

## CHAPTER 134

## COUNTY CONSERVATION BOARDS

H. F. 249

AN ACT relating to the bonding authority of the county conservation boards.

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

1 SECTION 1. Section one hundred eleven A point six (111A.6),  
2 Code 1962, is hereby amended by striking from lines forty-eight (48),  
3 and forty-nine (49) the words "having a population in excess of  
4 ninety thousand".

Approved May 14, 1965.

## CHAPTER 135

## STATE PRESERVES

S. F. 475

AN ACT to establish a system of state preserves and to provide for the control and management of same.

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

1 SECTION 1. As used in this Act:  
2 "Area" means an area of land or water or both land and water.  
3 "Preserve" means an area of land or water formally dedicated under  
4 the provisions of this Act for maintenance as nearly as possible in its  
5 natural condition though it need not be completely primeval in char-  
6 acter at the time of dedication or an area which has unusual flora,  
7 fauna, geological, archeological, scenic or historical features of sci-  
8 entific or educational value.  
9 "Dedication" means the allocation of an area as a preserve by a  
10 public administrative agency or by a private owner by written stipu-  
11 lation in a form approved by the state advisory board for preserves.  
12 "Board" means the state advisory board for preserves established by  
13 this Act.

1 SEC. 2. There is hereby created a state system of preserves and a  
2 state advisory board for preserves.

1 SEC. 3. The board shall be composed of seven (7) members, six  
2 (6) of which shall be appointed by the governor. The state conserva-  
3 tion commission, the conservation committee of the Iowa academy of  
4 science, and the state historical society shall submit to the governor a  
5 list of possible appointments. Members shall be selected from persons  
6 with a demonstrated interest in the preservation of natural lands and  
7 waters, and historic sites. The director of the state conservation com-  
8 mission shall serve as one (1) member of the board. Any vacancies on  
9 the board shall be filled, for the remainder of the term vacated, by ap-  
10 pointment by the governor provided by this Act.

11 The first members appointed after the effective date of this Act shall  
12 serve as follows: two (2) members to serve until July 1, 1968; two

13 (2) members to serve until July 1, 1969; two (2) members to serve  
14 until July 1, 1970, and the director of the state conservation commis-  
15 sion shall serve as long as he is director of the conservation commis-  
16 sion. Members shall serve until their successors are appointed and  
17 qualified. As terms of members so appointed expire, their successors  
18 shall be appointed for terms to expire three (3) years thereafter. Any  
19 member who has served two (2) consecutive full terms will not be  
20 eligible for reappointment for a period of one (1) year following the  
21 expiration of his second (2nd) term.

1 SEC. 4. The members of the board shall serve without compensa-  
2 tion but may be reimbursed for necessary expenses in connection with  
3 performance of their duties.

1 SEC. 5. The board shall organize annually by the election of a  
2 chairman. The board shall meet annually and at such other times as  
3 it deems necessary. Meetings may be called by the chairman, and shall  
4 be called by the chairman on the request of three (3) members of the  
5 board.

1 SEC. 6. Representatives of such agencies, institutions, and organi-  
2 zations as the board may determine may serve as advisors to the board.  
3 Such advisors shall receive no compensation for this function but at  
4 the discretion of the board may be reimbursed for necessary expenses  
5 in connection with the performance of their duties.

1 SEC. 7. The conservation commission shall employ, upon recom-  
2 mendation by the board, at salaries fixed by the board, a trained ecolo-  
3 gist and such other personnel as may be necessary to carry out the  
4 duties of the board.

1 SEC. 8. The board shall have the following powers and duties:

2 1. To approve an area as a preserve.

3 2. To make and publish all rules and regulations necessary to carry-  
4 ing out the purposes of this Act.

5 3. To recommend dedication as preserves areas owned by the state  
6 under the jurisdiction of the conservation commission.

7 4. To recommend acquisition of areas for dedication as preserves by  
8 the state conservation commission.

9 5. To recommend dedication as preserves, areas owned by other  
10 public agencies, private groups, and individuals.

11 6. To make surveys and maintain registries and records of preserves  
12 and other areas of educational or scientific value and of habitats for  
13 rare and endangered species of plants and animals in the state.

14 7. To promote research and investigations, carry on interpretive  
15 programs and publish and disseminate information pertaining to pre-  
16 serves and related areas of educational or scientific value.

17 8. To promote the establishment and protection of, and advise in the  
18 management of, wild parks and other areas of educational or scientific  
19 value and otherwise foster and aid in the preservation of natural con-  
20 ditions elsewhere than in preserves.

21 9. To authorize payment of travel and other necessary expenses of  
22 the members of the board and advisers to the board, and salaries,  
23 wages, compensations, travel, supplies, and equipment necessary to  
24 carry out the duties of the board, and to authorize any other expendi-

25 tures as may be necessary to carry into effect the purposes of this Act.  
 26 10. To design and control the use of official state preserve signs and  
 27 recommend to the state highway commission locations for state pre-  
 28 serve signs.

