

See Natural Resources 4/9

Senate File 298  
Natural Resources  
Middleswart, Chairman  
Halvorson  
Hinkhouse

FILED MAR 11 1975

SENATE FILE 298

By COMMITTEE ON NATURAL RESOURCES

Passed Senate, Date 4-4-75 (826) Passed House, Date \_\_\_\_\_  
Vote: Ayes 45 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

### A BILL FOR

1 An Act relating to the use of underwater light for fishing.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

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

30 EXPLANATION

31 The bill prohibits the use of underwater light in the  
32 taking of fish.

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