

FILED MAR 20 '03

SENATE FILE 425

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1154)

Passed Senate, Date Passed 3/25/03 Passed House, Date Passed 4/7/03

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved 5/23/03

A BILL FOR

1 An Act relating to and making appropriations involving state  
2 government, including provisions affecting agriculture and  
3 natural resources.

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

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SF 425

1 DIVISION I  
2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
3 GENERAL APPROPRIATION

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

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

15 .....	\$ 16,365,273
16 .....	FTEs 440.13

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

23 DIVISION II  
24 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
25 SPECIAL APPROPRIATIONS

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

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

35 .....	\$ 9,780
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1     Sec. 3. HORSE AND DOG RACING. There is appropriated from  
2 the moneys available under section 99D.13 to the  
3 administrative division of the department of agriculture and  
4 land stewardship for the fiscal year beginning July 1, 2003,  
5 and ending June 30, 2004, the following amount, or so much  
6 thereof as is necessary, to be used for the purposes  
7 designated:

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

10 ..... \$     305,516

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

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

21 ..... \$     648,379

22                                   DIVISION III

23                           DEPARTMENT OF NATURAL RESOURCES

24                                   GENERAL APPROPRIATIONS

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

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

1 ..... \$ 15,489,070  
2 ..... FTEs 1079.12

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

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

10 For use by the division of fish and wildlife for  
11 administrative support, and for salaries, support,  
12 maintenance, equipment, and miscellaneous purposes:  
13 ..... \$ 29,288,895

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

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

30 DIVISION IV  
31 DEPARTMENT OF NATURAL RESOURCES  
32 RELATED TRANSFERS AND APPROPRIATIONS

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

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

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

9 ..... \$ 100,000

10 Sec. 8. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.

11 There is transferred on July 1, 2003, from the fees required  
12 to be deposited in the special conservation fund under section  
13 462A.52 to the fish and game protection fund and appropriated  
14 to the natural resource commission for the fiscal year  
15 beginning July 1, 2003, and ending June 30, 2004, the  
16 following amount, or so much thereof as is necessary, to be  
17 used for the purpose designated:

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

20 ..... \$ 1,400,000

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

27 DIVISION V

28 DEPARTMENT OF NATURAL RESOURCES

29 SPECIAL APPROPRIATIONS

30 Sec. 9. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE  
31 UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated  
32 from the unassigned revenue fund administered by the Iowa  
33 comprehensive underground storage tank fund board, to the  
34 department of natural resources for the fiscal year beginning  
35 July 1, 2003, and ending June 30, 2004, the following amount,

1 or so much thereof as is necessary, to be used for the purpose  
2 designated:

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

5 ..... \$ 200,000

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

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

18 To be expended from the Exxon fund:  
19 ..... \$ 50,000

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

22 a. For the state energy program, from the Exxon fund:  
23 ..... \$ 50,000

24 b. For administration of petroleum overcharge programs  
25 from the Stripper Well fund, not to exceed the following  
26 amount:  
27 ..... \$ 25,000

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

34 Sec. 11. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any  
35 contrary provision of state law, for the fiscal year beginning

1 July 1, 2003, and ending June 30, 2004, the department of  
2 natural resources may use additional funds available to the  
3 department from stormwater discharge permit fees for the  
4 staffing of the following additional full-time staff members  
5 to reduce the department's floodplain permit backlog:

6 ..... FTEs 2.00

7 Sec. 12. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY  
8 LOAD PROGRAM. Notwithstanding any contrary provision of state  
9 law, for the fiscal year beginning July 1, 2003, and ending  
10 June 30, 2004, the department of natural resources may use  
11 additional funds available to the department from stormwater  
12 discharge permit fees for the staffing of the following  
13 additional full-time equivalent positions for implementation  
14 of the federal total maximum daily load program:

15 ..... FTEs 2.00

16 EXPLANATION

17 This bill relates to agriculture and natural resources by  
18 making appropriations for the 2003-2004 fiscal year to support  
19 related entities, including the department of agriculture and  
20 land stewardship and the department of natural resources.

21 The bill appropriates moneys to the department of  
22 agriculture and land stewardship and the department of natural  
23 resources. The appropriations are made to support  
24 administration of those departments. The bill also provides  
25 moneys for specific programs administered by those  
26 departments. The bill appropriates moneys from a number of  
27 sources, including the general fund of the state and the state  
28 fish and game protection fund.

29 For the department of agriculture and land stewardship,  
30 moneys are appropriated in order to support its divisions (the  
31 administrative division, the regulatory division, the  
32 laboratory division, and the soil conservation division).

33 The bill appropriates moneys to support the senior farmers'  
34 market nutrition program. The bill appropriates moneys to  
35 support the department of agriculture and land stewardship for

1 membership in a river association. The bill appropriates  
2 moneys to support animal industry programs, including a  
3 program to regulate horse and dog racing by the department of  
4 agriculture and land stewardship.

