

SUBJECT: Creating an advisory committee within DPS to address trade concerns

COMMITTEE: Transportation — favorable, without amendment

VOTE: 5 ayes — Krusee, Phillips, Hamric, Casteel, Deshotel
0 nays —
4 absent — Callegari, Flores, Hill, West

SENATE VOTE: On final passage, May 2 — 26-4-1 (Estes, Ogden, Shapiro, Wentworth nay, Brimer present not voting)

WITNESSES: No public hearing.

DIGEST: SB 229 would direct the Public Safety Commission to establish the Advisory Oversight Community Outreach Committee within the Department of Public Safety (DPS) and to appoint members to the committee. Members would include border-crossing bridge owners, directors of entities governing ports of entry, community leaders, planning developers, mayors of the major cities in the border areas of this state and Mexico, representatives of law enforcement agencies, and representatives of the general public.

The commission's duties would include:

- documenting trade-related incidents involving DPS personnel;
- developing recommendations to improve community relations, DPS personnel conduct, and the truck inspection process at Texas' ports of entry; and
- acting as an ombudsman between DPS and the communities along the border and between DPS and its personnel.

The committee would be required by January 1 of each odd-numbered year to submit a report to the lieutenant governor, the speaker of the House, and the Legislature documenting the committee's

recommendations, incident reports, and actions taken by the Public Safety Commission and DPS to address those matters.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2005.

**SUPPORTERS
SAY:**

SB 229 would help to maintain a positive and open trade atmosphere with Mexico. This would be in the interest of Texas because Mexico is the state's main trading partner. A number of groups have expressed concerns about problems with trade along the U.S.-Mexico border. Businesses involved in such trade and government officials and residents in border towns have complained about the inability to give input to DPS regarding problems related to trade. SB 229 would create a committee to hear those concerns and recommend actions that DPS could take to address those concerns. The committee would help alleviate friction between DPS and local businesses, governments, and residents by acting as an ombudsman.

Because the committee would be addressing trade concerns along both sides of the border, it is imperative that both U.S. and non-U.S. citizens serve as members on the committee. Because the committee would be advisory-only, non-U.S. citizens serving as committee members would not create problems.

The committee would not act as an oversight agency for DPS, but simply would document trade-related incidents involving DPS. This would not hinder DPS, but would rather help DPS improve its performance along the border.

**OPPONENTS
SAY:**

The committee established by SB 229 would report on DPS misconduct. This is unnecessary and would create a hassle for DPS. The committee also would include citizens of Mexico, and it would not be appropriate to allow non-U.S. citizens to serve on state committees.