

## CHAPTER 1096

## UNDESIRABLE FISH

S. F. 240

AN ACT relating to undesirable fish.

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

1 SECTION 1. Section one hundred nine point seventy-six (109.76), Code 1975, is  
2 amended to read as follows:

3 **109.76 Unlawful means—exception.** It shall be unlawful, except as otherwise  
4 provided, to use on or in the waters of the state any grabhook, snaghook, artificial  
5 light, any kind of a net, seine, trap, firearm, dynamite, or other explosives, or  
6 poisonous or stupefying substances, lime, ashes or electricity in the taking or  
7 attempting to take any fish, except that gaffhooks or landing nets may be used to  
8 assist in landing fish. No person shall take or kill, or attempt to take or kill any  
9 fish by hand fishing. *However, carp, buffalo, quillback, gar, sheepshead, dogfish, and*  
10 *other rough fish designated by the commission may be taken by hand fishing, by*  
11 *snagging, by spear, by bow and arrow, day or night, and with artificial light.* The  
12 snagging of paddlefish may be permitted at such times and at such places as may  
13 be determined by rule of the commission. ~~The spearing of earp, buffalo,~~  
14 ~~quillback, gar, sheepshead and dogfish, or the taking of such fish with a bow and~~  
15 ~~arrow with attached bow fishing reel and ninety pound minimum line attached to~~  
16 ~~the arrow may be permitted under section 111.42 by persons lawfully permitted to~~  
17 ~~fish shall be lawful between the hours of sunrise and sunset each day and at such~~  
18 ~~times and at such places as the commission may determine necessary to carry out~~  
19 ~~the purposes of section 109.38, subsection 1, except that it shall be unlawful to~~  
20 ~~spear from within an enclosure of the type that materially hides the fisherman~~  
21 ~~from view. This provision shall not be construed to prevent the spearing of such~~  
22 ~~fish by a person using skin diving equipment, or underwater breathing apparatus,~~  
23 ~~where the only concealment is the fact that he is wholly or partially submerged in~~  
24 ~~the water. The commission may make rules regulating such activity by said~~  
25 ~~persons.~~

Approved February 6, 1976

## CHAPTER 1097

## FUR-BEARING ANIMALS

H. F. 1390

AN ACT relating to civil damages for the taking of game or fur-bearing animals.

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

1 SECTION 1. Section one hundred nine point one hundred thirty (109.130),  
2 Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975  
3 Session, chapter one hundred eight (108), is amended to read as follows:

4 **109.130 Damages in addition to penalty.** In addition to the penalties for  
5 violations of this chapter, any person convicted of unlawfully taking, catching,  
6 killing, injuring, destroying, or having in possession any game or *fur-bearing*  
7 *animal*, shall reimburse the state for the value of such ~~game~~ as follows: