

4 "The board shall have the power under such supervision and direc-  
5 tion, to maintain, improve or beautify state-owned bodies of water,  
6 and to provide proper public access thereto."

House File No. 276. Approved March 25, 1933.

### CHAPTER 33

#### BOARD OF CONSERVATION. TRAFFIC REGULATION

##### H. F. 275

AN ACT to amend section seventeen hundred ninety-nine-b one (1799-b1), code, 1931, so as to permit the board of conservation to fix speed limits and otherwise regulate traffic on roads and drives upon state lands and parks and to regulate parking of vehicles thereon.

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

1 SECTION 1. Section seventeen hundred ninety-nine-b one (1799-b1),  
2 code, 1931, is hereby amended by adding after the period in line thir-  
3 teen (13) thereof, the following:

4 "In regulating traffic upon the roads and drives aforesaid, the board  
5 of conservation may fix such speed limits as it may deem necessary,  
6 other provisions of the law to the contrary notwithstanding, and may  
7 prohibit or restrict the parking of vehicles on such roads and drives  
8 and may limit the type, size, weight, or load of vehicles using such  
9 roads and drives."

House File No. 275. Approved March 25, 1933.

### CHAPTER 34

#### BOARD OF CONSERVATION. DISPOSAL OF STATE-OWNED LANDS

##### H. F. 278

AN ACT to repeal section eighteen hundred twenty-four (1824), code, 1931, and enacting a substitute therefor, permitting the executive council, upon recommendation of the board of conservation, to sell, trade or exchange state-owned lands under the jurisdiction of said board, and providing for the use of the proceeds of such sale or transfer and for the issuance of patents therefor.

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

1 SECTION 1. That section eighteen hundred twenty-four (1824),  
2 code, 1931, is hereby repealed and the following enacted in lieu  
3 thereof:

4 "The executive council may, upon a majority recommendation of the  
5 board of conservation, sell or exchange such parts of public lands  
6 under the jurisdiction of the board as in its judgment may be unde-  
7 sirable for conservation purposes, excepting state-owned, meandered  
8 lands already surveyed and platted at state expense as a conservation  
9 plan and project tentatively adopted and now in the process of re-  
10 habilitation and development authorized by a special legislative act.  
11 Such sale or exchange shall be made upon such terms, conditions or  
12 considerations as the board of conservation may recommend and that  
13 may be approved by the executive council, whereupon the secretary

14 of state shall issue a patent therefor in the manner provided by law  
 15 in other cases. The proceeds of any such sale or exchange shall  
 16 become a part of the funds to be expended under the provisions of  
 17 this chapter."

House File No. 278. Approved March 28, 1933.

## CHAPTER 35

### BOARD OF CONSERVATION. DAMS AND SPILLWAYS

H. F. 279

AN ACT to repeal section eighteen hundred twenty-six (1826), code, 1931, and to enact a substitute therefor authorizing the board of conservation to fix the level of dams or spillways at the outlets of lakes and across streams, to construct same, to provide the procedure, and for assessment of damages.

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

1 SECTION 1. Section eighteen hundred twenty-six (1826), code, 1931,  
 2 is hereby repealed and the following enacted as a substitute therefor:  
 3 "Whenever, in the opinion of the board of conservation, it is neces-  
 4 sary and desirable for it to erect a dam or spillway across a stream  
 5 or at the outlet of a lake, or to alter or reconstruct an existing dam  
 6 or spillway, so as to increase or decrease its permanent height, or to  
 7 permanently affect the water level above the structure, it shall pro-  
 8 ceed with said project by first adopting a resolution of necessity to be  
 9 placed upon its records, in which it shall describe in a general way the  
 10 work contemplated.

1 "SEC. 2. The board, upon receipt of a report and plan prepared by  
 2 a competent civil engineer, showing the work contemplated, the effect  
 3 on the water level, and probable cost and such other facts and recom-  
 4 mendations as may be deemed material, may approve said plan which  
 5 shall be considered a tentative plan only, for the project.

1 "SEC. 3. After said approval the board, if it wishes to proceed  
 2 further with the project, shall, with the consent of the executive  
 3 council, fix a date of hearing not less than two (2) weeks from date  
 4 of approval of the plan. Notice of the day, hour and place of hearing,  
 5 relative to proposed work, shall be provided by publication at least  
 6 once a week for two (2) consecutive weeks in some newspaper of  
 7 general circulation published in the county where the project is lo-  
 8 cated, or in the county or counties where the water elevations are  
 9 affected, under the tentative plan approved. The last of such pub-  
 10 lication or publications shall not be less than five (5) days prior to the  
 11 day set for hearing. Any claim by any persons whomsoever, for dam-  
 12 ages which may be caused by said project shall be filed with the board  
 13 at or prior to the time of the hearing provided herein.

1 "SEC. 4. If, at the time of the hearing, the board shall find that  
 2 the improvement would be conducive to the public convenience, wel-  
 3 fare, benefit or utility, and the cost thereof is not excessive, and no  
 4 claim shall have been filed for damages, it may adopt the tentative  
 5 plan as final or may modify the plan, provided said modification will