

1 SEC. 2. There is hereby appropriated from the general fund of the  
 2 state for the biennium beginning July 1, 1955, and ending June 30,  
 3 1957, to the department of public instruction the sum of five thousand  
 4 dollars (\$5,000.00) or so much thereof as may be necessary to be used  
 5 as a revolving fund to cover warehousing, handling, and transporta-  
 6 tion of direct distribution of federal surplus commodities which will  
 7 be reimbursed by charging pro rata costs of these items to receiving  
 8 schools and institutions.  
 9 Total .....\$ 5,000.00

Approved May 9, 1955.

## CHAPTER 11

### GENERAL SCHOOL AID

H. F. 577

AN ACT to appropriate twenty-eight million six hundred seventy thousand (\$28,-670,000.00) from the general fund of the state of Iowa to the department of public instruction for general state aid for school districts as provided by chapter two hundred eighty-six A (286A), Code 1954.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. There is hereby appropriated from the general fund  
 2 of the state of Iowa to the department of public instruction for each  
 3 year of the biennium beginning July 1, 1955, and ending June 30,  
 4 1957, the sum of fourteen million three hundred thirty-five thousand  
 5 dollars (\$14,335,000.00), or so much thereof as may be necessary,  
 6 for general state aid to school districts as provided by chapter two  
 7 hundred eighty-six A (286A), Code 1954, provided, however, that no  
 8 school district shall receive financial aid under the provisions of said  
 9 chapter of the Code in the event a school tax levy for the general  
 10 fund of at least fifteen (15) mills was not made in such district for  
 11 the preceding year.

This bill known as House File 577 was presented to the Governor within the last three days of the regular session of the Fifty-sixth General Assembly, whereupon errors in enrollment being discovered and the General Assembly by adjournment sine die, April 29, 1955, preventing its return for correction, it has this 28rd day of May, 1955, been correctly re-enrolled as hereinabove presented.

Approved May 24, 1955.

## CHAPTER 12

### CONSERVATION COMMISSION APPROPRIATION

H. F. 591

AN ACT to appropriate from the general fund of the state of Iowa to the state conservation commission for construction, replacement, repairs, acquisition of land, sanitary sewer project improvements, watershed area improvements and dredging; and to provide for the creation of a county conservation board and prescribing the powers and duties thereof.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. There is hereby appropriated and set out of the gen-  
 2 eral fund of the state from any moneys not otherwise appropriated, to

3 the state conservation commission the sum of one million one hundred  
4 seventy-three thousand dollars (\$1,173,000.00) or so much thereof as  
5 may be necessary for construction, acquisition, replacements, altera-  
6 tions for state parks and reserves, state forests, state waters, for  
7 dredging, for sanitary sewer projects for artificial lake development,  
8 for erosion control, for streams and lake access, for land acquisition  
9 and for design and investigation, but said funds appropriated and set  
10 aside by this act shall not be expended until it shall be determined by  
11 the conservation commission with approval of the budget and financial  
12 control committee and that its expenditures shall be for the best in-  
13 terests of the state.

1 SEC. 2. The treasurer of the state of Iowa is hereby empowered to  
2 invest any of the funds so appropriated and set aside by the provisions  
3 of section one (1) of this Act in securities of the United States Gov-  
4 ernment.

1 SEC. 3. When contracts, plans and specifications for improvements  
2 for which funds are herein appropriated have been accepted by the  
3 conservation commission, and approved and certified by the budget  
4 and financial control committee of the state of Iowa, the state treas-  
5 urer is authorized and directed to sell sufficient securities herein pro-  
6 vided in section two (2) of this Act to cover the cost of said improve-  
7 ment.

1 SEC. 4. The purposes of this Act are to create a county conserva-  
2 tion board and to authorize counties to acquire, develop, maintain, and  
3 make available to the inhabitants of the county, public parks, preserves,  
4 parkways, playgrounds, recreational centers, county forests, wildlife  
5 and other conservation areas, and to promote and preserve the health  
6 and general welfare of the people, to encourage the orderly develop-  
7 ment and conservation of natural resources, and to cultivate good citi-  
8 zenship by providing adequate programs of public recreation.

