

Reported Recommending.....
 Ind. Postponed.....
 Passed House.....
 Failed to Pass House.....
 Passed Senate.....
 Failed to Pass Senate.....

Placed on calendar.
 April 28th 1935.

House File No. 507.
 By SIFTING COMMITTEE.

*Amended
 Bd of Game
 House v. Senate*

*

A BILL FOR

An Act to abolish the state board of conservation, the state fish and game commission, and the office of state forestry commissioner, and to impose the rights, powers and duties of said agencies on a new agency which shall be known as the state conservation

Senate File 115 was introduced and passed with amendments.

The third conference committee failed to agree on the amendments but wrote and introduced House File 507 to take the place of Senate File 115. House File 507 was passed as introduced.

6 the same political party. No person appointed to said commission
 7 shall during his term hold any other state or federal office.

1 Sec. 2. Appointment. Said members shall be appointed by the
 2 governor with the approval of two-thirds ($\frac{2}{3}$) of the members of the
 3 Senate.

1 Sec. 3. Initial appointments. Upon the taking effect of this
 2 chapter, the governor shall make the first appointments as follows:

3 1. Two (2) for a term ending July 1, 1937.

17 by pass book entry by the depository legally designated
18 as depository for such funds.”

1 **Sec. 2.** This act being deemed of immediate importance
2 shall be in full force and effect from and after its publi-
3 cation in the, a newspaper published at
4, Iowa, and the, a
5 newspaper published at, Iowa.

Reported Recommending.....
 Ind. Postponed.....
 Passed House.....
 Failed to Pass House.....
 Passed Senate.....
 Failed to Pass Senate.....

Placed on calendar.
 April 23rd 1935.

House File No. 507.
 By SIFTING COMMITTEE.

*Conservation
 Bd & Comm.
 Fish & Game*

A BILL FOR

An Act to abolish the state board of conservation, the state fish and game commission, and the office of state forestry commissioner, and to impose the rights, powers and duties of said agencies on a new agency which shall be known as the state conservation commission; to create said latter commission and to define its rights, powers and duties; to coordinate various sections of the statutes with said change in the law and to this end to amend or repeal various sections and provisions of the statutes.

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

1 Section 1. Creation of commission—membership. There is here-
 2 by created a state conservation commission which shall consist of
 3 seven (7) citizens of the state who are interested in and have sub-
 4 stantial knowledge of the subjects embraced in this chapter. Not
 5 more than four (4) of said members shall, when appointed, belong to
 6 the same political party. No person appointed to said commission
 7 shall during his term hold any other state or federal office.

1 Sec. 2. Appointment. Said members shall be appointed by the
 2 governor with the approval of two-thirds (2/3) of the members of the
 3 Senate.

1 Sec. 3. Initial appointments. Upon the taking effect of this
 2 chapter, the governor shall make the first appointments as follows:

3 1. Two (2) for a term ending July 1, 1937.

4 2. Three (3) for a term ending July 1, 1939.

5 3. Two (2) for a term ending July 1, 1941.

1 Sec. 4. Full-time appointments. During the session of the
2 general assembly in 1937, and at a corresponding time each two (2)
3 years thereafter, the governor shall appoint two (2) or three (3)
4 members, as the case may be, for a full term of six (6) years.

1 Sec. 5. Vacancies. In case of vacancies, the governor shall
2 appoint for the unexpired portion of the term, and if the general
3 assembly be not then in session the governor shall, upon the con-
4 vening of the general assembly, promptly report said appointment to
5 the Senate for its approval.

1 Sec. 6. Compensation. Each member of the commission shall re-
2 ceive the sum of seven (7) dollars and fifty (50) cents for each
3 day actually and necessarily employed in the discharge of official
4 duties, provided said compensation shall not exceed five hundred
5 (500) dollars for each fiscal year.

1 Sec. 7. Expenses generally. The members and employees of the
2 commission, the conservation director and conservation officers shall
3 be reimbursed for all actual and necessary expenses incurred by
4 them in the discharge of their official duties when absent from their
5 usual place of abode, unless said appointees or employees are serving
6 under a contract which requires them to defray their own expenses.

1 Sec. 8. Bonds—surety. The commission may require bonds of
2 appointees and employees other than those herein specifically named.
3 All bonds insuring the fidelity of the commissioners, and of the
4 appointees and employees of the commission shall be signed by a

5 surety authorized by law to execute such bonds.

1 Sec. 9. Premium. The premium on all the aforesaid fidelity
2 bonds shall be paid from the administration fund of the commission.

1 Sec. 10. Offices. The commission shall keep its office at the
2 seat of government. The executive council shall supply and properly
3 furnish said rooms.

