

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 361

BY APPROPRIATIONS COMMITTEE

AN ACT

1 RELATING TO APPROPRIATIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE
2 GENERAL FUND TO THE WATER MANAGEMENT FUND FOR FISCAL YEAR 2023; PRO-
3 VIDING FOR THE USE OF FUNDS FOR LARGE WATER PROJECTS; APPROPRIATING AND
4 TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER POLLUTION CON-
5 TROL FUND FOR FISCAL YEAR 2023; APPROPRIATING ADDITIONAL MONEYS TO THE
6 DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2023; APPROPRIAT-
7 ING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE AGRICULTURAL
8 BEST MANAGEMENT PRACTICES FUND FOR FISCAL YEAR 2023; APPROPRIATING AND
9 TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE CONFINED ANIMAL FEED-
10 ING OPERATIONS FUND FOR FISCAL YEAR 2023; AND DECLARING AN EMERGENCY.
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12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. CASH TRANSFER TO THE WATER MANAGEMENT FUND. There is
14 hereby appropriated and the Office of the State Controller shall transfer
15 \$150,000,000 from the General Fund to the Water Management Fund as soon as
16 practicable for the period July 1, 2022, through June 30, 2023, for large
17 water projects.

18 SECTION 2. USES OF LARGE WATER PROJECT FUNDS. Of the moneys appropri-
19 ated in Section 1 of this act for large water projects, funding shall be
20 used for expenditures, loans, or grants for large water projects, including
21 studies, to address water sustainability, enhance and modernize surface
22 water delivery systems, rehabilitate or improve aging water infrastructure,
23 or support flood management. No more than one-third (1/3) of these moneys
24 shall be used for grants. The Idaho Water Resource Board shall use criteria
25 that takes into account the public's input for the expenditures of money for
26 grants, that is competitive, and that prioritizes projects based on the pub-
27 lic benefits they provide. Considerations of public benefits should include
28 the protection of existing water rights and the uses identified in Section
29 42-1760(2)(d), Idaho Code, as well as consideration of the value of existing
30 hydropower to the state's economy, providing water for future develop-
31 ment, and addressing aging water storage and/or delivery infrastructure for
32 projects that provide environmental, safety, or recreational benefits. For
33 any project receiving grants issued pursuant to the criteria developed un-
34 der this provision, the \$50,000 grant limitation of Section 42-1760(2)(b),
35 Idaho Code, shall not apply.

36 SECTION 3. CASH TRANSFER TO THE WATER POLLUTION CONTROL FUND. There is
37 hereby appropriated and the Office of the State Controller shall transfer
38 \$92,000,000 from the General Fund to the Water Pollution Control Fund as soon
39 as practicable for the period July 1, 2022, through June 30, 2023, to be used
40 for drinking water and wastewater infrastructure grants.

1 SECTION 4. In addition to the appropriation made in Section 1, Chap-
2 ter 189, Laws of 2022, and any other appropriation provided by law, there is
3 hereby appropriated to the Department of Environmental Quality for the Wa-
4 ter Quality Program \$23,000,000 from the ARPA State Fiscal Recovery Fund to
5 be expended for the period July 1, 2022, through June 30, 2023, to be used for
6 drinking water and wastewater infrastructure grants.

7 SECTION 5. CASH TRANSFER TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES
8 FUND. There is hereby appropriated and the Office of the State Controller
9 shall transfer \$2,000,000 from the General Fund to the Agricultural Best
10 Management Practices Fund as soon as practicable for the period July 1, 2022,
11 through June 30, 2023.

12 SECTION 6. CASH TRANSFER TO THE CONFINED ANIMAL FEEDING OPERATIONS
13 FUND. There is hereby appropriated and the Office of the State Controller
14 shall transfer \$5,000,000 from the General Fund to the Confined Animal
15 Feeding Operations Fund as soon as practicable for the period July 1, 2022,
16 through June 30, 2023.

17 SECTION 7. An emergency existing therefor, which emergency is hereby
18 declared to exist, this act shall be in full force and effect on and after its
19 passage and approval.