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111TH CONGRESS
1ST SESSION

H. RES. 551

Expressing the sense of the House of Representatives that the interstate compact regarding water resources in the Great Lakes-St. Lawrence River Basin approved by the Congress in Public Law 110–342 expressly prohibited the sale, diversion, or export of water from States in the Great Lakes Basin.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2009

Mr. STUPAK submitted the following resolution; which was referred to the Committee on the Judiciary

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RESOLUTION

Expressing the sense of the House of Representatives that the interstate compact regarding water resources in the Great Lakes-St. Lawrence River Basin approved by the Congress in Public Law 110–342 expressly prohibited the sale, diversion, or export of water from States in the Great Lakes Basin.

Whereas the water resources of the Great Lakes Basin are a precious public natural resource shared and held in public trust by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin;

Whereas in Public Law 110–342 (122 Stat. 3739), Congress gave its consent and approval to an interstate compact

among these States regarding the diversion and withdrawal of water resources in the Great Lakes-St. Lawrence River Basin; and

Whereas this compact requires clarification that it expressly prohibits the sale, diversion, or export of water from the portions of the Great Lakes Basin within these States: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) nothing in the interstate compact regarding water resources in the Great Lakes-St. Lawrence River Basin approved by the Congress in Public Law 110–342 (in this resolution referred to as the ''compact'') should be construed—

(A) to allow water intended for an immediate or an intermediate or end use consumer in a container or package of any size or amount to be diverted, exported, or sold from the Great Lakes Basin unless the withdrawal is authorized and licensed in accordance with the constitution and laws of the State from which the water is withdrawn; and

(B) to create or establish that waters of the Great Lakes Basin are produced as a product or have entered into commerce or constitute a good or commodity under the North American

Free Trade Agreement or any other international trade agreement, law, or treaty;

(2) the definition of ''Diversion'' in section 1.2 of the compact, and the exception for ''Products'' from such definition, did not intend that water itself in any size container or package is a ''Product'' and exempt from the definition of diversion subject to the compact; and

(3) the definition of ''Product'' in section 1.2 of the compact does not include the water itself in any size or type of container or package when produced in the Great Lakes Basin by human or mechanical effort or intended for intermediate or end use consumers.

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