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H.586

Representative Deen of Westminster moves that the bill be amended by striking out Sec. 22 in its entirety and inserting in lieu thereof a new Sec. 22 to read:

Sec. 22. 10 V.S.A. § 1285 is added to read:

§ 1285. ECOSYSTEM RESTORATION PROGRAM FUND

(a) Creation of Fund. There is created a special fund in the State Treasury to be known as the “Ecosystem Restoration Program Fund” to be administered and expended by the Secretary to fund administration and implementation of the Ecosystem Restoration Program. Within the Fund, there shall be deposited:

- (1) two percent of the meals and rooms tax levied pursuant to chapter 225 of this title;
- (2) 10 percent of rental car tax under subsection 8903(d) of this title; and
- (3) such sums as may be appropriated by the General Assembly.

(b) Disbursements from the Fund. The Secretary may authorize disbursement or expenditures from the Fund for administration of, education and outreach related to, monitoring, and implementation of the activities or projects under the Ecosystem Restoration Program.

1       (c) Interest. Interest earned by the Fund shall be credited and deposited to  
2       the Fund. All balances in the Fund at the end of the fiscal year shall be carried  
3       forward and remain a part of the Fund.

4       (d) Awards; priority. Grants or loans from the Ecosystem Restoration  
5       Program shall be awarded in each fiscal year according to the following  
6       priorities:

7           (1) First priority shall be given to projects identified by the Secretary as  
8           significant contributors to water quality problems or in critical need of water  
9           quality remediation or response.

10          (2) Next priority shall be given to proposed projects to address or repair  
11          riparian conditions that increase the risk of flooding or pose a threat to life or  
12          property.

13          (3) Next priority shall be given to proposed projects or programs to  
14          address areas of high risk of pollution or high loading of sediment to a water  
15          listed as impaired on the list of waters required by 33 U.S.C. § 1313(d).

16          (4) Next priority shall be given to other projects implementing a total  
17          maximum daily load plan in a water listed as impaired on the list of waters  
18          required by 33 U.S.C. § 1313(d).

19          (5) Next priority shall be given to projects or programs to address areas  
20          of high risk of pollution or high loading of sediment to an unimpaired water.

1        (e) Secretary discretion. The Secretary may award financial assistance  
2        under this section for a project or program that otherwise would not receive  
3        assistance under the priorities established by this section when the Secretary  
4        determines a severe risk to water quality or risk of discharge exists which  
5        requires immediate abatement.

6        (f) Rule. The Secretary may adopt by rule additional priorities for the  
7        award of loans or grants in order to ensure equity in the distribution of awards  
8        under this section among service sectors or land use categories.