



BORDER LEGISLATIVE CONFERENCE

20th Legislative Forum

San Antonio, Texas
November 6-7, 2009

SUMMARY OF ACTIONS

Legislators from the U.S. – Mexico border states convened November 6-7, 2009 in San Antonio, Texas for the 20th Border Legislative Conference. Participating legislators had the opportunity to participate in the Second Annual Americas 2020 Summit one day prior to the opening activities of the 20th Border Legislative Conference. Participating members heard updates from the Border Governors Conference Logistics and International Crossings Worktable, Arizona State University's North America Center for Transborder Studies, the North American Development Bank (NADBank), and about the Strategic Guidelines for Competitive and Sustainable Development of the Transborder Region- report completed by the Woodrow Wilson International Center for Scholars and Colegio de la Frontera (COLEF). They also openly discussed issues of great importance such as child protection issues in the border region, an avid threat to the citrus industry, and the H1N1 Flu, as well as other public health threats.

The members of the Border Legislative Conference adopted the following actions/declarations:

Second Annual Americas 2020 Summit

The members of the Border Legislative Conference expressed support for the recommendations coming out of each of the specific topic areas:

North America Emerging Trade Corridors

- Build grassroots support for funding transportation infrastructure
 - Work with large stakeholders
 - Work with leaders of local committees on how they will benefit by funding infrastructure
- Legislators and other stakeholders to educate and inform congressional delegations on the need for a national and North America freight strategy by showing benefits, including funding generated, jobs created, and return on investment. Include all modes – rail, waterways, air, highways and multimodal options;
- Move line of defense away from the border. Develop inland ports so that inspections take place away from the border;

Border Crossings

- Maximize use of existing infrastructure;
- Three concrete proposals
- Thumb prints identification
- Pilot program for 500 trucks
- Mass transit pilot in border communities
- Enhance capacity of existing ports of entries

Strengthening Economic Competitiveness

- Create legal framework to allow joint financing of infrastructure projects
- Encourage the lengthening the terms of local officials in Mexico;
- Insist on local control of project implications;
- Implement “competitiveness education” in post secondary education;
- Identify new ways to communicate the benefits of trade and competitiveness to the public.

Scrap Tire Legislation Recommendations

The members of the Border Legislative Conference adopted the recommendations detailed on page 29 of Arizona State University’s North American Center for Transborder Studies report completed in partnership with the Border Legislative Conference, the Council of State Governments-*WEST*, the Southern Legislative Conference and USAID, Mexico City. The recommendations adopted were:

- Create a permanent legislative review committee to discuss legislative developments, with specific emphasis on the BLC’s interaction with Border 2012, EPA, SEMARNAT, Border Governors Conference, local entities and the private sector on the scrap tire issue;
- Maintain permanent BLC membership *on* and participation *with* the Border 2012 Tire Initiative Workgroup;
- Continue to coordinate on a regular basis with the Border Governors Conference Environmental Work Table on developments in the 10 state legislatures on issues dealing with waste tires;
- Set up regular consultations with legislators and environmental agency directors and key staff;
- Develop partnerships with border universities to create residential or non-resident visiting fellowships for outgoing legislators to study scrap tire management legislation and global market and technological developments in this area;
- Conduct regular visits with key committees of Mexican state legislatures to discuss the scrap tire issue and possible legislative approaches;

- Partner with key groups to post “best legislative practices” in both English and Spanish on scrap tire management legislation on the Council of State Governments website. CSG’s Suggested State Legislation site (<http://www.csg.org.programs/ssl/default.aspx>) serves as a model for the U.S. – Mexico border states to share experiences and provide mutually beneficial feedback. The criteria for consideration include issue timelines; national or regional significance; innovative nature of the legislative approach; level of complexity of the legislation, and so forth.

The best practices fall into major U.S. and Mexican legislative approaches mentioned above, including:

- Increase recycling and market development.
 - Increase revenue.
 - Prevent land contamination.
 - Create abatement programs or enhance existing programs.
 - Enhance enforcement.
 - Create new approaches toward achieving shared responsibility among the different levels of government in Mexico.
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- Focus the work of the BLC in key areas in scrap tire legislation

Several border state legislatures have recently considered and/or passed legislation on waste tires. It is advisable for state legislators and their staffs to consult the full range of legislation that has been passed and proposed on the issue in order to build an effective legislative solution that is customized to local economic and social realities. The binder of appendices to the report will serve as a resource to the legislatures as they work on this issue. Having said that, we believe that the components that stand out as *most* important for legislatures to consider the following:

U.S. border states

- A. Direct state environmental agencies to allocate resources toward border-related scrap tire projects in a number of key areas, specifically directing funding, toward projects in Mexico when warranted and to the benefit of the U.S. state.
- B. Requiring tire sellers to render waste tires unusable and therefore not marketable in Mexico.

Mexico border states

- A. Clarify the classification of scrap tires as special management waste and work with municipalities to update regulations on local integrated waste management program implementation.
- B. Legislate the special handling and final deposition of waste tires in suitable sites.
- C. Legislate locally customized approaches to stimulate the development of markets for waste tire recycling and reuse.

Organizational Rules

The members of the Border Legislative Conference voted to amend the BLC organizational framework rules to require notification to the respective state leadership if and when BLC members fail to participate in two consecutive meetings. This amendment was adopted in order to ensure there is maximum participation per state at each and every meeting, thus efficiently utilizing the funds provided to BLC operations as part of USAID's financial commitment. The motion passed unanimously.

BLC Forums

It was agreed that the rotation order of upcoming forums will be switched to hold Spring/Summer forums in the U.S. and the Fall/Winter forums in Mexico. With the adoption of this change, Representative Russ Jones of Arizona made a motion to hold the XXI BLC forum in Phoenix, Arizona in spring 2010 and members accepted unanimously.