1 SEC. 5. Upon petition of two hundred (200) voters in any county  
2 to the board of supervisors thereof, said board shall submit to the  
3 people of the county at the next regular election the question whether  
4 a county conservation board shall be created as provided for in this  
5 Act. If at said election the majority of votes polled for the creation of  
6 a county conservation board, the board of supervisors shall within  
7 sixty (60) days after said election, create a county conservation board  
8 to consist of five (5) bona fide residents of such county. The members  
9 first appointed shall hold office for the term of one, two, three, four  
10 and five years respectively, as indicated and fixed by the county board  
11 of supervisors. Thereafter, succeeding members shall be appointed  
12 for a term of five years, except that vacancies occurring otherwise  
13 than by expiration of term shall be filled by appointment for the un-  
14 expired term. When any member of the board, during the term of  
15 office, shall cease to be a bona fide resident of the county, he or she  
16 shall thereby be disqualified as a member of said board and his or her  
17 office shall thereupon be declared vacant. Members of the board shall  
18 be selected and appointed on the basis of their demonstrated interest  
19 in conservation matters, and shall serve without compensation, but  
20 may be paid their actual and necessary expenses incurred in the per-  
21 formance of their official duties.

1 SEC. 6. Within thirty days after their appointment, the board  
2 shall organize by selecting from its members a president and secretary  
3 and such other officers as are deemed necessary, who shall hold office  
4 for the calendar year in which elected and until their successors are  
5 selected and qualify. Three members of the board shall constitute a  
6 quorum for the transaction of business. The board shall hold regular  
7 monthly meetings. Special meetings may be called by the president,  
8 and shall be called on the request of a majority of members, as the  
9 necessity may require. The county conservation board shall have  
10 power to adopt bylaws, to adopt and use a common seal, and to enter  
11 into contracts. The county board of supervisors shall provide suitable  
12 offices for the meetings of the county conservation board and for the  
13 safekeeping of its records. Such records shall be subject to public in-  
14 spection at all reasonable hours and under such regulations as the  
15 county conservation board may prescribe. Said board shall annually  
16 make a full and complete report to the county board of supervisors of  
17 its transactions and operations for the preceding year. Such report  
18 shall contain a full statement of its receipts, disbursements, and the  
19 program of work for the period covered, and may include such recom-  
20 mendations as may be deemed advisable. A copy of this report shall be  
21 filed with the state conservation commission.

1 SEC. 7. The county conservation board shall have the custody, con-  
2 trol and management of all real and personal property heretofore or  
3 hereafter acquired by the county for public parks, preserves, park-  
4 ways, playgrounds, recreation centers, county forests, county wild-  
5 life areas, and other county conservation and recreation purposes and  
6 is authorized and empowered:

7 (1) To study and ascertain the county's park, preserve, parkway,  
8 and recreation and other conservation facilities, the need for such  
9 facilities, and the extent to which such needs are being currently met,  
10 and to prepare and adopt a coordinated plan of areas and facilities to  
11 meet such needs.

12 (2) To acquire in the name of the county by gift, purchase, lease,  
13 agreement or otherwise, in fee or with conditions, suitable real estate  
14 within or without the territorial limits of the county areas of land and  
15 water for public parks, preserves, parkways, playgrounds, recreation  
16 centers, forests, wildlife and other conservation purposes. The state  
17 conservation commission, the county board of supervisors, or the gov-  
18 erning body of any city, town or village may, upon request of the  
19 county conservation board, designate, set apart and transfer to the  
20 county conservation board for use as parks, preserves, parkways, play-  
21 grounds, recreation centers, play fields, tennis courts, skating rinks,  
22 swimming pools, gymnasiums, rooms for arts and crafts, camps and  
23 meeting places, community forests, wildlife areas and other recre-  
24 ational purposes, any land and buildings owned or controlled by the  
25 state conservation commission or such county or municipality and not  
26 devoted or dedicated to any other inconsistent public use. In acquiring  
27 or accepting land, due consideration shall be given to its scenic,  
28 historic, archeologic, recreational or other special features, and no  
29 land shall be acquired or accepted which in the opinion of the board  
30 and the state conservation commission is of low value from the stand-  
31 point of its proposed use.

32 (3) The county conservation board shall file with and obtain ap-

33 proval of the state conservation commission on all proposals for ac-  
34 quisition of land, and all general development plans and programs for  
35 the improvement and maintenance thereof before any such program  
36 is executed.

37 (4) To plan, develop, preserve, administer and maintain all such  
38 areas, places and facilities, and construct, reconstruct, alter and re-  
39 new buildings and other structures, and equip and maintain the same.

40 (5) To accept in the name of the county gifts, bequests, contribu-  
41 tions and appropriations of money and other personal property for  
42 conservation purposes.

43 (6) To employ and fix the compensation of an executive officer  
44 who shall be responsible to the county conservation board for the car-  
45 rying out of its policies. The said executive officer shall have the  
46 power, subject to the approval of said board, to employ and fix the  
47 compensation of such assistants and employees as may be deemed  
48 necessary for carrying out the purposes and provisions of this Act,  
49 but not in excess of those paid state conservation officers and em-  
50 ployees for like services.

