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HOUSE BILL NO. 1090

Offered January 22, 1996

A BILL to amend and reenact § 10.1-104.2 of the Code of Virginia, relating to nutrient management plans.

Patrons—Weatherholtz, Armstrong, Barlow, Bloxom, Bryant, Councill, Crouch, Davies, Dudley, Forbes, Guest, Ingram, Kilgore, Landes, Reynolds, Sherwood, Way and Wilkins; Senator: Hanger

Referred to Committee on Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That § 10.1-104.2 of the Code of Virginia is amended and reenacted as follows:**

§ 10.1-104.2. Voluntary nutrient management training and certification program.

A. The Department shall operate a voluntary nutrient management training and certification program to certify the competence of persons preparing nutrient management plans for the purpose of assisting land owners and operators in the management of land application of fertilizers, municipal sewage sludges, animal manures, and other nutrient sources for agronomic benefits and for the protection of the Commonwealth's ground and surface waters. The Department shall promulgate regulations:

1. Specifying qualifications and standards for individuals to be deemed competent in nutrient management plan preparation, and providing for the issuance of documentation of certification to such individuals;

2. Specifying conditions under which a certificate issued to an individual may be suspended or revoked;

3. Providing for criteria relating to the development of nutrient management plans for various agricultural and urban agronomic practices. *The criteria shall require that nutrient management plans use nitrogen application rates as the limiting factor in prescribing the application of organic sources of nutrients;*

4. Establishing fees to be paid by individuals enrolling in the training and certification programs;

5. Providing for the performance of other duties and the exercise of other powers by the Director as may be necessary to provide for the training and certification of individuals preparing nutrient management plans; and

6. Giving due consideration to relevant existing agricultural certification programs.

B. There is hereby established a special, nonreverting fund in the state treasury to be known as the Nutrient Management Training and Certification Fund. The fund shall consist of all fees collected by the Department pursuant to subsection A. No part of the fund, either principal or interest, shall revert to the general fund. The fund shall be administered by the Director, and shall be used solely for the payment of expenses of operating the nutrient management training and certification program.

INTRODUCED

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