

"Legislation on State Parks" Essay from *The Annals of Iowa, 1921*

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Legislation on State Parks

CHAPTER 236

SF 328

Acts of the Thirty-seventh General Assembly

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

Section 1. Public state parks-beautification. The state fish and game warden, by and with the written consent of the executive council, is hereby authorized to establish a public parks in any county of the state, upon the shores of lakes, streams or other waters of the state, or at any other places which have by reason of their location become historic or which are of scientific interest, or by reason of their natural scenic beauty or location become adapted therefore, and said fish and game warden, under the supervision of the said executive council, is hereby authorized to improve and beautify such parks. When so established they shall be made accessible from the public highways, and in order to establish such parks said executive council shall have the power to purchase and condemn lands for said highway purposes.

Sec. 2 Dams-resulting damage. The state fish and game warden shall, under the direction of the executive council, have the power to erect dams across streams and across the outlets of lakes for purpose of raising the water level therein, and any damages occasioned to riparian owners by reason of the raising of such water level shall be paid for out of the fund hereinafter provided for.

Sec. 3 Title in state-sale-conditions. The title to all lands purchased or donated for park or highway purposes under the provisions of this act shall be taken in the name of the state and if thereafter it shall be deemed advisable to sell any portion of the land so purchased the proceeds of such sale shall be placed to the credit of the said fish and game protection fund to be used for such park purposes, except that on request of any of the donors of the fund with which such land was purchased the amount contributed by the donor making such request shall be refunded to such donor without interest, provided that application for such refund must be made within six months from the date of sale of such lands, and provided, also that no such lands shall be sold except in compliance with legislative enactment designating specifically the lands be sold.

Sec. 4. Donations. The executive council is empowered and authorized on behalf of the state to receive donations of land for either park or highway purposes in conformity with the provisions of this act, and lands so donated shall not be sold, and if abandoned by legislative enactment, shall revert to the original owner.

Sec. 5. Donations under conditions. The state treasurer shall have authority to receive and accept, on behalf of the state, donations for the purpose of aiding in the carrying out of the provisions of this act, and the donor may specify the place where and the purpose or purposes for which said donation is to be used or expended, and when such specification is made to the executive council by the donor the donated funds shall be expended for no other purpose.

Sec. 6. Improvements—expenses. The state fish and game warden shall permit the improvement of such parks, when established, or the improvement of bodies of water, upon the border of which such parks may be established, by the expenditure of private or other funds, such improvement to be done, however, under the direction of the state fish and game warden, by and with the consent of the executive council. The executive council may call upon any agencies of the state for assistance and information. When such state agencies' traveling expenses are not otherwise provided for, they shall be paid from the fish and game protection fund as other traveling expenses are paid.

Sec. 7. Powers in municipalities and individuals. Municipalities, or individuals, or corporations organized for that purpose only, acting separately or in conjunction with each other, may establish like parks outside the limits of cities or towns, and when established without the support of the fish and game protection fund, the municipalities, corporations or persons establishing the same, as the case may be, shall have control thereof independently of the executive council. Provided, however, that none of the said municipalities, individuals or corporations, acting under the provisions of this section shall establish, maintain or operate any such park as herein contemplated for pecuniary profit.

Sec. 8. Extension of roads to lakes. The board of supervisors of any county in which there is a body of water which may be improved under the provisions of this act is hereby authorized, at their discretion, to add to the county road system from the township roads, such roads as will make said body of water more accessible, or unite existing county roads to make a county road around a meandered lake.

Sec. 9. Board of conservation—appointment—duties. The said executive council shall designate three persons who, with the curator of the historical department, shall constitute a board of conservation, who shall serve without pay. Such board of conservation shall investigate places in Iowa, valuable as objects of natural history, forest reserves, as archaeology and geology, and investigate the means of promoting forestry and maintaining and preserving animal and bird life in this state and furnish such information to the executive council for the conservation of the natural resources of the state, from time to time, and said recommendations shall be printed in such numbers as the council shall authorize, and shall be furnished each member of the succeeding general assembly.

Sec. 10. Regulations—mutilation. The fish and game warden and the executive council, acting jointly, shall from time to time make such regulations as they deem necessary or advisable for the management, control or policing of said lands, and shall cause said regulations to be printed on card board, wood or metal signs and posted in said parks. The destruction or mutilation of said signs bearing said regulations shall be deemed a misdemeanor. Said regulation, however, shall in no wise interfere with the local police powers.

Sec. 11. Annual appropriation. For the purpose of carrying into effect the provisions of this act there shall be appropriated out of the fish and game protection fund the sum of fifty thousand dollars, and there shall be annually thereafter appropriated from such fund the same sum, provided in no event shall the amount thus appropriated and expended exceed one-half of the total annual receipts for such fund.

Approved April 12, A. D. 1917