

March 13, 1967

House File 411

County & Township Affairs

By ALLEN, BAKER, BAILEY and COCHRAN

*Pass as amended 5-3
Conservation and Recreation 5-25, Pass 5-26*

Passed House, Date 5-23-67

Passed Senate, Date 6-7-67

Vote: Ayes 98 Nays 1

Vote: Ayes 38 Nays 0

Passed Approved June 27, 1967
*House as amended
by Senate 6-16
98-3*

*motion to reconsider filed 6-7
" " " provided 6-13
Passed Senate 6-13-67
41-0*

A BILL FOR

An Act relating to the enforcement of the rules and regulations of county conservation boards.

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

1 Section 1. Section one hundred eleven point fifty-seven
2 (111.57), Code 1966, is hereby amended by adding thereto the
3 following:

4 "When the provisions of sections one hundred eleven point
5 thirty-five (111.35) to one hundred eleven point fifty-six
6 (111.56) inclusive of the Code have been officially adopted
7 and included in the published rules and regulations by county
8 conservation boards, the penalties as herein provided shall
9 apply."

EXPLANATION

This bill will permit County Conservation Boards to enforce the rules and regulations they have adopted when they are similar to those of the State Conservation Commission. Section one hundred eleven A point 5 (111A.5) gives the county conservation boards authority to make rules and regulations but no power or authority to impose a penalty for violation.

1 Amend House File 411 by striking all after the enacting
clause
2 and inserting in lieu thereof the following:
3 "Section 1. Section one hundred eleven A point five (111A.5),
4 Code 1966, is amended by inserting the following after the
period (.)
5 in line sixteen (16):
6 'After such publication and posting, any person violating any
7 provision of such rules and regulations which are then in
effect shall,
8 upon conviction, be fined not more than one hundred (100)
dollars or
9 be imprisoned in the county jail not more than thirty (30)
days.'
10 "Sec. 2. Chapter one hundred eleven A (111A), Code 1966, is
11 amended by adding the following new section:
12 'The provisions of sections one hundred eleven point thirty-
five
13 (111.35) through one hundred eleven point fifty-seven (111.57),
14 inclusive, of the Code shall apply to all lands and waters
under the
15 control of any county conservation board, in the same manner
as if such
16 lands and waters were state parks, lands, or waters. Whenever
used
17 in said sections, the words "state conservation commission,"
18 "conservation commission," and "commission," shall include a
county
19 conservation board, and the words "state conservation director"
shall
20 include a county conservation board or its executive officer,
with
21 respect to any lands or waters under the control of a county
conservation
22 board. However, the provisions of said sections may be modi-
fied or
23 superseded by rules and regulations adopted as provided in
section one
24 hundred eleven A point five (111A.5) of the Code.'

As Adopted by the Senate *House concurred 6-16*

1 Amend House File 411 as follows:
2 1. By striking the first two lines of Section 1 and inserting
3 in lieu thereof the following:
4 "Section 1. Section one hundred eleven A point five (111A.5),
5 Code 1966, is hereby amended by adding thereto the".
6 2. By striking from line eight (8) of Section 1 the words
7 "as herein provided" and inserting in lieu thereof the words "as
8 provided in section one hundred eleven point fifty-seven (111.57)
9 of the Code".

Filed - *Adapted 5-28-67*
May 3, 1967

COMMITTEE ON COUNTY AND TOWNSHIP
AFFAIRS.

1 Amend House File 411 by striking all after the enacting
2 clause and inserting in lieu the following:
3 "Section 1. Section one hundred eleven A point five
4 (111A.5), Code 1966, is amended by inserting the following
5 after the period (.) in line sixteen (16):
6 'After such publication and posting, any person violating
7 any provision of such rules and regulations which are then in
8 effect shall, upon conviction, be fined not more than one
9 hundred (100) dollars or be imprisoned in the county jail
10 not more than thirty (30) days.'
11 "Sec. 2. Chapter one hundred eleven A (111A), Code 1966
12 is amended by adding the following new section:
13 'The provisions of sections one hundred eleven point
14 thirty-five (111.35) through one hundred eleven point fifty-
15 seven (111.57), inclusive, of the Code shall apply to all
16 lands and waters under the control of any county conservation
17 board, in the same manner as if such lands and waters were
18 state parks, lands, or waters. Wherever used in said sections,
19 the words "state conservation commission," "conservation
20 commission," and "commission," shall include a county
21 conservation
22 board, and the words "state conservation director" shall
23 include a county conservation board or its executive officer,
24 with respect to any lands or waters under the control of a
25 county conservation board. However, the provisions of said
26 sections may be modified or superseded by rules and regulations
27 adopted as provided in section one hundred eleven A point five
(111A.5) of the Code.'"

Filed - Adopted 6-13
June 9, 1967

By STANLEY, McGILL, and
ERSKINE