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FISCAL IMPACT REPORT

SPONSOR: Wilson DATE TYPED: 03/15/01 HB _____
 SHORT TITLE: Amend Water Quality Act SB 99/a/aHAFC
 ANALYST: Belmares

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
			\$ 20.0	Non-Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 127

SOURCES OF INFORMATION

LFC Files
 Department of Environment (DOE)

SUMMARY

Synopsis of HAFC Amendment

The HAFC Amendment strikes SCONC Amendment 2 regarding data as defined below. The amendment also strikes on Page 2, Line 3, “evidence and subject to” and inserts in lieu thereof “data and other evidence appropriate under.”

Synopsis of SCONC Amendment

The amendment makes changes to better define the term “data” and adds a requirement to maintain a repository of the scientific data required by this act.

Synopsis of Original Bill

Senate Bill 99 amends the Water Quality Act, Section 74-6-4 C. The Water Quality Control Commission “. . . shall adopt water quality standards for surface and ground waters of the state based on credible scientific evidence and subject to the Water Quality Act.”

Significant Issues

Part of the role of the Water Quality Control Commission is to review all water quality standards and the evidence that supports such standards and reach a deliberate and informed decision as to the appropriateness of the standards. The Department of Environment asserts this change to the Water Quality Act would explicitly state the process that is already in place.

FISCAL IMPLICATIONS

The Department of Environment has estimated promulgating new regulations would cost approximately \$20.0.

ADMINISTRATIVE IMPLICATIONS

Definition of the term “credible scientific evidence” would be necessary. The Department of Environment asserts that defining the term should be accomplished through regulations of the Water Quality Control Commission. Promulgation of a regulation would require a public hearing which would be preceded by public meetings through which the Department of Environment would seek public discussion and input. The agency has estimated this process would take approximately six months and would incur expenses of approximately \$20.0.

DUPLICATION/RELATIONSHIP

Senate Bill 99 duplicates House Bill 127.

Additionally, Senate Bill 99 relates to HB 127 a/HAGC. HB 127 a/HAGC makes some grammatical corrections, expands the use of the term “evidence” to include “as defined by the commission,” and inserts a new subsection as follows:

“M. shall, using credible scientific evidence, identify those waters of the state for which the effluent limitations required by Sections (b) (1) (A) and 301 (b) (1) (B) of the federal Clean Water Act are not stringent enough to implement any water quality standard applicable to the waters and shall establish a priority ranking for the waters, taking into account the severity of the pollution and the uses to be made of those waters.”

HB 127 a/HENRC strikes all House Agriculture and Water Resources Committee amendments. Additionally, HB 127 a/HENRC replaces the term “EVIDENCE” (on page 2, line 3) and inserts in lieu thereof “DATA.” HB127 a/HENRC also replaces the phrase “evidence and subject to,” and inserts in lieu thereof “data as defined by regulation by the commission and other evidence appropriate under.”

EB/sb/njw:ar