

Sup. Note 205
2-7-89 (p. 669)

JAN 31 1989

HOUSE FILE 165
BY COMMITTEE ON NATURAL
RESOURCES AND OUTDOOR
RECREATION

Place On Calendar

(SUCCESSOR TO HSB 51)

Passed House, Date 2-7-89 (p. 344) Passed Senate, Date 4-1-89 (p. 111)
Vote: Ayes 97 Nays 0 Vote: Ayes 43 Nays 0
Approved 5-2-89 (p. 2321)

A BILL FOR

3085 1 An Act relating to the authority of the county conservation board
2 to grant certain law enforcement powers to its director and
3 employees.

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

5
6
7

HOUSE FILE 165

H-3085

- 1 Amend House File 165 as follows:
- 2 1. Page 1, line 22, by striking the words "board
- 3 may grant the".
- 4 2. Page 1, line 23 and 24, by striking the words
- 5 "may the authority to" and inserting the following:
- 6 "may".
- 7 3. Title page, by striking lines 1 through 3 and
- 8 inserting the following: "An Act relating to the
- 9 exercise of law enforcement powers by the director and
- 10 certain employees of the county conservation board."

By SPEAR of Lee

H-3085 FILED FEBRUARY 6, 1989
withdrawn 2-7-89 (p. 343)

18
19
20
21
22

HF 165

1 Section 1. Section 111A.5, Code 1989, is amended to read
2 as follows:

3 111A.5 REGULATIONS -- PENALTY -- OFFICERS.

3-85 4 The county conservation board may make, alter, amend or
5 repeal regulations for the protection, regulation, and control
6 of all museums, parks, preserves, parkways, playgrounds,
7 recreation centers, and other property under its control. The
8 regulations shall not be contrary to, or inconsistent with,
9 the laws of this state. The regulations shall not take effect
10 until ten days after their adoption by the board and after
11 their publication as provided in section 331.305 and after a
12 copy of the regulations has been posted near each gate or
13 principal entrance to the public ground to which they apply.
14 After the publication and posting, a person violating a
15 provision of the regulations which are then in effect is
16 guilty of a simple misdemeanor. The board may designate the
17 director and those employees as the director may designate as
18 police officers who shall have all the powers conferred by law
19 on police officers, peace officers, or sheriffs in the
20 enforcement of the laws of this state and the apprehension of
21 violators upon all property under its control within and
22 without the county. The board may grant the director and
23 those employees of the board designated as police officers may
24 the authority to enforce the provisions of chapters 106, 109,
25 110, 111, and 321G on land not under the control of the board
26 within the county.

27 EXPLANATION

28 This bill provides that the county conservation board may
29 authorize its director and employees designated as police
30 officers to enforce game, fish, and park laws on land outside
31 the jurisdiction of the county conservation board. The Code
32 currently grants this authority to the director and board
33 employees without the direct involvement of the board.

34 The bill also allows the director and employees designated
35 as peace officers to exercise their authority on county

1 conservation property located in other counties.

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

HSB 51

NATURAL RESOURCES AND
OUTDOOR RECREATION

read

HOUSE FILE 165

BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
OUTDOOR RECREATION BILL)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the authority of the county conservation board
2 to grant certain law enforcement powers to its director and
3 employees.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

1 Section 1. Section 111A.5, Code 1989, is amended to read
2 as follows:

3 111A.5 REGULATIONS -- PENALTY -- OFFICERS.

4 The county conservation board may make, alter, amend or
5 repeal regulations for the protection, regulation, and control
6 of all museums, parks, preserves, parkways, playgrounds,
7 recreation centers, and other property under its control. The
8 regulations shall not be contrary to, or inconsistent with,
9 the laws of this state. The regulations shall not take effect
10 until ten days after their adoption by the board and after
11 their publication as provided in section 331.305 and after a
12 copy of the regulations has been posted near each gate or
13 principal entrance to the public ground to which they apply.
14 After the publication and posting, a person violating a
15 provision of the regulations which are then in effect is
16 guilty of a simple misdemeanor. The board may designate the
17 director and those employees as the director may designate as
18 police officers who shall have all the powers conferred by law
19 on police officers, peace officers, or sheriffs in the
20 enforcement of the laws of this state and the apprehension of
21 violators. The board may grant the director and those
22 employees of the board designated as police officers may the
23 authority to enforce the provisions of chapters 106, 109, 110,
24 111, and 321G on land not under the control of the board
25 within the county.

26

EXPLANATION

27 This bill provides that the county conservation board may
28 authorize its director and employees designated as police
29 officers to enforce game, fish, and park laws on land outside
30 the jurisdiction of the county conservation board. The Code
31 currently grants this authority to the director and board
32 employees without the direct involvement of the board.

33

34

35

HOUSE FILE 165

110, 111, and 321G on land not under the control of the board within the county.

AN ACT
RELATING TO THE AUTHORITY OF THE COUNTY CONSERVATION BOARD
TO GRANT CERTAIN LAW ENFORCEMENT POWERS TO ITS DIRECTOR
AND EMPLOYEES.

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

Section 1. Section 111A.5, Code 1989, is amended to read as follows:

111A.5 REGULATIONS -- PENALTY -- OFFICERS.

The county conservation board may make, alter, amend or repeal regulations for the protection, regulation, and control of all museums, parks, preserves, parkways, playgrounds, recreation centers, and other property under its control. The regulations shall not be contrary to, or inconsistent with, the laws of this state. The regulations shall not take effect until ten days after their adoption by the board and after their publication as provided in section 331.305 and after a copy of the regulations has been posted near each gate or principal entrance to the public ground to which they apply. After the publication and posting, a person violating a provision of the regulations which are then in effect is guilty of a simple misdemeanor. The board may designate the director and those employees as the 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 this state and the apprehension of violators upon all property under its control within and without the county. The board may grant the director and those employees of the board designated as police officers may the authority to enforce the provisions of chapters 106, 109,

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 165, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 2, 1989

TERRY Z. BRANSTAD
Governor