

By: Anchia

H.B. No. 3851

A BILL TO BE ENTITLED

AN ACT

relating to the enhancement of Texas maritime ports for expanded service to international marine freight and passenger markets.

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

SECTION 1. Section 55, Transportation Code, is amended to read as follows:

Sec. 55.002. PORT DEVELOPMENT FUNDING. (a) From money in the fund, the department shall fund:

(1) port security, transportation, or facility projects; and

(2) maritime port studies.

(b) The commission by rule may establish matching fund requirements for receiving money from the fund.

(c) Port security, transportation, or facility projects eligible for funding under this chapter include:

(1) construction or improvement of transportation facilities within the jurisdiction of a maritime port;

(2) the dredging or deepening of channels, turning basins, or harbors;

(3) the construction or improvement of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, or any facilities necessary or useful in connection with maritime port transportation or economic development;

(4) the construction or improvement of facilities

1 necessary or useful in providing maritime port security;

2 (5) the acquisition of container cranes or other
3 mechanized equipment used in the movement of cargo or passengers in
4 international commerce;

5 (6) the acquisition of land to be used for maritime
6 port purposes;

7 (7) the acquisition, improvement, enlargement, or
8 extension of existing maritime port facilities; and

9 (8) environmental protection projects that:

10 (A) are required as a condition of a state,
11 federal, or local environmental permit or other form of approval;

12 (B) are necessary for the acquisition of spoil
13 disposal sites and improvements to existing and future spoil sites;
14 or

15 (C) result from the undertaking of eligible
16 projects.

17 (d) The department, in consultation with the committee,
18 shall review the list of projects recommended by the committee to
19 evaluate the economic benefit of each project. The commission,
20 after receiving recommendations from the committee and from the
21 department, shall approve projects or studies for funding based on
22 its review.

23 (d-1) For any project with a potential cost exceeding
24 \$1,000,000, the department, in consultation with the committee,
25 shall review its impact upon the ports competitiveness in the
26 international marketplace, as a factor in ranking the project for
27 priority funding.

1 (d-2) For any project with a potential cost exceeding
2 \$10,000,000, the department, in consultation with the committee,
3 shall review the possibility of a public private partnership, and
4 potential cost, project delivery, and efficiency advantages.

5 SECTION 2. Section 55, Transportation Code, is amended to
6 read as follows:

7 Sec. 55.008. CAPITAL PROGRAM. (a) The committee shall
8 prepare a two-year port capital program defining the goals and
9 objectives of the committee concerning the development of maritime
10 port facilities and an intermodal transportation system. The port
11 capital program must include projects or studies submitted to the
12 committee by any maritime port and recommendations for:

13 (1) the construction of transportation facilities
14 connecting any maritime port to another transportation mode; and

15 (2) the efficient, cost-effective development of
16 transportation facilities or maritime port facilities for the
17 purpose of:

18 (A) enhancing international trade;

19 (B) enhancing security;

20 (C) promoting cargo flow;

21 (D) increasing cruise passenger movements;

22 (E) increasing maritime port revenues; [and]

23 (F) generating new trade-related jobs; and

24 (G) providing economic benefits to the state.

25 (b) The committee shall update the port capital program and
26 shall submit the capital program not later than December 1 of each
27 even-numbered year to:

- (1) the governor;
- (2) the lieutenant governor;
- (3) the speaker of the house of representatives; and
- (4) the commission.

(c) Prior to approval of the port capital program, the committee, in consultation with the Texas Higher Education Coordinating Board, the Texas Workforce Commission and other appropriate agencies, on a workforce development plan to equip Texans to pursue job opportunities related to the new port investment.

SECTION 3. Chapter 60, Transportation Code, is amended by adding Section 60.002 to read as follows:

Sec. 60.002. TEXAS GLOBAL SEAPORTS PROGRAM. (a) In this section, "program" means the Texas Global Seaports Program.

(b) An interagency, public-private sector work group entitled the Texas Global Seaports Work Group is created to consult upon, develop, adopt an action plan for, and fund the program, including:

(1) develop or update a process to allow agencies and business to work together to identify the key emerging global markets for Texas products and services, and inbound foreign investment in Texas businesses, and collaborate to identify improvements to Texas' seaports to better serve international commerce;

(2) consult with local governments, educational institutions, economic development and metropolitan planning organizations, workforce development agencies, small business

1 agencies, chambers of commerce, trade associations, and other
2 stakeholders, to elicit recommendations on a statewide strategy to
3 enhance services out of Texas' global seaports;

4 (3) consult with the top industry consumers of Texas
5 products and services in foreign nations, elicit recommendations on
6 improvements to Texas airports, including enhancements targeting
7 international shippers and passengers, which would improve Texas'
8 ability to compete with other states, provinces and nations for
9 international maritime business; and

10 (4) Establish a "Texas Global Seaports Fund," and
11 criteria and a procedure through which a facility may secure
12 certification as a "Texas Global Seaport," entitling the facility
13 to apply for funding for capital and other improvements from the
14 fund.

15 (c) The task force shall meet at least once quarterly in
16 Austin to report on results of their consultations, new
17 international partnerships, and best practices and case studies
18 from other states, provinces and nations.

19 (d) No later than December 31, 2014, the Task Force shall
20 publish its findings and strategic recommendations, including
21 selected case studies from other nations, and a strategic plan to
22 boost total international activity at Texas seaports by 20% by the
23 year 2025.

24 (e) In fulfilling its duties, the task force shall consider
25 opportunities to collaborate with the federal government,
26 including the U.S. Department of Transportation and Federal
27 Maritime Administration, and other federal government departments,

1 and the effect of federal policies, including trade agreements,
2 upon Texas' maritime business opportunities in the global
3 marketplace.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2013.