

4 section shall be punishable by fine not to exceed five hundred (500)
5 dollars or a term in the county jail not to exceed sixty days or by
6 both such fine and imprisonment as the court may direct.

1 SEC. 4. It shall be the duty of the office of the state fire marshal
2 to oversee and enforce the above regulations.

1 SEC. 5. The owner or operator of any compressed gas system, here-
2 after installed, which does not conform with the foregoing regulations,
3 shall, upon written notice personally served or sent by registered mail
4 from the office of state fire marshal, cease to use or operate the system
5 until the same complies with or conforms to the foregoing regulations
6 and any failure to comply with the regulations after notice as above
7 prescribed or any failure to install compressed gas systems otherwise
8 than above directed shall be punishable by a fine not to exceed five
9 hundred (500) dollars or imprisonment in the county jail not to exceed
10 sixty days or by both such fine and imprisonment as the court may
11 direct.

House File 270. Approved May 1, 1935.

CHAPTER 13

STATE CONSERVATION COMMISSION

H. F. 507

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 citizens of the state who are interested in and have substan-
4 tial knowledge of the subjects embraced in this chapter. Not more
5 than four of said members shall, when appointed, belong to the
6 same political party. No person appointed to said commission shall
7 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 chap-
2 ter, the governor shall make the first appointments as follows:

- 3 1. Two for a term ending July 1, 1937.
- 4 2. Three for a term ending July 1, 1939.
- 5 3. Two for a term ending July 1, 1941.

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

1 SEC. 5. Vacancies. In case of vacancies, the governor shall appoint
2 for the unexpired portion of the term, and if the general assembly
3 be not then in session the governor shall, upon the convening of the
4 general assembly, promptly report said appointment to the senate for
5 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 day
3 actually and necessarily employed in the discharge of official duties,
4 provided said compensation shall not exceed five hundred (500) dollars
5 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 them
4 in the discharge of their official duties when absent from their usual
5 place of abode, unless said appointees or employees are serving under
6 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 ap-
4 pointees and employees of the commission shall be signed by a surety
5 authorized by law to execute such bonds.

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

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

1 SEC. 11. Organization and meetings. Said commission shall or-
2 ganize annually by the election of a chairman. The commission shall
3 meet annually at the seat of government on the first Tuesday of Janu-
4 ary, April, July, and October and at such other times and places as it
5 may deem necessary. Meetings may be called by the chairman, and
6 shall be called by the chairman on the request of two members of
7 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
3 to exceed four thousand (4,000) dollars, to be fixed by the commission.

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

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

1 SEC. 16. Conservation officers. No person shall be appointed as a
2 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 exami-
5 nations shall be appointed.

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

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

1 SEC. 19. Funds. The financial resources of said commission shall
2 consist of three 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 the
12 gross amount of the two aforesaid funds, to be determined by the com-
13 mission, sufficient to pay the expense of administration entailed by this
14 chapter.

1 SEC. 20. Report of funds. The conservation director shall, at least
2 monthly, make return and pay to the treasurer of state all moneys then
3 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 in-
3 serting 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 and
4 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 the
9 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 relating
 4 to fish and fisheries, waterfowl, game, fur-bearing and other animals,
 5 birds, and other wild life resources.
 6 2. A division of lands and waters which shall include matters relat-
 7 ing to state waters, state parks, forests and forestry, and lakes and
 8 streams, including matters relating to scenic, scientific, historical,
 9 archeological, and recreational matters.
 10 3. A division of administration which shall include matters relating
 11 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 game
 3 commission shall continue to be the rules, orders and regulations of the
 4 conservation commission, created herein, until changed or modified
 5 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 officers
 3 or employees of the state to adopt his political views, or to favor any
 4 particular candidate for office, nor shall such member, officer, or em-
 5 ployee contribute in any manner, directly or indirectly, any money or
 6 other things of value to any person, organization or committee for
 7 political campaign or election purposes. Any person violating this
 8 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)
 3 and 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
 2 by inserting therein the following:
 3 "39. State conservation commission."

