

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

381P0768

## SENATE CONCURRENT RESOLUTION NO. 13

Introduced by: Senators Lintz, Albers, Apa, Duenwald, Gant, Garnos, Greenfield, Hanson (Gary), Hauge, Kloucek, McCracken, McNenny, Napoli, Peterson (Jim), and Schmidt (Dennis) and Representatives Brunner, Elliott, Gilson, Jerke, Juhnke, Nelson, Noem, Olson (Betty), Rave, Rhoden, Sigdestad, Steele, Van Etten, Vanneman, and Willadsen

A CONCURRENT RESOLUTION, Opposing the development of the NAFTA Superhighway.

WHEREAS, the North American Free Trade Agreement (NAFTA) between the United States, Canada, and Mexico, was signed into law in 1993 by President Bill Clinton, who stated that he hoped the agreement would encourage other nations to work toward a broader world trade pact. NAFTA eliminated virtually all tariffs and trade restrictions between the three nations and created the world's largest free-trade zone; and

WHEREAS, U.S. trade deficits with Mexico and Canada have significantly widened since the implementation of NAFTA, and the economic and physical security of the United States is threatened by the potential loss of control of its borders associated with the full operation of NAFTA; and

WHEREAS, a NAFTA Superhighway System from the west coast of Mexico through the United States and into Canada has been suggested as part of a North American Union; and

WHEREAS, a NAFTA Superhighway System would pose a wide range of potential risks to the United States, including the entry into the United States of illegal drugs, illegal human smuggling, and access deep into United States territory for terrorists, as well as more mundane problems, such as difficulties related to vehicle accidents, insurance collections and rates, and vehicle maintenance and safety hazards; and

WHEREAS, a NAFTA Superhighway System would be funded by foreign consortiums and controlled by foreign management, which threatens the sovereignty of the United States; and

WHEREAS, development of the apparent initial stages of the NAFTA Superhighway System has already begun in Texas with the Texas Department of Transportation's proposed Texas Trade Corridor, known as TTC-35, a four-football-fields-wide NAFTA superhighway to be financed and operated by Cintra Concesiones de Infraestructuras de Transporte, S.A., a foreign investment consortium based in Spain.

Cintra will own the leasing and operating rights on TTC highways for fifty years after their completion; and

WHEREAS, another potential element in the NAFTA Superhighway System is the proposed development of the "Kansas City Smart Port," an intermodal transportation facility and cargo center located far inland that would handle imports and exports entering and leaving the United States and could allow foreign customs officials jurisdiction over major portions of American commerce; and

WHEREAS, a significant reason for the projects is to connect truck traffic from Mexican ports on the Pacific, such as Lazaro Cardenas, to U.S. roads. Mexican ports are being increasingly used as an alternative to West Coast ports such as Los Angeles and Long Beach as a cheaper, nonunion alternative for the import of millions of containers from China; and

WHEREAS, the Texas Legislature in 2007 attempted to check the development of the Texas Trade Corridor with legislation that would place a two-year moratorium on all public-private partnerships involving the construction of new toll roads financed and operated by private foreign investment groups and require a study of such long-term partnerships. Other legislation would have added a number of requirements and restrictions to Texas' eminent-domain procedures. These measures were approved overwhelmingly by the Texas Legislature but were vetoed by the Governor; and

WHEREAS, the Texas legislation has important ramifications for the rest of the nation, as the Texas Trade Corridor appears to be part of the physical infrastructure to be used to deepen the integration of Mexico, the United States, and Canada in a North American economic community that may be a precursor to further union:

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-Third Legislature of the State of South Dakota, the House of Representatives concurring therein, that the Legislature supports the actions taken in 2007 by the Texas Legislature to investigate and restrain the development of the Texas Trade Corridor, or TTC-35, an apparent precursor to the North American Free Trade Agreement (NAFTA) Superhighway; and

BE IT FURTHER RESOLVED, that the Legislature opposes the construction of a NAFTA Superhighway System and opposes the entry of the United States into a North American Union with Mexico and Canada; and

BE IT FURTHER RESOLVED, that the Legislature opposes any proposal that threatens the sovereignty of the United States.