

Local Government: Black, Chair; Cooper and Grandia.

*Do Pass 3/15/83 (p. 751)*

HOUSE FILE 425

HOUSE FILE 425

1983

BY BLACK

Local Government  
C. Miller, Chair  
Waldstein  
Brown

GOVERNMENT

*No Pass 7/13 (p. 305)*

Passed House, Date 4-5-83 (p. 1070) Passed Senate, Date 3-26-84 (p. 1014)

Vote: Ayes 95 Nays 4 Vote: Ayes 44 Nays 0

Approved April 17, 1984 (p. 2116)

### A BILL FOR

- 1 An Act relating to the official title of the chief executive
- 2 officer of a county conservation board and the compensation
- 3 of its officers and employees.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 425

H-3278

- 1 Amend House File 425 as follows:
- 2 1. Page 1, line 20, by striking the words "RULES
- 3 AND" and inserting in lieu thereof the words "RULES
- 4 AND".

H-3278 FILED MARCH 17, 1983 BY SPEAR of Lee  
*Adopted 4/5/83 (p. 1070)*

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1 Section 1. Section 111A.4, subsections 6 and 10, Code  
2 1983, are amended to read as follows:

3 6. To employ and fix the compensation of ~~an executive~~  
4 ~~officer~~ a director who shall be responsible to the county  
5 conservation board for the carrying out of its policies.  
6 ~~The said executive officer shall have the power~~ director,  
7 subject to the approval of ~~said~~ the board, ~~to may~~ employ and  
8 fix the compensation of ~~such~~ assistants and employees as ~~may~~  
9 ~~be deemed necessary for carrying out the purposes and~~  
10 ~~provisions of~~ this chapter, ~~but not in excess of those paid~~  
11 ~~state conservation officers and employees for like services.~~

12 10. To furnish suitable uniforms for the ~~executive officer~~  
13 director and ~~such~~ those employees as ~~he~~ the director may  
14 designate to wear uniforms, when on official duty. The cost  
15 of ~~said~~ the uniforms shall not exceed three hundred dollars  
16 per person in any ~~given~~ year. The uniforms shall at all times  
17 remain the property of the county.

18 Sec. 2. Section 111A.5, Code 1983, is amended to read  
19 as follows:

20 111A.5 RULES AND REGULATIONS--OFFICERS. The county  
21 conservation board may make, alter, amend or repeal ~~rules~~  
22 ~~and~~ regulations for the protection, regulation and control  
23 of all museums, parks, preserves, parkways, playgrounds,  
24 recreation centers, and other property under its control.  
25 ~~No rules and~~ The regulations ~~adopted~~ shall not be contrary  
26 to, or inconsistent with, the laws of ~~the~~ this state ~~of Iowa.~~  
27 ~~Such rules and~~ The regulations shall not take effect until  
28 ten days after their adoption by ~~said~~ the board and after  
29 their publication once a week for two weeks in at least one  
30 paper circulating in the county and after a copy ~~thereof~~ of  
31 the regulations has been posted near each gate or principal  
32 entrance to the public ground to which they apply. After  
33 ~~such~~ the publication and posting, ~~any~~ a person violating ~~any~~  
34 a provision of ~~such rules and~~ the regulations which are then  
35 in effect ~~shall be~~ is guilty of a simple misdemeanor. The

1 board may designate the ~~executive-officer~~ director and such  
2 those employees as the ~~executive-officer~~ director may designate  
3 as police officers who shall have all the powers conferred  
4 by law on police officers, peace officers, or sheriffs in  
5 the enforcement of the laws of ~~the~~ this state of ~~Iowa~~ and  
6 the apprehension of violators thereof.

7 Sec. 3. Section 111A.10, Code 1983, is amended to read  
8 as follows:

9 111A.10 STATUTES APPLICABLE. ~~The-provisions-of-sections~~  
10 Sections 111.35 through 111.57,--inclusive,--shall apply to  
11 all lands and waters under the control of any a county  
12 conservation board, in the same manner as if ~~such~~ the lands  
13 and waters were state parks, lands, or waters. Wherever used  
14 in ~~said~~ sections 111.35 through 111.57, the words "state  
15 conservation commission", "conservation commission", and  
16 "commission" ~~shall~~ include a county conservation board, and  
17 the words "state conservation director" ~~shall~~ include a county  
18 conservation board or its ~~executive-officer~~ director, with  
19 respect to any lands or waters under the control of a county  
20 conservation board. However, ~~the-provisions-of-said~~ sections  
21 111.35 through 111.57 may be modified or superseded by ~~rules~~  
22 and regulations adopted as provided in section 111A.5.