1 SEC. 30. All books, records, files and property belonging to the state
 2 fish and game commission, to the state board of conservation, and to
 3 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 unex-

4 pended appropriations or funds now available to the state board of
5 conservation, under either chapter one hundred eighty-eight (188),
6 acts Forty-fifth General Assembly, or under chapter one hundred forty-
7 five (145), acts extra session Forty-fifth General Assembly, or from
8 other sources, shall be credited to the conservation fund herein created,
9 and the state comptroller and treasurer of state shall make such trans-
10 fers 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 conservation
4 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 be
3 deemed to mean "state conservation director"; also, wherever in said
4 statutes reference is made to assistant or deputy game wardens, or
5 to park or lake custodians, it shall be deemed to mean "state conserva-
6 tion 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
11 fish and game commission funds, it shall be deemed to mean "fish and
12 game protection fund", and the code editor is directed to make the
13 proper 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 reason-
7 able, 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 seven-
3 teen hundred three-d ten (1703-d10), inclusive, seventeen hundred
4 three-d thirteen (1703-d13), seventeen hundred three-d fourteen (1703-
5 d14), seventeen hundred three-d sixteen (1703-d16) to seventeen hun-
6 dred three-d thirty (1703-d30), inclusive, seventeen hundred twelve
7 (1712), seventeen hundred seventeen (1717), seventeen hundred forty-
8 three (1743), seventeen hundred ninety-five (1795), seventeen hundred
9 ninety-six (1796), eighteen hundred twenty (1820), eighteen hundred
10 twenty-one (1821), and twenty-six hundred four (2604).

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

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

House File 507. Approved May 3, 1935.

I hereby certify that the foregoing act was published in the Mason City Globe-Gazette, May 7, 1935, and the Sheldon Mail, May 8, 1935.

MRS. ALEX MILLER, *Secretary of State.*

CHAPTER 14

STATE CONSERVATION COMMISSION. ACQUISITION OF PROPERTY

S. F. 360

AN ACT authorizing the state conservation commission to acquire or lease property for development as state forests and conservation areas subject to regular tax levies for each and every year in the respective taxing districts, and providing for the disposition of income from such lands.

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

1 SECTION 1. That the state conservation commission is hereby author-
 2 ized to accept gifts, donations or contributions of land suitable for
 3 forestry or conservation purposes and to enter into agreements with
 4 the federal government or other agencies for acquiring by lease, pur-
 5 chase or otherwise such lands as in the judgment of the commission
 6 are desirable for said purposes.

1 SEC. 2. All lands acquired under this act by the state conservation
 2 commission or any agency of the federal government shall be subject
 3 to the regular tax levies as other real estate in said taxing district in
 4 each and every year and this provision of law shall be written into
 5 every conveyance of real estate under this act. The valuation of said
 6 land for assessment and taxation shall be limited to the price at
 7 which same was purchased by the state conservation commission or
 8 any agency of the federal government.

1 SEC. 3. When lands are acquired or leased, the said commission is
 2 authorized to make expenditures from any of its funds not otherwise
 3 obligated, for the management, development and utilization of such
 4 areas; to sell or otherwise dispose of products from such lands, and
 5 to make such rules and regulations as may be necessary to carry out
 6 the purposes of this act.

1 SEC. 4. All revenues derived from lands now owned or later acquired
 2 under the provisions of this act shall be segregated by the treasurer
 3 of state for the use of the state conservation commission in the acqui-
 4 sition, management, development and use of such lands until all obliga-
 5 tions incurred have been paid in full. Thereafter, fifty (50) per cent
 6 of all net profits accruing from the administration of such lands shall
 7 be applicable for such purposes as the general assembly may prescribe,
 8 and fifty (50) per cent shall be paid into the temporary school funds
 9 of the county in which lands are located.