1 Sec. 11. Organization and meetings. Said commission shall organ-
2 ize annually by the election of a chairman. The commission shall
3 meet annually at the seat of government on the first Tuesday of
4 January, April, July and October and at such other times and places
5 as it may deem necessary. Meetings may be called by the chairman,
6 and shall be called by the chairman on the request of two (2) members
7 of the commission.

1 Sec. 12. The commission first appointed shall organize immediately
2 upon the appointment and qualifying of its members.

1 Sec. 13. Conservation director. The commission shall employ an
2 administrative head who shall be known as state conservation director
3 and be responsible to the commission for the execution of its policies.
4 He shall be a person of executive ability and possess special knowledge
5 relative to the duties herein imposed on the commission.

1 Sec. 14. Term and salary. Said director shall serve during the
2 pleasure of the commission and shall receive an annual salary, not to
3 exceed four thousand (4,000) dollars, to be fixed by the commission.

1 Sec. 15. Officers and employees. Said director shall, with the
2 consent of the commission and at such salary as the commission shall
3 fix, employ such assistants, including a professionally trained state

4 forester of recognized standing, as may be necessary to carry out the
5 duties imposed by this chapter on the commission; also and under the
6 same conditions, said director shall appoint such officers as may be
7 necessary to enforce the laws, rules, and regulations, the enforce-
8 ment of which are herein imposed on said commission. Said officers
9 shall be known as state conservation officers. The salaries of the
10 state conservation officers shall not exceed one thousand five hundred
11 (1,500) dollars per year.

1 Sec. 16. Conservation officers. No person shall be appointed as
2 a conservation officer until he has satisfactorily passed a competitive
3 examination, held under such rules as the commission may adopt, and
4 other qualifications being equal only those of highest rank in the examina-
5 tions shall be adopted.

1 Sec. 17. Peace officers. Conservation officers shall have the
2 power of, and be deemed peace officers within the scope of the
3 duties herein imposed on them.

1 Sec. 18. Removal. The appointees and employees aforesaid may be re-
2 moved by the said director at any time subject to the approval of the
3 commission.

1 Sec. 19. Funds. The financial resources of said commission shall
2 consist of three (3) funds:

- 3 1. A state fish and game protection fund,
- 4 2. A state conservation fund, and
- 5 3. An administration fund.

6 The state fish and game protection fund, except as otherwise pro-
7 vided, shall consist of all moneys accruing from license fees and all

8 other sources of revenue arising under the division of fish and game.

9 The conservation fund, except as otherwise provided, shall consist
10 of all other funds accruing to the conservation commission.

11 The administration fund shall consist of an equitable portion of
12 the gross amount of the two (2) aforesaid funds, to be determined by the
13 commission, sufficient to pay the expense of administration entailed
14 by this chapter.

1 Sec. 20. Report of funds. The conservation director shall, at
2 least monthly, make return and pay to the treasurer of state all
3 moneys then in his hands belonging to the aforesaid funds.

1 Sec. 21. Section two hundred forty-six (246), Code, 1931, is
2 amended by striking therefrom paragraph seventeen (17) and by insert-
3 ing in lieu thereof the following:

4 "17. State conservation director."

1 Sec. 22. Expenditures. All funds accruing to the fish and game
2 protection fund, except the said equitable portion, shall be expended
3 solely in carrying on the activities embraced in the division of fish
4 and game.

5 All administrative expense shall be paid from the administration
6 fund.

7 All other expenditures shall be paid from the conservation fund.

8 All expenditures under this act shall be subject to approval by
9 the state comptroller.

1 Sec. 23. Divisions of department. The department of conservation,
2 herein created, shall consist of the following divisions:

3 1. A division of fish and game which shall include matters re-

4 lating to fish and fisheries, waterfowl, game, fur-bearing and other ani-
5 mals, birds, and other wild life resources.

6 2. A division of lands and waters shall include matters re-
7 lating to state waters, state parks, forests and forestry, and lakes
8 and streams, including matters relating to scenic, scientific,
9 historical, archeological, and recreational matters.

10 3. A division of administration which shall include matters re-
11 lating to accounts, records, enforcement, technical service, and public
12 relations.

1 Sec. 24. Rules and regulations. The existing rules, orders, and
2 regulations of the state board of conservation and of the fish and
3 game commission shall continue to be the rules, orders and regulations
4 of the conservation commission, created herein, until changed or
5 modified by said latter commission.