23 EXPLANATION

24 This bill changes the official title of the chief adminis-  
25 trative officer of a county conservation board from "executive  
26 officer" to "director". The bill also removes a limitation  
27 that assistants and employees of county conservation boards  
28 cannot receive annual compensation which is in excess of the  
29 annual compensation paid to state conservation officers and  
30 employees for similar services.

31 This bill takes effect July 1 following its enactment.

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HOUSE FILE 425

AN ACT

RELATING TO THE OFFICIAL TITLE OF THE CHIEF EXECUTIVE OFFICER OF A COUNTY CONSERVATION BOARD AND THE COMPENSATION OF ITS OFFICERS AND EMPLOYEES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 111A.4, subsections 6 and 10, Code 1983, are amended to read as follows:

6. To employ and fix the compensation of ~~an executive officer~~ a director who shall be responsible to the county conservation board for the carrying out of its policies. ~~The said executive officer shall have the power~~ director, subject to the approval of ~~said the~~ the board, ~~to may~~ may employ and fix the compensation of ~~such~~ assistants and employees as ~~may be deemed necessary for carrying out the purposes and provisions of this chapter, but not in excess of those paid state conservation officers and employees for like services.~~

10. To furnish suitable uniforms for the ~~executive officer~~ director and ~~such those~~ those employees as ~~he the~~ the director may designate to wear uniforms, when on official duty. The cost of ~~said the~~ the uniforms shall not exceed three hundred dollars per person in any ~~given~~ year. The uniforms shall at all times remain the property of the county.

Sec. 2. Section 111A.5, Code 1983, is amended to read as follows:

111A.5 ~~RULES AND REGULATIONS--OFFICERS.~~ The county conservation board may make, alter, amend or repeal ~~rules and regulations~~ for the protection, regulation and control of all museums, parks, preserves, parkways, playgrounds, recreation centers, and other property under its control. ~~No rules and~~ The regulations adopted shall ~~not~~ be contrary to, or inconsistent with, the laws of ~~the this state of Iowa.~~ ~~Such rules and~~ The regulations shall not take effect until ten days after their adoption by ~~said the~~ the board and after their publication once a week for two weeks in at least one paper circulating in the county and after a copy ~~thereof of the regulations~~ has been posted near each gate or principal entrance to the public ground to which they apply. After ~~such the~~ the publication and posting, ~~any a~~ a person violating ~~any a~~ a provision of ~~such rules and the~~ the regulations which are then in effect ~~shall be~~ is guilty of a simple misdemeanor. The board may designate the ~~executive officer~~ director and ~~such those~~ those employees as the ~~executive officer~~ director may designate as police officers who shall have all the powers conferred by law on police officers, peace officers, or sheriffs in the enforcement of the laws of ~~the this state of Iowa~~ and the apprehension of violators ~~thereof~~.

Sec. 3. Section 111A.10, Code 1983, is amended to read as follows:

111A.10 STATUTES APPLICABLE. ~~The provisions of sections Sections 111.35 through 111.57, inclusive, shall~~ apply to all lands and waters under the control of ~~any a~~ a county conservation board, in the same manner as if ~~such the~~ the lands and waters were state parks, lands, or waters. Wherever used in ~~said sections 111.35 through 111.57~~, the words "state conservation commission", "conservation commission", and "commission" ~~shall~~ include a county conservation board, and the words "state conservation director" ~~shall~~ include a county conservation board or its ~~executive officer~~ director, with respect to ~~any~~ any lands or waters under the control of a county

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conservation board. However, ~~the provisions of said~~ sections 111.35 through 111.57 may be modified or superseded by ~~rules~~ and regulations adopted as provided in section 111A.5.

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DONALD D. AVENSON  
Speaker of the House

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ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 425, Seventieth General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved \_\_\_\_\_, 1984

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TERRY E. BRANSTAD  
Governor