5 For the department of natural resources, moneys are  
6 appropriated in order to support its divisions (the  
7 administrative and support services division, the parks and  
8 preserves division, the forests and forestry division, the  
9 energy and geological resources division, and the  
10 environmental protection division).

11 The bill makes appropriations from other funds and  
12 accounts. The bill appropriates moneys to the department of  
13 natural resources from the state fish and game protection fund  
14 for support of the division of fish and wildlife. The bill  
15 makes an appropriation from moneys transferred to the state  
16 fish and game protection fund to support snowmobile programs  
17 and enforce state navigation laws administered by the  
18 department of natural resources.

19 An appropriation is made from the unassigned revenue fund  
20 administered by the Iowa comprehensive underground storage  
21 tank fund board to the department of natural resources for  
22 administration and expenses of the underground storage tank  
23 section.

24 The bill provides for the appropriation from oil overcharge  
25 moneys to the departments of human rights and natural  
26 resources for energy conservation programs.

27 The bill provides that the department of natural resources  
28 may use additional funds for staffing to reduce the  
29 department's floodplain permit backlog. It provides that the  
30 department may use additional funds available from stormwater  
31 discharge permit fees for staffing required to implement the  
32 federal maximum daily load program.

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SENATE FILE 425

S-3083

1 Amend Senate File 425 as follows:

2 1. Page 6, by inserting after line 15, the  
3 following:

4 "DIVISION VI

5 STATE FORESTRY NURSERIES AND STATE FISHERIES

6 Sec. \_\_\_\_ . NEW SECTION. 455A.14 STATE FORESTRY  
7 NURSERIES AND STATE FISHERIES -- AUDIT AND REPORT.

8 1. As used in this section:

9 a. "State forestry nursery" means a nursery  
10 located on state-owned land under the control of the  
11 department which is used for producing seeds,  
12 seedlings, or plants for sale or distribution.

13 b. "State fishery" means a fish hatchery, a fish  
14 nursery, or other area under the jurisdiction of the  
15 department that is operated for fish production  
16 purposes.

17 2. The department shall provide an audit each year  
18 for the operations of the state forestry nurseries and  
19 the state fisheries which includes a report analyzing  
20 the extent to which the operations of the state  
21 forestry nurseries and the state fisheries are self-  
22 sustaining.

23 a. In analyzing costs associated with the  
24 operations of the state forestry nurseries and the  
25 state fisheries, the department shall account for the  
26 amount of moneys that are used to support these  
27 operations which do not derive from the sale of  
28 nursery stock or fishery stock. These moneys shall  
29 include but are not limited to any part of the wages,  
30 salaries, expenses, and benefits of departmental  
31 employees who provide directly or indirectly for the  
32 operations of the state forestry nurseries and state  
33 fisheries on a full-time or part-time basis.

34 b. The department in cooperation with the  
35 department of corrections shall also account for costs  
36 associated with the operations of state forestry  
37 nurseries operated by the department of corrections  
38 pursuant to section 904.705 and an estimate of  
39 comparable costs for obtaining such labor in the  
40 private sector.

41 3. The department shall provide the report  
42 required in this section to the general assembly on or  
43 before the beginning of each session of the general  
44 assembly."

45 2. By renumbering as necessary.

By NEAL SCHUERER

S-3083 FILED MARCH 25, 2003

LOST 3/25/03

Gaskill  
Lamberti  
Black

Appropriations

SSB 1154  
Succeeded By  
SF/HF 425

SENATE/HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
JOINT APPROPRIATIONS  
SUBCOMMITTEE ON AGRICULTURE  
AND NATURAL RESOURCES)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to and making appropriations involving state  
2 government, including provisions affecting agriculture and  
3 natural resources.

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

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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:

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:

.....	\$ 16,315,273
..... FTEs	440.13

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:

.....	\$ 9,780
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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

1 designated:

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

4 ..... \$ 305,516

5 Sec. 4. REGULATORY DIVISION DAIRY PRODUCTS CONTROL BUREAU.

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

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

15 ..... \$ 648,379

16 DIVISION III

17 DEPARTMENT OF NATURAL RESOURCES

18 GENERAL APPROPRIATIONS

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

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

30 ..... \$ 15,489,070

31 ..... FTEs 1079.12

32 Sec. 6. STATE FISH AND GAME PROTECTION FUND --

33 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

34 1. a. There is appropriated from the state fish and game  
35 protection fund to the department of natural resources for the

1 fiscal year beginning July 1, 2003, and ending June 30, 2004,  
2 the following amount, or so much thereof as is necessary, to  
3 be used for the purposes designated:

4 For use by the division of fish and wildlife for  
5 administrative support, and for salaries, support,  
6 maintenance, equipment, and miscellaneous purposes:  
7 ..... \$ 29,288,895

8 b. The department may use moneys appropriated in paragraph  
9 "a" as is necessary to provide compensation to conservation  
10 peace officers employed in a protection occupation who retire,  
11 pursuant to section 97B.49B.

