

CHAPTER 28

FISH AND GAME

H. F. 645

AN ACT repealing the law as it appears in section two thousand five hundred forty-six (2546), supplement to the code, 1913, (C. C. 1114) relating to the powers of the state fish and game warden, providing that the warden may enter into contracts with persons, firms or corporations for the removal and sale of certain fish from the waters of this state and providing for the disposition of all funds derived therefrom.

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

1 **SECTION 1. Removal of fish—contract—bond—report—funds.** That
2 the law as it appears in section two thousand five hundred forty-
3 six (2546), supplement to the code, 1913, (C. C. 1114) be repealed and
4 the following enacted in lieu thereof:

5 The warden may, at his option, enter into written contracts with
6 persons, firms or corporations for the taking by seine or net from
7 the public waters of this state, buffalo, carp, quillback, redhorse,
8 suckers, dogfish, and gar, but no other fish. Such contracts shall
9 not be for more than one year, shall provide that no fish shall
10 be taken between March first and June fifteenth following, shall
11 designate the waters covered, shall provide the compensation to be
12 paid the state, shall provide for forfeiture without notice by the
13 warden in the event of a breach thereof, shall provide that no fish
14 shall be taken except in the presence of and under the direct super-
15 vision of the warden or one of his regular deputies, shall provide that
16 all expenses, including the fees, salaries and expenses of the warden
17 and his deputies, shall be paid by the holders of the contracts and
18 shall contain such other and further provision for the protection of
19 the state as to the warden may seem right and proper. The holder
20 of such contract shall, prior to the taking of any fish thereunder,
21 deposit a bond with sufficient security to be approved by the warden,
22 in an amount to be fixed by the warden, in no event less than five
23 hundred (\$500.00) dollars, which bond shall, when approved, be
24 filed with the warden. Such bonds shall be conditioned upon the
25 faithful performance of the contract, the payment of all damages
26 resulting from a breach thereof, the faithful accounting of all moneys
27 belonging to the state or flowing to the state under the contract, the
28 payment of all expenses including fees, expenses and salaries of the
29 warden, and his deputies as provided in the contract and such other
30 conditions as to the warden may seem right and proper. On or before
31 the first day of April of each year, the warden shall file with the
32 executive council a report showing in detail all contracts, receipts and
33 expenditures. All funds derived under the provisions hereof shall be
34 paid into and become a part of the game protection fund.

1 **SEC. 2. Publication clause.** This act, being deemed of immediate
2 importance, shall be in full force and effect from and after its pub-
3 lication in the Des Moines Register and Des Moines News, newspapers
4 published in Des Moines, Iowa.

Approved April 11, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines News April 12, 1923, and the Des Moines Register April 13, 1923.

W. C. RAMSAY, *Secretary of State.*