

FILED MAR 8 1979

SENATE FILE 376

BY COMMITTEE ON NATURAL RESOURCES

Approved 2/3 (p. 706)

Sen. Law H. 7. 684 4/26

Passed Senate, Date 3-21-79 (p. 880) Passed House, Date 4-25-79 (p. 1295)

Vote: Ayes 44 Nays 0 Vote: Ayes 26 Nays 0

Approved May 7 1979

Reported to Senate per House amendment

4-25-79 (p. 1295)

44-0

A BILL FOR

1 An Act to allow the director of the state conservation commis-
2 sion to contract for the removal of rough fish.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Section one hundred nine point seventeen
2 (109.17), Code 1979, is amended by adding the following new
3 unnumbered paragraph:

4 NEW UNNUMBERED PARAGRAPH. The director may enter into
5 written contracts for the removal of undesirable and injurious
6 fish from public waters. The provisions of section one hundred
7 nine point one hundred fifteen (109.115) and chapter one hun-
8 dred ten (110) of the Code shall not apply to the removal
9 of the rough fish under the contract. The contracts shall
10 not exceed one year and shall specify the following:

- 11 1. The waters from which the fish are to be taken.
- 12 2. The amount and terms of payment to the state.
- 13 3. Provisions for forfeiture and cancellation if there
14 is a break of the contract.
- 15 4. Other provisions required by the director to protect
16 the state's interest.

17 Sec. 2. This Act is effective January first following
18 its enactment.

19 EXPLANATION

20 This bill allows the director of the state conservation
21 commission to contract for the removal of rough fish. The
22 commercial fisherman under the contract would not be subject
23 to the commercial fishing license requirements in the removal
24 of the rough fish.

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- 1 Amend Senate File 376 as follows:
 2 1. Page 1, by striking lines 17 and 18 and
 3 inserting in lieu thereof the following:
 4 "Sec. 2. This Act being of immediate
 5 importance, shall take effect from and after its
 6 publication in the Spencer Daily Reporter, a newspaper
 7 published in Spencer, Iowa, and in The Sioux City
 8 Journal, a newspaper published in Sioux City, Iowa."

H-4016 FILED *Adopted 4/20 (p. 1671)* BY O'KANE of Woodbury
 APRIL 19, 1979

SENATE FILE 376

H-4017

- 1 Amend Senate File 376 as follows:
 2 1. Page 1, line 6, by striking the word "public"
 3 and inserting in lieu thereof the word "inland".
 4 2. Page 1, line 14, by striking the word "break"
 5 and inserting in lieu thereof the word "breach".
 6 3. Page 1, by inserting after line 14 the
 7 following numbered subparagraphs:
 8 "4. The method to be used in taking the fish.
 9 5. Provisions to remove rough fish with minimum
 10 injury to the inland waters and to other fish."
 11 4. By renumbering as necessary.

H-4017 FILED *Adopted 4/20 (p. 1671)* BY O'KANE of Woodbury
 APRIL 19, 1979

HOUSE AMENDMENT TO SENATE FILE 376

S-3594

- 1 Amend Senate File 376 as follows:
 2 1. Page 1, line 6, by striking the word "public"
 3 and inserting in lieu thereof the word "inland".
 4 2. Page 1, line 14, by striking the word "break"
 5 and inserting in lieu thereof the word "breach".
 6 3. Page 1, by inserting after line 14 the following
 7 numbered subparagraphs:
 8 "4. The method to be used in taking the fish.
 9 5. Provisions to remove rough fish with minimum
 10 injury to the inland waters and to other fish."
 11 4. Page 1, by striking lines 17 and 18 and
 12 inserting in lieu thereof the following:
 13 "Sec. 2. This Act being of immediate importance,
 14 shall take effect from and after its publication in
 15 the Spencer Daily Reporter, a newspaper published
 16 in Spencer, Iowa, and in The Sioux City Journal, a
 17 newspaper published in Sioux City, Iowa."
 18 5. By renumbering as necessary.

S-3594 FILED
 APRIL 24, 1979

RECEIVED FROM THE HOUSE

Senate concurred 4/25 (p. 1394)

Reporter, a newspaper published in Spencer, Iowa, and in The
Sioux City Journal, a newspaper published in Sioux City, Iowa.

SENATE FILE 376

AN ACT

TO ALLOW THE DIRECTOR OF THE STATE CONSERVATION COMMISSION
TO CONTRACT FOR THE REMOVAL OF ROUGH FISH.

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

Section 1. Section one hundred nine point seventeen
(109.17), Code 1979, is amended by adding the following new
unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The director may enter into
written contracts for the removal of undesirable and injurious
fish from inland waters. The provisions of section one hundred
nine point one hundred fifteen (109.115) and chapter one hun-
dred ten (110) of the Code shall not apply to the removal
of the rough fish under the contract. The contracts shall
not exceed one year and shall specify the following:

1. The waters from which the fish are to be taken.
2. The amount and terms of payment to the state.
3. Provisions for forfeiture and cancellation if there
is a breach of the contract.
4. The method to be used in taking the fish.
5. Provisions to remove rough fish with minimum injury
to the inland waters and to other fish.
6. Other provisions required by the director to protect
the state's interest.

Sec. 2. This Act being of immediate importance, shall
take effect from and after its publication in The Daily

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 376, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved May 7, 1979

ROBERT D. RAY
Governor