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S.138

Representative Browning of Arlington moves that the House propose to the Senate that the bill be amended as follows:

First: By adding Sec. F.10 to read as follows:

Sec. F.10 REPORT ON WATER QUALITY COMPLIANCE AS
CONDITION OF ELIGIBILITY FOR STATE ECONOMIC
ASSISTANCE

(a) On or before January 15, 2016, the Secretary of Administration, after consultation with the Secretary of Natural Resources and the Secretary of Commerce and Community Development, shall submit to the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on Commerce, the Senate Committee on Natural Resources, and the House Committee on Fish, Wildlife and Water Resources a report regarding whether compliance with water quality requirements should be a condition of eligibility for the award of any or all State economic development assistance. The report shall include:

(1) a recommendation of whether any or all State economic development assistance should be conditioned on an applicant's good standing with the State with regard to State water quality requirements;

1 (2) a recommendation of whether any or all State economic
2 development assistance should be conditioned on an applicant’s history of
3 compliance with State or federal water quality requirements;

4 (3) a recommendation of whether any or all State economic
5 development assistance should be conditioned on compliance with State or
6 federal water quality requirements if the applicant is located in a watershed of
7 the State that is listed by the Agency of Natural Resources under 33 U.S.C.
8 § 1313 as impaired due to phosphorus, nutrients, or sediment;

9 (4) a summary of how conditioning eligibility for economic
10 development assistance on good standing with water quality requirements,
11 compliance history, or location in an impaired watershed would be
12 implemented by State agencies, including how an applicant will certify good
13 standing, how a State agency shall determine an applicant’s compliance
14 history, and how a State agency shall determine the location of the
15 applicant; and

16 (5) any other factors or issues that the Secretary determines relevant to
17 the report.

18 (b) As used in this section:

19 (1) “Economic development assistance” includes grants or loans from a
20 water quality program administered by the Agency of Agriculture, Food and

1 Markets, the Agency of Commerce and Community Development, or the
2 Agency of Natural Resources.

3 (2) “Good standing” means the applicant:

4 (i) does not have an active enforcement violation that has reached a
5 final order with the Secretary of Natural Resources or the Secretary of
6 Agriculture, Food and Markets; or

7 (ii) is in compliance with all terms of a current permit, license, grant
8 agreement, or contract with the Agency of Natural Resources or the Agency of
9 Agriculture, Food and Markets.

10 Second: In Sec H.1, by adding subdivision (b)(13) to read as follows:

11 (13) Sec. F.10 (report on economic development assistance; water
12 quality).