

1 H.600

2 Introduced by Representatives Deen of Westminster, McCullough of

3 Williston, and Webb of Shelburne

4 Referred to Committee on

5 Date:

6 Subject: Conservation and development; water resources; stormwater

7 Statement of purpose of bill as introduced: This bill proposes to establish a
8 Clean Water Legacy Fund to support activities that improve the water quality
9 of the waters of the State. The bill also would establish a Working Group on
10 Water Quality Funding to review and recommend to the General Assembly a
11 stable, reliable, and equitable source of financing to support actions that
12 improve the water quality of the State's surface waters.

13 An act relating to water quality improvement

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 10 V.S.A. § 1251b is added to read:

16 § 1251b. CLEAN WATER LEGACY FUND

17 (a) There is created a special fund in the State Treasury to be known as the
18 Clean Water Legacy Fund (Fund) for the purpose of providing funds to the
19 Agency of Natural Resources to support activities that improve the water
20 quality of the State's surface waters.

1 (b) Notwithstanding any contrary provisions of 32 V.S.A. chapter 7,
2 subchapter 5:

3 (1) The Fund shall be administered and the monies in the Fund shall be
4 expended by the Agency of Natural Resources.

5 (2) The Fund shall consist of revenues derived from:

6 (A) funds that may be appropriated by the General Assembly;

7 (B) any gifts, grants, or contributions to the Fund;

8 (C) any fees dedicated for the purpose of supporting the Fund;

9 (D) any eligible federal funds passed through to the Fund in
10 accordance with State and federal laws; and

11 (E) interest accrued on the Fund balance.

12 (c) All balances remaining at the end of any fiscal year shall be carried
13 forward and remain in the Fund.

14 Sec. 2. WORKING GROUP ON WATER QUALITY FUNDING

15 (a) Creation of working group. The Agency of Natural Resources shall
16 establish a Working Group on Water Quality Funding (Working Group) to
17 review and recommend to the General Assembly a stable, reliable, and
18 equitable source of financing to support actions that improve the water quality
19 of the State's surface waters.

20 (b) Membership. The Working Group on Water Quality Funding shall be
21 composed of 11 members. Four members of the Working Group shall be

1 members of the General Assembly. The Committee on Committees of the
2 Senate shall appoint two members of the Senate; and the Speaker of the House
3 shall appoint two members of the House. Seven members of the Working
4 Group shall be as follows:

5 (1) the Secretary of Natural Resources or designee;

6 (2) the Secretary of Agriculture, Food and Markets or designee;

7 (3) the State Treasurer or designee;

8 (4) the Commissioner of Taxes or designee;

9 (5) a representative of the Vermont League of Cities and Towns,
10 appointed by the Governor;

11 (6) a representative from an environmental organization, appointed by
12 the Speaker of the House; and

13 (7) a representative of a business or industry subject to regulation under
14 the State's water quality laws, appointed by the Committee on Committees.

15 (c) Powers and duties.

16 (1) The Working Group shall study methods or funding mechanisms for
17 the financing of water quality improvement in the State, including through a
18 Clean Water Legacy Fund, and shall:

19 (A) identify alternative funding mechanisms available for financing
20 water quality improvement, including user fees, per parcel fees, and bonding;

1 (B) recommend whether and how to establish a water quality
2 improvement fee that applies equitably to all properties or users in the State
3 that contribute to the degradation of water quality;

4 (C) if a fee is recommended, recommend how the fee shall be
5 structured, including whether the fee structure should include incentives to
6 encourage actions that reduce activities that contribute to the degradation of the
7 State's water;

8 (D) recommend the activities for which distribution of funds for
9 water quality improvement should be distributed, such as agricultural nonpoint
10 source pollution, water quality infrastructure, incentives for cluster
11 development, and flood resiliency; and

12 (E) recommend how to prioritize awards for water quality
13 improvement activities, including whether to use the tactical basin planning
14 approach to identify water quality problems, set priorities to implement
15 actions, and direct resources to the highest priority projects that can have the
16 potential to offer the greatest water quality benefit.

17 (2) For purposes of its study of these issues, the Working Group shall
18 have the assistance of the Agency of Natural Resources.

19 (d) Report. By January 15, 2015, the Working Group shall report to the
20 Senate Committee on Natural Resources and Energy, the House Committee on
21 Fish, Wildlife and Water Resources, the Senate Committee on Finance, and the

1 House Committee on Ways and Means with its findings, the recommendations
2 required under subsection (c) of this section, and any recommendations for
3 legislative action.

4 (e) Number of meetings; term of working group. The Working Group may
5 meet no more than five times, and shall cease to exist on January 16, 2015.

6 (f) Reimbursement. For attendance at meetings during adjournment of the
7 General Assembly, legislative members of the Working Group shall be entitled
8 to compensation and reimbursement for expenses as provided in 2 V.S.A.
9 § 406 to be paid from the budget of the General Assembly. Other members of
10 the Working Group, who are not employees of the State of Vermont, shall be
11 reimbursed at the per diem rate set in 32 V.S.A. § 1010, which shall be paid
12 from the budget of the Agency of Natural Resources.

13 Sec. 3. EFFECTIVE DATE

14 This act shall take effect on passage.