

IN THE SENATE

SENATE BILL NO. 1079, As Amended

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ENVIRONMENTAL QUALITY; AMENDING CHAPTER 36, TITLE 39, IDAHO
2 CODE, BY THE ADDITION OF A NEW SECTION 39-3628A, IDAHO CODE, TO ESTAB-
3 LISH THE AGRICULTURAL BEST MANAGEMENT PRACTICES (BMP) FUND, TO PROVIDE
4 FOR GRANT ELIGIBILITY, AND TO PROVIDE FOR REPORTS; AND DECLARING AN
5 EMERGENCY.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 36, Title 39, Idaho Code, be, and the same is
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
10 ignated as Section 39-3628A, Idaho Code, and to read as follows:

11 39-3628A. AGRICULTURAL BEST MANAGEMENT PRACTICES (BMP) FUND ESTAB-
12 LISHED. (1) There is hereby created and established in the state treasury
13 the agricultural best management practices (BMP) fund. The state treasurer
14 shall invest the idle moneys of the account, and the interest earned on such
15 investments shall be retained by the account. All moneys in the account are
16 appropriated continuously to the department of environmental quality to be
17 used and administered by it for the purposes specified in subsection (3)
18 of this section and shall not be subject to the provisions of the standard
19 appropriations act of 1945 or section 67-3516, Idaho Code.

20 (2) The fund shall have paid into it any gifts or grants from any source
21 when the same are made for purposes consistent with those for which the fund
22 is established, interest due to the investment of moneys in the account, or
23 any other appropriation provided by the legislature.

24 (3) The department may expend or grant moneys from the agricultural
25 best management practices (BMP) fund for a statewide grant program to sup-
26 port implementation of agricultural best management practices to help meet
27 water quality standards in impaired water bodies in Idaho. The following are
28 eligible for grants from the agricultural BMP fund:

29 (a) Agricultural producers;

30 (b) Organizations that provide irrigation water and drainage; and

31 (c) Soil conservation districts and other local public and private
32 nonprofit organizations organized for the purpose of supporting agri-
33 cultural BMP implementation. The department must ensure that such
34 local organizations seeking funding for local agricultural BMP grant
35 programs have sufficient knowledge, experience, and capability to con-
36 duct such programs and require that local agricultural BMP grants are
37 subject to all the conditions and requirements of the statewide grant
38 program.

39 (4) On or before the first day of each regular legislative session, the
40 department must submit to the legislature a report of any moneys expended or
41 obligated and any work begun or completed in the prior fiscal year pursuant
42 to subsection (3) of this section.

1 SECTION 2. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after its
3 passage and approval.