

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1603 Session of  
2007

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INTRODUCED BY COHEN, SURRA, JAMES, JOSEPHS, BELFANTI, FREEMAN,  
CALTAGIRONE, GEORGE, BLACKWELL, FABRIZIO, GRUCELA, KIRKLAND,  
KORTZ, LONGIETTI, MCGEEHAN, MYERS, SIPTROTH, STURLA AND  
YOUNGBLOOD, JUNE 21, 2007

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REFERRED TO COMMITTEE ON LABOR RELATIONS, JUNE 21, 2007

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AN ACT

1 Requiring the Commonwealth to enact legislation to bind  
2 Pennsylvania to the provisions of certain international trade  
3 agreements.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Regulation of  
8 International Trade Agreements (RITA) Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Proposed international trade agreement." A trade agreement  
14 negotiated or in the process of being negotiated between the  
15 Federal Government and a foreign country to which the  
16 Commonwealth at the request of the Federal Government is a  
17 party. The term does not include any international trade

1 agreement solely between the Commonwealth and a foreign country.

2 Section 3. Intent.

3 The General Assembly finds as follows:

4 (1) International trade agreements are being negotiated  
5 by the Federal Government without providing for review by  
6 state officials who are concerned with the repercussions of  
7 these international trade agreements on state laws and state  
8 lawmaking authorities.

9 (2) The Federal Government has failed to consult with  
10 state legislators prior to binding state governments to  
11 provisions of international trade agreements.

12 (3) Federal laws and other provisions contained in  
13 international trade agreements may affect the ability of the  
14 state to enact common economic development and environmental  
15 policies. Some measures to achieve important state economic  
16 development or environmental objectives could conflict with  
17 obligations in one or more international trade agreements and  
18 could therefore be challenged as potential barriers to trade.

19 (4) The General Assembly and the Governor have  
20 historically worked together to adopt and implement State  
21 legislative standards and other public policies, and  
22 therefore, the decision to consent to the coverage of  
23 Pennsylvania under set rules and other provisions of  
24 international trade agreements should be considered by the  
25 General Assembly and the Governor in the same form as all  
26 other State legislation.

27 Section 4. Required consent for international trade agreement  
28 provisions.

29 (a) General rule.--To the extent permitted by the  
30 Constitution of the United States, Federal law and international

1 trade agreements, whenever a state is permitted to consent to  
2 participation under any international trade agreement, the  
3 Commonwealth shall provide such consent only by enactment of a  
4 specific law granting the required consent.

5 (b) Limitation on Governor and State officials.--Until  
6 compliance with subsection (a), no State official, including the  
7 Governor, may bind the Commonwealth to or give consent to the  
8 Federal Government to bind the Commonwealth to the provisions of  
9 any proposed international trade agreement.

10 (c) Effect on prior consents.--Any consent that a  
11 Commonwealth official, including the Governor, has given for the  
12 Commonwealth to be bound to set rules of any international trade  
13 agreement on or before the effective date of this act is  
14 declared invalid, and the Commonwealth will not be bound by the  
15 Federal Government's rules of any international trade agreement.

16 (d) Joint committee.--The Office of Governor and the General  
17 Assembly will establish a formal joint committee in order to  
18 regulate and review all international trade agreements and  
19 ensure understanding and agreement among Commonwealth officials,  
20 the Governor and the General Assembly in regards to the content  
21 and the impact of all international trade agreement provisions.

22 Section 5. Effective date.

23 This act shall take effect in 60 days.