

Placed on Calendar.  
March 27, 1923.

Senate File No. 702.  
BY COMMITTEE ON CONSERVATION.

## A BILL FOR

An act to amend, revise and codify sections eleven hundred seventy-seven (1177), eleven hundred eighty-four (1184) of the compiled code, and sections eleven hundred seventy-seven a1 (1177 a1), eleven hundred seventy-seven a2 (1177-a2), and eleven hundred eighty-two-a1 (1182-a1) of the supplement to the compiled code, relating to a state board of conservation, providing for its powers and duties and defining its jurisdiction; providing for supervisory power in the executive council.

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

1 Section 1. That sections eleven hundred seventy-seven  
2 (1177), eleven hundred eighty-four (1184) of the compiled code,  
3 and sections eleven hundred seventy-seven-a1 (1177-a1), eleven  
4 hundred seventy-seven-a2 (1177-a2), and eleven hundred eighty-  
5 two-a1 (1182-a1) of the supplement to the compiled code be  
6 amended, revised and codified so that the law as therein  
7 contained shall read as follows:

1 Sec. 2. The governor shall appoint five persons who  
2 shall constitute a state board of conservation the members  
3 of which shall serve without pay, except actual and necessary  
4 expenses. The members of such board shall hold office for  
5 three years and until their successors are appointed and  
6 qualify, except that of the first board to be appointed one  
7 shall be appointed to hold office for the period ending the  
8 second secular day in January, 1925, two shall be appointed to  
9 hold office until the second secular day in January, 1926, and

10 two shall be appointed to hold office until the second secular  
11 day in January, 1927.

12 The secretary of the executive council shall, without  
13 additional compensation, act as secretary of the state board  
14 of conservation.

1 Sec. 3. The board shall investigate places in Iowa  
2 rich in natural history, forest reserves, archaeological  
3 specimens, and geological deposits; and the means of promoting  
4 forestry and maintaining the preserving animal and bird life  
5 and the conservation of the natural resources of the state.

1 Sec. 4. It shall be the duty of the board, under  
2 the supervision and direction of the executive council, to  
3 establish, maintain, improve and beautify public parks upon  
4 the shores of lakes, streams or other waters, or at other  
5 places within the state which have become historical or which  
6 are of scientific interest, or which by reason of their  
7 natural scenic beauty or location are adapted therefor.

1 Sec. 5. The executive council may, upon the  
2 recommendation of the board, purchase or condemn lands for  
3 public parks. No contract for the purchase of such public  
4 parks shall be made to an amount in excess of funds  
5 appropriated therefor by the General Assembly.

1 Sec. 6. The executive council may, upon the  
2 recommendation of the board, purchase or condemn highways  
3 connecting such parks with the public high-ways. When such  
4 highways have been purchased or condemned the same shall be

5 public high-ways of this state and shall be maintained as  
6 other public high-ways of the county.

1 Sec. 7. All the provisions of the law relating to  
2 the condemnation of lands for public purposes shall apply  
3 to the provisions hereof in and so far as applicable.

1 Sec. 8. Jurisdiction over all meandered streams  
2 and lakes of this state and of state lands bordering thereon,  
3 not now used by some other state body for state purposes, is  
4 conferred upon the board. The board, with the approval of  
5 the executive council, may establish parts of such property  
6 into state parks, and when so established all of the  
7 provisions of this act relative to public parks shall apply  
8 thereto. The board shall at once proceed to establish the  
9 boundary lines between the state owned property under its  
10 jurisdiction and privately owned property, and shall where  
11 deemed advisable mark the same so that the boundaries of  
12 such state owned property may be easily ascertainable to  
13 the public.

1 Sec. 9. The board may call upon the high-way  
2 commission for the services of at least one competent  
3 engineer, who shall, under the direction of the board,  
4 proceed to work in conjunction with it in carrying out  
5 the true spirit and purpose of this act. The board may  
6 call upon the county engineer of any county to advise  
7 relative to the true boundary between the state owned  
8 property and private property in the county, and to

9 furnish plats and surveys showing such true boundary lines,  
10 and when directed by the board, shall mark such boundary  
11 lines as herein provided. All surveys and plats shall  
12 be filed with the secretary of the board, and shall  
13 become public records of this state.

1 Sec. 10. The compensation and expenses of the  
2 high-way engineer shall be paid as a part of the  
3 maintenance of the high-way commission, and of the  
4 county engineer by the county as the case may be.

1 Sec. 11. Whenever a controversy shall arise as  
2 to the true boundary line between state owned property  
3 and private property, the board may, with the approval of  
4 the executive council, adjust said boundary line or take  
5 such other action in the premises, all with the approval  
6 of the executive council, as in its judgment may seem  
7 right. When such disputed boundary line is fixed it  
8 shall be surveyed and marked as herein provided. The  
9 board may, with the approval of the executive council,  
10 lease for periods not exceeding one year such parts of  
11 the property under its jurisdiction as to it may seem  
12 advisable. All leases shall reserve to the public of  
13 the state the right to enter upon the property leased  
14 for any lawful purpose.

1 Sec. 12. All funds collected, from whatever source,  
2 by the board shall be deposited in the state treasury and  
3 shall be available for use by the board subject to the

4 approval of the executive council for any purpose necessary  
5 in the carrying out of the terms and provisions hereof.  
6 All accounts and expenditures shall be subject to the  
7 approval of the executive council and shall be paid out  
8 on warrants drawn by the state auditor as is otherwise  
9 provided by law.

1 Sec. 13. The board may, with the approval of the  
2 executive council, delegate to cities and towns of this  
3 state the care and maintenance of state parks and counties,  
4 cities and towns are authorized to maintain such parks and  
5 to pay the expense thereof from the general fund of such  
6 county, city or town as the case may be.

1 Sec. 14. No islands, in any of the meandered  
2 streams and lakes of this state or in any of the waters  
3 bordering upon this state shall hereafter be sold, except  
4 with the majority vote of the executive council upon the  
5 majority recommendation of the board, and in the event any  
6 of such islands are sold as herein provided the proceeds  
7 thereof shall become a part of the funds to be expended  
8 under the terms and provisions of this act.

1 Sec. 15. The executive council may upon the  
2 recommendation of the board of conservation, sell such parts  
3 of public parks as in their judgment may be undesirable for  
4 park purposes. In the event that a sale is determined  
5 upon, the executive council shall have the land appraised by  
6 three appraisers to be appointed by the chief justice of

7 the supreme court and such land shall not be sold for less  
8 than the appraised price. Reappraisements may be ordered  
9 when necessary. Conveyances shall be in the name of the  
10 state, signed by the governor and secretary of state, with  
11 the great seal of the state attached.