51 (7) To charge and collect reasonable fees for the use of such facili-  
52 ties, privileges and conveniences as may be provided and for admission  
53 to amateur athletic contests, demonstrations and exhibits and other  
54 noncommercial events.

55 (8) To let out and rent privileges in or upon any property under  
56 its control upon such terms and conditions as are deemed by it to be  
57 in the public interest.

1 SEC. 8. The county conservation board may make, alter, amend  
2 or repeal rules and regulations for the protection, regulation and  
3 control of all parks, preserves, parkways, playgrounds, recreation  
4 centers, and other property under its control. No rules and regula-  
5 tions adopted shall be contrary to, or inconsistent with, the laws of the  
6 state of Iowa. Such rules and regulations shall not take effect until  
7 ten (10) days after their adoption by said board and after their pub-  
8 lication once a week for two weeks in at least one paper circulating in  
9 the county and after a copy thereof has been posted near each gate or  
10 principal entrance to the public ground to which they apply. The  
11 board may designate the executive officer and such employees as he  
12 may designate as police officers who shall have all the powers con-  
13 ferred by law on police officers, peace officers, or sheriffs in the en-  
14 forcement of the laws of the state of Iowa and the apprehension of  
15 violators thereof.

1 SEC. 9. Upon the adoption of any county of the provisions of this  
2 Act, the county board of supervisors of such county may by resolution  
3 appropriate an amount of money from the general fund of the county  
4 for the payment of expenses incurred by the county conservation  
5 board in carrying out its powers and duties, and it may levy or cause  
6 to be levied an annual tax, in addition to all other taxes, of not less  
7 than one-fourth ( $\frac{1}{4}$ ) mill or more than one (1) mill on the dollar of  
8 the assessed valuation of all real and personal property subject to  
9 taxation within such county, which tax shall be collected by the county  
10 treasurer as other taxes are collected, and shall be paid into a separate  
11 and distinct fund to be known as the county conservation fund, to be  
12 paid out upon the warrants drawn by the county auditor upon requisi-

13 tion of the county conservation board for the payment of expenses  
14 incurred in carrying out the powers and duties of said conservation  
15 board. The county conservation board shall have no power or author-  
16 ity to contract any debt or obligation in any year in excess of the  
17 moneys in the hands of the county treasurer immediately available  
18 for such purposes. Gifts, contributions and bequests of money and all  
19 rent, licenses, fees and charges and other revenue or money received  
20 or collected by the board shall be deposited in the county conservation  
21 fund to be used for the purchase of land, property and equipment and  
22 the payment of expenses incurred in carrying out the activities of the  
23 board, except that moneys given, bequeathed, or contributed upon  
24 specified trusts shall be held and applied in accordance with the trust  
25 specified.

1 SEC. 10. Any county conservation board may cooperate with the  
2 federal government or the state government or any department or  
3 agency thereof to carry out the purposes and provisions of this Act.  
4 Any county conservation board may join with any other county board  
5 or county boards to carry out the provisions of this Act, and to that  
6 end may enter into agreement with each other and may do any and all  
7 things necessary or convenient to aid and to cooperate in carrying  
8 out the provisions of the Act. Any city, town, village or school dis-  
9 trict may aid and cooperate with any county conservation board or  
10 any combination thereof in equipping, operating and maintaining  
11 any parks, preserves, parkways, playgrounds, recreation centers, and  
12 conservation areas, and for providing, conducting and supervising  
13 programs of activities, and may appropriate money for such purposes.  
14 The state conservation commission, county engineer, county agricul-  
15 tural agent, and other county officials shall render such assistance as  
16 shall not interfere with their regular employment. The board of super-  
17 visors is authorized to make available to the use of the county conser-  
18 vation board, county-owned equipment and operators and any county-  
19 owned materials it deems advisable.

1 SEC. 11. The governing body of any school district may grant the  
2 use of any buildings, grounds, or equipment of the district to any  
3 county conservation board for the purpose of carrying out the pro-  
4 visions of this Act whenever such use of the school buildings, grounds  
5 or equipment for such purposes will not interfere with the use of the  
6 buildings, grounds, and equipment for any purpose of the public school  
7 system.

1 SEC. 12. The state conservation commission and the state depart-  
2 ment of education shall advise with and may assist any county or  
3 counties in carrying out the purposes of this Act.

1 SEC. 13. The provisions of this chapter shall be severable, and if  
2 any of its provisions shall be held to be unconstitutional, the decisions  
3 of the court shall not affect the validity of the remaining provisions of  
4 the chapter. It is hereby declared a legislative intent that this chapter  
5 would have been adopted by the general assembly had such uncon-  
6 stitutional provisions not been included therein.

Approved May 6, 1955.