29 11. To submit to the governor and the legislature a report before  
 30 January 15, 1967, and every two (2) years thereafter which shall  
 31 account for each preserve in the system and make such other reports  
 32 and recommendations as it may deem necessary.

33 12. To prepare and recommend a budget, for inclusion as a line item  
 34 money request in the state conservation commission budget, for ap-  
 35 propriation from the state general fund.

1 SEC. 9. The public administrative agency or private owner shall  
 2 complete articles of dedication on forms approved by the board. When  
 3 the articles of dedication have been approved by the governor the  
 4 board shall record them with the county recorder for the county or  
 5 counties in which the area is located.

6 The articles of dedication may contain restrictions on development,  
 7 sale, transfer, method of management, public access, and commercial  
 8 or other use, and may contain such other provisions as may be neces-  
 9 sary to further the purposes of this Act. They may define the respec-  
 10 tive jurisdictions of the owner or operating agency and the board.  
 11 They may provide procedures to be applied in case of violation of the  
 12 dedication. They may recognize reversionary rights. They may vary  
 13 in provisions from one (1) preserve to another in accordance with  
 14 differences in relative conditions.

1 SEC. 10. An area shall become a preserve when it has been ap-  
 2 proved by the board for dedication as a preserve, whether in public or  
 3 private ownership, formally dedicated as a preserve within the system  
 4 by a public administrative agency or private owner and designated by  
 5 the governor as a preserve.

1 SEC. 11. An area designated as a preserve within the system is  
 2 hereby declared put to its highest, best, and most important use for  
 3 public benefit. It shall be held in trust and shall not be alienated except  
 4 to another public use upon a finding by the board of imperative and  
 5 unavoidable public necessity and with the approval of the state con-  
 6 servation commission and the governor. The board's interest or in-  
 7 terests in any area designated as a preserve shall not be taken under  
 8 the condemnation statutes of this state without such a finding of im-  
 9 perative and unavoidable public necessity by the board, and with the  
 10 consent of the state conservation commission and the governor.

11 The board, with the approval of the governor, may enter into amend-  
 12 ments to any articles of dedication upon its finding that such amend-  
 13 ment will not permit an impairment, disturbance, or development of  
 14 the area inconsistent with the purposes of this Act.

15 Before the board shall make a finding of imperative and unavoid-  
 16 able public necessity, or shall enter into any amendment to articles of  
 17 dedication, it shall provide notice of such proposal and opportunity for  
 18 any person to be heard. Such notice shall be published at least once  
 19 in a newspaper with a general circulation in the county or counties  
 20 wherein the area directly affected is situated, and mailed within ten  
 21 (10) days of such published notice to all persons who have requested

22 notice of all such proposed actions. Each notice shall set forth the  
 23 substance of the proposed action and describe, with or without legal  
 24 description, the area affected, and shall set forth a place and time not  
 25 less than sixty (60) days thence for all persons desiring to be heard  
 26 to have reasonable opportunity to be heard prior to the finding of the  
 27 board.

1 SEC. 12. All departments, agencies, and instrumentalities of the  
 2 state, including counties, municipalities, public corporations, boards,  
 3 commissions, and universities shall be urged to dedicate as nature  
 4 preserves within the system under the procedures outlined in this Act,  
 5 suitable areas or portions of areas within their jurisdiction.

1 SEC. 13. Nothing contained in this Act shall be construed as inter-  
 2 fering with the purposes stated in the establishment of or pertaining  
 3 to any state or local park, preserve, wildlife refuge, or other area or  
 4 the proper management and development thereof except that any  
 5 agency administering any area designated as a nature preserve under  
 6 the system shall be responsible for preserving the natural character of  
 7 the area in accordance with the articles of dedication.

8 Designation of an area as a preserve within the system shall not  
 9 void or replace any protected status under law which the area would  
 10 have were it not so designated.

Approved May 26, 1965.

## CHAPTER 136

### CIVIL ENGINEERS AND LAND SURVEYORS

#### S. F. 408

AN ACT relating to the registration of professional engineers and land surveyors and the regulation of these professions.

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

1 SECTION 1. Section one hundred fourteen point two (114.2), Code  
 2 1962, is hereby amended by adding the following:

3 "The term 'in responsible charge' as used in this chapter means  
 4 having direct control of and personal supervision over any professional  
 5 engineering work or land surveying work. One or more persons,  
 6 jointly or severally, may be in responsible charge."

7 "The term 'engineering documents' as used in this chapter includes  
 8 all plans, specifications, drawings, and reports, if the preparation there-  
 9 of constitutes or requires the practice of professional engineering."

10 "The term 'land surveying documents' as used in this chapter in-  
 11 cludes all plats, maps, surveys, and reports, if the preparation thereof  
 12 constitutes or requires the practice of land surveying."

1 SEC. 2. Section one hundred fourteen point sixteen (114.16), Code  
 2 1962, is hereby repealed and the following is enacted in lieu thereof:

3 "Each registrant, upon registration, may obtain a seal. If he obtains  
 4 or uses a seal, it shall be of a design approved by the board, bearing  
 5 the registrant's name, Iowa registration number, and the words 'pro-