

SB0314/514039/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 314
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “credits” and substitute “load reductions”; in line 5, after “year” insert “in certain years; requiring certain regulations to be adopted in a certain manner and in accordance with certain requirements”; in line 6, strike “Agriculture and” and substitute “Transportation,”; in the same line, after “Resources” insert “, the Secretary of Commerce, the Secretary of Agriculture, and certain stakeholders”; and in line 7, after “regulations;” insert “requiring the load reductions purchased under this Act to be consistent with certain accounting procedures; requiring the Department to report to the Bay Restoration Fund Advisory Committee annually on the implementation of this Act; requiring the Department, on or before a certain date, to report to certain committees of the General Assembly on the implementation of this Act; authorizing the Department to enter into any contracts under this Act until a certain date; providing that contracts entered into by the Department under this Act may be funded for a certain period of time; providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 3, in line 23, strike “FOR” and substitute “AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER ITEM (IV)1 AND 2 OF THIS PARAGRAPH, FOR”; in line 24, strike “AND” and substitute a comma; in the same line, after “PHOSPHORUS” insert “, OR SEDIMENT LOAD REDUCTIONS”; in the same line, strike “NUTRIENT CREDITS”; in line 26, after “EXCEED” insert “\$4,000,000 IN FISCAL YEAR 2018, \$6,000,000 IN FISCAL YEAR 2019, AND”; in the same line, after “YEAR” insert “IN FISCAL YEARS 2020 AND 2021”; and after line 26, insert:

“(3) THE NITROGEN, PHOSPHORUS, AND SEDIMENT LOAD REDUCTIONS PURCHASED UNDER SUBPARAGRAPH (2)(XIII) OF THIS SUBSECTION:

(Over)

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(I) CANNOT BE FROM THE AGRICULTURAL SECTOR; AND

(II) MUST BE CREATED ON OR AFTER JULY 1, 2017.”.

AMENDMENT NO. 3

On page 3, in line 31, strike “BE” and substitute “:

(I) BE ADOPTED BEFORE THE PURCHASE OF ANY LOAD REDUCTIONS;

(II) SPECIFY A LOAD REDUCTION PURCHASED SHOULD PROVIDE THE LOWEST COST PER POUND IN REDUCTION AND BE PURCHASED IN ACCORDANCE WITH A COMPETITIVE PROCESS; AND

(III) BE”;

in line 32, strike “AGRICULTURE AND” and substitute “**TRANSPORTATION,**”; and in the same line, after “RESOURCES” insert “**, THE SECRETARY OF COMMERCE, THE SECRETARY OF AGRICULTURE, AND PUBLIC AND PRIVATE SECTOR STAKEHOLDERS**”.

AMENDMENT NO. 4

On page 3, after line 32, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the nutrient load reductions purchased under § 9-1605.2(i)(2)(xiii) of the Environment Article, as enacted by Section 1 of this Act must be consistent with the Chesapeake Bay Program Partnership Accounting Procedures.

SECTION 3. AND BE IT FURTHER ENACTED, That:

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(a) Beginning July 1, 2018, the Department of the Environment shall report each year to the Bay Restoration Fund Advisory Committee on the implementation of this Act.

(b) On or before October 1, 2020, the Department of the Environment shall report, in accordance with § 2-1246 of the State Government Article, to the House Environment and Transportation Committee and the Senate Education, Health, and Environmental Affairs Committee on the implementation of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The Department of the Environment may enter into any contracts for the purchase of nutrient load reductions under this Act until June 30, 2021.

(b) Any contract entered into by the Department of the Environment under this Act may be funded for the expected life of the best management practice resulting from a nutrient load reduction.”;

in line 33, strike “2.” and substitute “5.”; and in line 34, after “2017.” insert “It shall remain effective for a period of 4 years and, at the end of June 30, 2021, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.