1 Sec. 25. No member, officer, or employee of the commission shall,
2 directly or indirectly, exert his influence to induce any other
3 officers or employees of the state to adopt his political views, or to
4 favor any particular candidate for office, nor shall such member,
5 officer, or employee contribute in any manner, directly or indirectly,
6 any money or other things of value to any person, organization or
7 committee for political campaign or election purposes. Any person
8 violating this section shall be removed from his office or position.

1 Sec. 26. Section ten hundred sixty-three (1063), Code, 1931, is
2 amended by striking out paragraphs fifteen (15) and sixteen (16) and
3 by inserting in lieu thereof the following:

4 "Members state conservation commission, five thousand (5,000)

5 dollars.”

6 “State conservation director, ten thousand (10,000) dollars.”

7 “State conservation officers, one thousand (1,000) dollars.”

1 Sec. 27. Section twenty-five hundred eighty-seven (2587), Code,
2 1931, is amended by striking out the word “forestry” from line 4 of
3 paragraph one (1).

1 Sec. 28. Section twenty-six hundred seventeen (2617), Code, 1931,
2 is amended by striking out the words “department of agriculture” and
3 by inserting in lieu thereof the words “state conservation commission.”

1 Sec. 29. Section three hundred two (302), Code, 1931, is amended by
2 inserting therein the following:

3 “39. State conservation commission.”

1 Sec. 30. All books, records, files and property belonging to the
2 state fish and game commission, to the state board of conservation, and
3 to the forestry commissioner are hereby transferred to the state con-
4 servation commission herein created.

1 Sec. 31. All unexpended funds belonging to the fish and game pro-
2 tection funds, as it exists at the time this act takes effect, shall be
3 credited to the fish and game protection fund herein created. All
4 unexpended appropriations or funds now available to the state board of
5 conservation, under either chapter one hundred eighty-eight (188), acts
6 Forty-fifth General Assembly, or under chapter one hundred forty-five
7 (145), acts Extra Session Forty-fifth General Assembly, or from other
8 sources, shall be credited to the conservation fund herein created, and
9 the state comptroller and treasurer of state shall make such transfers
10 on the books of their offices.

1 Sec. 32. All present employees of the state board of conservation
2 and of the fish and game commission shall be deemed employees of the
3 conservation commission, herein created, until said latter commission
4 otherwise orders.

1 Sec. 33. Any investigation or proceeding now pending which in any
2 manner affects the state board of conservation or the fish and game
3 commission shall be continued in behalf of or against the conserva-
4 tion commission herein created.

1 Sec. 34. Coordination of statutes. Wherever in the statutes, other
2 than this act, reference is made to the state game warden, it shall
3 be deemed to mean "state conservation director"; also, wherever in said
4 statutes reference is made to assistant or deputy game wardens, or to
5 park or lake custodians it shall be deemed to mean "state conservation
6 officers" and the Code editor is directed to make the proper changes.

7 Wherever in the statutes, other than this act, reference is made to
8 the fish and game commission, the fish and game department, or the
9 board of conservation, it shall be deemed to mean "state conservation
10 commission"; also, wherever in said statutes reference is made to fish
11 and game commission funds, it shall be deemed to mean "fish and game
12 protection fund," and the Code editor is directed to make the proper
13 changes.

1 Sec. 35. Section two (2), chapter thirty (30), acts Forty-fifth
2 General Assembly, is amended by inserting in line 9 immediately after
3 the word "promulgated" the following, to wit:

4 "provided that the said publication of said rules and regulations
5 shall not be required in case of an emergency, and in such emergency

6 the commission shall give such advance notice as it may deem reasonable,
7 and,"

1 Sec. 36. The following sections of the Code, 1931, are hereby re-
2 pealed: sections seventeen hundred three-d one (1703-d1) to seventeen
3 hundred three-d ten (1703-d10), inclusive, seventeen hundred three-d
4 thirteen (1703-d13), seventeen hundred three-d fourteen (1703-d14),
5 seventeen hundred three-d sixteen (1703-d16) to seventeen hundred
6 three-d thirty (1703-d30), inclusive, seventeen hundred twelve (1712),
7 seventeen hundred seventeen (1717), seventeen hundred forty-three
8 (1743), seventeen hundred ninety-five (1795), seventeen hundred ninety-
9 six (1796), eighteen hundred twenty (1820), eighteen hundred twenty-
10 one (1821), and twenty-six hundred four (2604).

1 Sec. 37. Partial invalidity. The invalidity of any
2 part of this chapter shall not affect any remaining part which can be given
3 force and effect independent of such invalid part.

1 Sec. 38. Publication. This act being deemed of immediate importance
2 shall be in full force and effect after its passage and publication
3 in the Sheldon Mail, a newspaper published at Sheldon, Iowa, and in
4 the Globe Gazette, a newspaper published at Mason City, Iowa.