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

22 DIVISION IV

23 DEPARTMENT OF NATURAL RESOURCES

24 RELATED TRANSFERS AND APPROPRIATIONS

25 Sec. 7. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT  
26 PURPOSES. There is transferred on July 1, 2003, from the fees  
27 deposited under section 321G.7 to the fish and game protection  
28 fund and appropriated to the department of natural resources  
29 for the fiscal year beginning July 1, 2003, and ending June  
30 30, 2004, the following amount, or so much thereof as is  
31 necessary, to be used for the purpose designated:

32 For enforcing snowmobile laws as part of the state  
33 snowmobile program administered by the department of natural  
34 resources:  
35 ..... \$ 100,000

1     **Sec. 8. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.**

2 There is transferred on July 1, 2003, from the fees deposited  
3 under section 462A.52 to the fish and game protection fund and  
4 appropriated to the natural resource commission for the fiscal  
5 year beginning July 1, 2003, and ending June 30, 2004, the  
6 following amount, or so much thereof as is necessary, to be  
7 used for the purpose designated:

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

10 ..... \$ 1,400,000

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

17                                    **DIVISION V**

18                                    **DEPARTMENT OF NATURAL RESOURCES**

19                                    **SPECIAL APPROPRIATIONS**

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

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

30 ..... \$ 75,000

31     **Sec. 10. FLOODPLAIN PERMIT BACKLOG.** Notwithstanding any  
32 contrary provision of state law, for the fiscal year beginning  
33 July 1, 2003, and ending June 30, 2004, the department of  
34 natural resources may use additional funds available to the  
35 department from stormwater discharge permit fees for the

1 staffing of the following additional full-time staff members  
 2 to reduce the department's floodplain permit backlog:  
 3 ..... FTEs 2.00  
 4 Sec. 11. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY  
 5 LOAD PROGRAM. Notwithstanding any contrary provision of state  
 6 law, for the fiscal year beginning July 1, 2003, and ending  
 7 June 30, 2004, the department of natural resources may use  
 8 additional funds available to the department from stormwater  
 9 discharge permit fees for the staffing of the following  
 10 additional full-time equivalent positions for implementation  
 11 of the federal total maximum daily load program:  
 12 ..... FTEs 2.00

13 EXPLANATION

14 This bill relates to agriculture and natural resources by  
 15 making appropriations for the 2003-2004 fiscal year to support  
 16 related entities, including the department of agriculture and  
 17 land stewardship and the department of natural resources.

18 The bill appropriates moneys to the department of  
 19 agriculture and land stewardship and the department of natural  
 20 resources. The appropriations are made to support  
 21 administration of those departments. The bill also provides  
 22 moneys for specific programs administered by those  
 23 departments. The bill appropriates moneys from a number of  
 24 sources, including the general fund of the state and the state  
 25 fish and game protection fund.

26 For the department of agriculture and land stewardship,  
 27 moneys are appropriated in order to support its divisions (the  
 28 administrative division, the regulatory division, the  
 29 laboratory division, and the soil conservation division).

30 The bill appropriates moneys to support the department of  
 31 agriculture and land stewardship for membership in a river  
 32 association. The bill appropriates moneys to support animal  
 33 industry programs, including a program to regulate horse and  
 34 dog racing by the department of agriculture and land  
 35 stewardship.

1 For the department of natural resources, moneys are  
2 appropriated in order to support its divisions (the  
3 administrative and support services division, the parks and  
4 preserves division, the forests and forestry division, the  
5 energy and geological resources division, and the  
6 environmental protection division).

7 The bill makes appropriations from other funds and  
8 accounts. The bill appropriates moneys to the department of  
9 natural resources from the state fish and game protection fund  
10 for support of the division of fish and wildlife. The bill  
11 makes an appropriation from moneys transferred to the state  
12 fish and game protection fund to support snowmobile programs  
13 and enforce state navigation laws administered by the  
14 department of natural resources.

15 An appropriation is made from the unassigned revenue fund  
16 administered by the Iowa comprehensive underground storage  
17 tank fund board to the department of natural resources for  
18 administration and expenses of the underground storage tank  
19 section.

20 The bill provides that the department of natural resources  
21 may use additional funds for staffing to reduce the  
22 department's floodplain permit backlog. It provides that the  
23 department may use additional funds available from stormwater  
24 discharge permit fees for staffing required to implement the  
25 federal maximum daily load program.

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..... \$ 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.

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:

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
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MARY E. KRAMER  
President of the Senate

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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.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved \_\_\_\_\_, 2003

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THOMAS J. VILSACK  
Governor