

# SENATE BILL REPORT

## SSJM 8016

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As Passed Senate, February 10, 2012

**Brief Description:** Encouraging the beyond the border action plan on perimeter security and economic competitiveness and the action plan on regulatory cooperation between the United States and Canada.

**Sponsors:** Senate Committee on Economic Development, Trade & Innovation (originally sponsored by Senators Kastama, Shin, Chase, Hatfield, Kilmer and Fraser; by request of Lieutenant Governor).

**Brief History:**

**Committee Activity:** Economic Development, Trade & Innovation: 1/30/12, 2/01/12 [DPS, DNP, w/oRec].

Passed Senate: 2/10/12, 46-1.

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### SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE & INNOVATION

**Majority Report:** That Substitute Senate Joint Memorial No. 8016 be substituted therefor, and the substitute joint memorial do pass.

Signed by Senators Kastama, Chair; Chase, Vice Chair; Hatfield, Holmquist Newbry, Kilmer and Shin.

**Minority Report:** Do not pass.

Signed by Senator Ericksen.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Baumgartner, Ranking Minority Member.

**Staff:** Edward Redmond (786-7471)

**Background:** On February 4, 2011, President Barack Obama and Canadian Prime Minister Stephen Harper issued the joint declaration, Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness, which articulates a shared approach to security in which both countries work together to address threats within, at, and away from the United States and Canadian borders, while expediting lawful trade and travel. They also announced the creation of the Canada-United States Regulatory Cooperation Council (RCC) composed of senior regulatory, trade, and foreign affairs officials from both governments, for the purpose of increasing regulatory transparency and coordination between the two countries.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

In December 2011 the United States and Canada released the Beyond the Border Action Plan that details methods for the United States and Canada to work together to enhance joint security and accelerate the legitimate flow of people, goods, and services through four areas of cooperation: (1) addressing threats early; (2) promoting trade facilitation, economic growth, and jobs; (3) strengthening cross-border law enforcement; and (4) protecting shared critical infrastructure and enhancing cybersecurity.

Also, in December 2011, the initial Joint Action Plan of the RCC was released. This initial Joint Action Plan seeks to foster new approaches to regulatory alignment and serves as a template for future efforts at Canada-U.S. coordination to help reduce barriers to trade, lower costs for consumers and business, and create economic opportunities on both sides of the border through the alignment of regulatory approaches, while not compromising health, safety, or environmental protection standards.

**Summary of Substitute Bill:** The Washington State Senate and House of Representatives recognize the history of partnership and the economic and trade relationship between the United States and Canada.

A request is made to the President, executive branch agencies, and Congress to: (1) work together to see that the Beyond the Border Action Plan on Perimeter Security and Economic Competitiveness and the Action Plan on Regulatory Cooperation are carried out; and (2) see that the United States' appointees to the Beyond the Border Working Group, the RCC, and the United States' agencies responsible for implementing the Action Plans have the resources necessary to assist in realizing the goals of the action plans.

The relevant committees of the Legislature must monitor implementation of the Beyond the Border Action Plan on Perimeter Security and Economic Competitiveness and the Action Plan on Regulatory Cooperation for opportunities to cooperate and participate on the state level.

Copies of the memorial must be sent to the President of the United States, each member of Congress from the State of Washington, the President of the United States Senate, the Speaker of the United States House of Representatives, and specified secretaries of executive branch agencies.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Staff Summary of Public Testimony :** PRO: The Senate Joint Memorial was drafted to make policy makers aware of this issue, make sure that we follow it, and that we encourage it. Implementation of this plan will be to the benefit of the state of Washington and to the businesses of our state. Washington needs to be part of the process as this plan is being developed and offer input where necessary. Early involvement will ensure our concerns are heard and considered. There have been some concerns expressed regarding what this plan

would mean to our security. The proposal states that the cross border collaboration is to enhance joint security and then accelerate the legitimate flow of people, goods, and services. This plan is not to decrease security or threaten our borders. This plan is not the same as the Schengen Agreement, where borders between participating European Union countries are open to cross like our state lines. This plan does not give up border control or security. The plan does reduce regulations and red tape.

**Persons Testifying:** PRO: Lt. Governor Brad Owen.