

IN THE SENATE

SENATE BILL NO. 1079

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, loan, or grant moneys from the agricul-  
25 tural best management practices (BMP) fund for a statewide grant program to  
26 support implementation of agricultural best management practices to help  
27 meet water quality standards in impaired water bodies in Idaho. The follow-  
28 ing are 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.