



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

May 23, 2003

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**Senate File 425**, an Act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

**Senate File 435**, an Act relating to and making appropriations to the judicial branch.

**Senate File 439**, an Act relating to and making appropriations to the justice system and providing an effective date.

The above Senate Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Vilsack".

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





SENATE FILE 425

AN ACT  
RELATING TO AND MAKING APPROPRIATIONS INVOLVING STATE  
GOVERNMENT, INCLUDING PROVISIONS AFFECTING AGRICULTURE  
AND NATURAL RESOURCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I  
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
GENERAL APPROPRIATION

Section 1. GENERAL DEPARTMENT APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

a. For purposes of supporting the department, including its divisions, for administration, regulations, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 16,365,273
.....	FTEs 440.13

b. Of the amount appropriated in paragraph "a", the department shall not expend less than \$50,000 for salaries, support, maintenance, and miscellaneous purposes related to the administration of the senior farmers' market nutrition program under the jurisdiction of the United States department of agriculture.

DIVISION II  
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
SPECIAL APPROPRIATIONS

Sec. 2. RIVER AUTHORITY. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department for membership in the state interagency Missouri river authority, created in section 28L.1, in the Missouri river basin association:

..... \$ 9,780

Sec. 3. HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the administrative division of the department of agriculture and land stewardship for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for the administration of section 99D.22:

..... \$ 305,516

Sec. 4. REGULATORY DIVISION DAIRY PRODUCTS CONTROL BUREAU. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the operations of the dairy products control bureau within the department's regulatory division, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 648,379

DIVISION III

DEPARTMENT OF NATURAL RESOURCES

GENERAL APPROPRIATIONS

Sec. 5. GENERAL DEPARTMENT APPROPRIATION. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 15,489,070  
..... FTEs 1079.12

Sec. 6. STATE FISH AND GAME PROTECTION FUND --  
APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

1. a. There is appropriated from the state fish and game protection fund to the department of natural resources for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For use by the division of fish and wildlife for administrative support, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ 29,288,895

b. Notwithstanding section 455A.10, the department may use the unappropriated balance remaining in the fish and game protection fund to provide for the funding of health and life insurance premium payments from unused sick leave balances of conservation peace officers employed in a protection occupation who retire, pursuant to section 97B.49B.

2. The department shall not expend more moneys from the fish and game protection fund than provided in this section, unless the expenditure derives from contributions made by a private entity, or a grant or moneys received from the federal government, and is approved by the natural resource commission. The department of natural resources shall promptly notify the legislative fiscal bureau and the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources concerning the commission's approval.

DIVISION IV  
DEPARTMENT OF NATURAL RESOURCES  
RELATED TRANSFERS AND APPROPRIATIONS

Sec. 7. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 2003, from the fees required to be deposited in the special conservation fund

under section 321G.7 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For enforcing snowmobile laws as part of the state snowmobile program administered by the department of natural resources:

..... \$ 100,000

Sec. 8. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 2003, from the fees required to be deposited in the special conservation fund under section 462A.52 to the fish and game protection fund and appropriated to the natural resource commission for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the administration and enforcement of navigation laws and water safety:

..... \$ 1,400,000

Notwithstanding section 8.33, moneys transferred and appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to the credit of the fish and game protection fund but shall be credited to the special conservation fund established by section 462A.52 to be used as provided in that section.

DIVISION V  
DEPARTMENT OF NATURAL RESOURCES  
SPECIAL APPROPRIATIONS

Sec. 9. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board, to the department of natural resources for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For administration expenses of the underground storage tank section of the department of natural resources:

..... \$ 200,000

Sec. 10. OIL OVERCHARGE MONEYS. There is appropriated from those moneys designated within the energy conservation trust created in section 473.11, for disbursement pursuant to section 473.11, to the following named agencies for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To the division of community action agencies of the department of human rights for qualifying energy conservation programs for low-income persons, including but not limited to energy weatherization projects which target the highest energy users, and including administrative costs:

To be expended from the Exxon fund:

..... \$ 50,000

2. To the department of natural resources for the following purposes:

a. For the state energy program, from the Exxon fund:

..... \$ 50,000

b. For administration of petroleum overcharge programs from the Stripper Well fund, not to exceed the following amount:

..... \$ 25,000

Notwithstanding section 8.33, the unencumbered or unobligated moneys remaining at the end of any fiscal year from the appropriations made in subsections 1 and 2 shall not revert but shall be available for expenditure during subsequent fiscal years until expended for the purposes for which originally appropriated.

Sec. 11. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the department of natural resources may use additional funds available to the department from stormwater discharge permit fees for the staffing of the following additional full-time staff members to reduce the department's floodplain permit backlog:

..... FTEs 2.00

Sec. 12. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the department of natural resources may use

additional funds available to the department from stormwater discharge permit fees for the staffing of the following additional full-time equivalent positions for implementation of the federal total maximum daily load program:

..... FTES 2.00



MARY E. KRAMER  
President of the Senate



CHRISTOPHER C. RANTS  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 425, Eightieth General Assembly.



MICHAEL E. MARSHALL  
Secretary of the Senate

Approved May 23, 2003



THOMAS J. VILSACK  
Governor