
18 community;

19                   (B) a member of a nonprofit human rights  
20 organization; and

21                   (C) a member of a nonprofit environmental  
22 organization.

23           Sec. 482.052. TERMS. (a) A member of the commission  
24 appointed under Section 482.051(4), (5), or (6) serves a three-year  
25 term. A member of the commission appointed under Section  
26 482.051(1) or (2) and the attorney general serve for the term of the  
27 member's elected office. If the attorney general designates a

1 person to serve on the commission, that person serves for the term  
2 of office of the attorney general.

3 (b) An appointed member of the commission may not serve more  
4 than two terms on the commission.

5 (c) A member may continue to serve on the commission until  
6 the member's replacement is appointed.

7 Sec. 482.053. VACANCY. The appointing authority that  
8 originally appoints a person to the commission under Section  
9 482.051 shall fill a vacancy in the position on the commission held  
10 by that person.

11 Sec. 482.054. PRESIDING OFFICER; PROCEDURES. The  
12 commission shall appoint a presiding officer and other officers and  
13 adopt rules regarding commission procedure.

14 Sec. 482.055. COMPENSATION. A member of the commission is  
15 not entitled to compensation for service on the commission.

16 Sec. 482.056. MEETINGS. The commission shall meet at least  
17 twice a year.

18 [Sections 482.057-482.100 reserved for expansion]

19 SUBCHAPTER C. POWERS AND DUTIES OF COMMISSION

20 Sec. 482.101. DUTIES. The commission shall:

21 (1) hear public testimony, at not less than five  
22 locations in this state in the first year and not less than three  
23 locations in subsequent years, regarding the actual and potential  
24 social, environmental, economic, and legal impacts on this state of  
25 international trade agreements and negotiations;

26 (2) conduct an annual assessment of the impacts of  
27 international trade agreements on:

- 1                   (A) the laws of this state;
- 2                   (B) municipal laws;
- 3                   (C) working conditions; and
- 4                   (D) the business environment;

5                   (3) submit an annual report of the commission's  
6 findings to:

- 7                   (A) the governor;
- 8                   (B) the legislature;
- 9                   (C) the attorney general;
- 10                  (D) the Texas congressional delegation;
- 11                  (E) the Texas Municipal League;
- 12                  (F) the Office of the United States Trade  
13 Representative;
- 14                  (G) the National Conference of State  
15 Legislatures; and
- 16                  (H) the National Association of Attorneys  
17 General;

18                  (4) make the report under Subdivision (3) accessible  
19 to the public on an Internet website; and

20                  (5) maintain active communication with any entity the  
21 commission determines is appropriate regarding ongoing development  
22 in international trade agreements and policy.

23                  Sec. 482.102. AUTHORITY OF COMMISSION. The commission may:

24                  (1) draft and recommend legislation to the  
25 legislature;

26                  (2) recommend that the state support or withhold  
27 support from future trade negotiations or agreements; and

1           (3) examine any aspect of international trade,  
2 international economic integration, and trade agreements that the  
3 commission considers appropriate.

4           CHAPTER 483. OFFICE OF TRADE DEVELOPMENT

5           Sec. 483.001. ESTABLISHMENT. The Office of Trade  
6 Development is an office within the office of the governor.

7           Sec. 483.002. DUTIES. The Office of Trade Development  
8 shall:

9           (1) monitor trade negotiations and disputes that  
10 impact this state's economy;

11           (2) analyze pending trade agreements that this state  
12 is considering signing and provide analysis to the governor, the  
13 legislature, the Citizen Trade Policy Commission, and the public;

14           (3) provide technical assistance to workers and  
15 businesses that are affected by unfair trade practices;

16           (4) annually provide a trade impact report to the  
17 governor, the legislature, and the Citizen Trade Policy Commission;  
18 and

19           (5) provide research and analysis as requested by the  
20 governor, the legislature, or the Citizen Trade Policy Commission.

21           Sec. 483.003. REPORT. The annual trade impact report  
22 required under Section 483.002 must include:

23           (1) an audit of the amount of public contract work  
24 being performed overseas;

25           (2) an audit of government goods being procured from  
26 overseas;

27           (3) a study of the impact of trade on state and local

1 employment levels, tax revenue, and retraining and adjustment  
2 costs;

3 (4) an analysis of the constraints that trade rules  
4 place on state regulatory authority, including this state's ability  
5 to preserve the environment, protect public health and safety, and  
6 provide quality public services; and

7 (5) recommendations of specific actions this state  
8 should take in response to the impact of trade on this state,  
9 including:

10 (A) revocation of this state's consent to be  
11 bound by the procurement rules of international trade agreements;

12 (B) prohibition of offshore performance of state  
13 contract work and preferences for domestic content in state  
14 purchasing;

15 (C) state support for cases brought under federal  
16 trade laws by residents of this state;

17 (D) state advocacy for reform of trade agreements  
18 and trade laws at the federal level; and

19 (E) implementation of a growth strategy  
20 formulated with business, labor, and community participation,  
21 including:

22 (i) more effective early warning and layoff  
23 aversion measures;

24 (ii) increased assistance and adjustment  
25 programs for displaced workers and communities impacted by trade;

26 (iii) stronger standards and  
27 accountability for recipients of state subsidies and incentives;

- 1                                    (iv) investments in workforce training and  
2 development;  
3                                    (v) investments in technology and  
4 infrastructure; and  
5                                    (vi) increased access to capital for local  
6 producers.

7            SECTION 2. (a) Not later than October 1, 2007, the  
8 governor, lieutenant governor, and speaker of the house of  
9 representatives shall appoint persons to the Citizen Trade Policy  
10 Commission as required by Chapter 482, Government Code, as added by  
11 this Act.

12            (b) Not later than September 1, 2008, the Citizen Trade  
13 Policy Commission shall submit the first annual report as required  
14 by Chapter 482, Government Code, as added by this Act.

15            (c) Not later than September 1, 2008, the Office of Trade  
16 Development shall submit the first annual report as required by  
17 Chapter 483, Government Code, as added by this Act.

18            SECTION 3. This Act takes effect September 1, 2007.