

Political Resources Committee Report 5/21/88, Date 5/13/88 (p. 611)

Reprinted 3/88

FILED FEB 17 1988

SENATE FILE 2167  
BY TIEDEN

Passed Senate, Date 3/14/88 (p. 1104) Passed House, Date 3/28/88 (p. 1105)  
Vote: Ayes 47 Nays 0 Vote: Ayes 97 Nays 1  
Approved April 11, 1988

A BILL FOR

1 An Act relating to definition and regulation of tip-up fishing  
2 devices, and providing a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2167

1 Section 1. NEW SECTION. 109.68 TIP-UP FISHING DEVICE.

2 1. A person shall not use more than five tip-up fishing  
3 devices for fishing in the public waters of the state. Each  
4 tip-up fishing device used in fishing shall have attached a  
5 tag plainly labeled with the owner's name and address and  
6 shall be checked at least once each twenty-four hours. A  
7 person shall not use a tip-up fishing device for fishing  
8 within three hundred feet of a dam or spillway or in a part of  
9 a stream which is closed or posted against use of the device.

10 2. An untagged tip-up fishing device found in use shall be  
11 confiscated by any officer appointed pursuant to section  
12 107.13 or 107.14.

13 3. A person using a tip-up fishing device for fishing in  
14 the public waters of this state in violation of this section  
15 is guilty of a simple misdemeanor.

16 4. As used in this section, "tip-up fishing device" means  
17 a mechanism used to hold an unattended fishing rod or pole  
18 with line and hook.

19 EXPLANATION

20 This bill defines and regulates the use of tip-up fishing  
21 devices. A tip-up fishing device is defined as a mechanism  
22 used to hold an unattended fishing rod or pole with line and  
23 hook. Not more than five tip-up fishing devices shall be used  
24 for fishing and each must be tagged with the owner's name and  
25 address. An untagged tip-up fishing device shall be  
26 confiscated by a conservation officer.

27 A violation is punishable as a simple misdemeanor which is  
28 punishable by a fine not exceeding one hundred dollars or  
29 imprisonment for not more than thirty days.

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S-5211

1 Amend Senate File 2167 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 109.68 TIP-UP FISHING  
5 DEVICE.

6 1. As used in this section, "tip-up fishing  
7 device" means an ice fishing mechanism with an  
8 attached flag or signal to indicate fishing action,  
9 used to hold a fishing rod or pole with line and hook.

10 2. A person shall not use more than three tip-up  
11 fishing devices for fishing in the waters of the  
12 Mississippi river and its connected backwater. A  
13 person may use two or three hooks on the same line,  
14 but the total number of hooks used by each person  
15 shall not exceed three. Each tip-up fishing device  
16 used in fishing shall have attached a tag plainly  
17 labeled with the owner's name and address. A person  
18 shall not use a tip-up fishing device for fishing  
19 within three hundred feet of a dam or spillway or in a  
20 part of the river which is closed or posted against  
21 use of the device.

22 3. An untagged tip-up fishing device found in use  
23 shall be confiscated by any officer appointed pursuant  
24 to section 107.13 or 107.14."

S-5211

Filed March 3, 1988  
*Adopted 3/14 as amended by S-5324 (p. 794)*

BY COMMITTEE ON NATURAL RESOURCES  
KENNETH SCOTT, Chairperson

SENATE FILE 2167

S-5324

1 Amend the Committee amendment, S-5211, to Senate  
2 File 2167 as follows:

3 1. Page 1, line 21, by inserting after the word  
4 "device" the following: "Three tip-up fishing devices  
5 may be used in addition to the two lines with no more  
6 than two hooks per line, as specified in section  
7 109.72."

S-5324

Filed March 11, 1988  
*Adopted 3/14 (p. 794)*

BY DALE L. TIEDEN

*Amended Senate Bill 2167 (p. 10/14)*

SENATE FILE 2167

BY TIEDEN

(AS AMENDED AND PASSED BY THE SENATE MARCH 14, 1988)

ALL New Language by the Senate

Passed Senate, Date 3/14/88 (p. 294) Passed House, Date 3/28/88 (p. 1105)  
Vote: Ayes 47 Nays 0 Vote: Ayes 97 Nays 1  
Approved April 11, 1988 (p. 1436)

**A BILL FOR**

1 An Act relating to definition and regulation of tip-up fishing  
2 devices, and providing a penalty.

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

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1 Section 1. NEW SECTION. 109.68 TIP-UP FISHING DEVICE.

2 1. As used in this section, "tip-up fishing device" means  
3 an ice fishing mechanism with an attached flag or signal to  
4 indicate fishing action, used to hold a fishing rod or pole  
5 with line and hook.

6 2. A person shall not use more than three tip-up fishing  
7 devices for fishing in the waters of the Mississippi river and  
8 its connected backwater. A person may use two or three hooks  
9 on the same line, but the total number of hooks used by each  
10 person shall not exceed three. Each tip-up fishing device  
11 used in fishing shall have attached a tag plainly labeled with  
12 the owner's name and address. A person shall not use a tip-up  
13 fishing device for fishing within three hundred feet of a dam  
14 or spillway or in a part of the river which is closed or  
15 posted against use of the device. Three tip-up fishing  
16 devices may be used in addition to the two lines with no more  
17 than two hooks per line, as specified in section 109.72.

18 3. An untagged tip-up fishing device found in use shall be  
19 confiscated by any officer appointed pursuant to section  
20 107.13 or 107.14.

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1. An untagged tip-up fishing device found in use shall be confiscated by any officer appointed pursuant to section 107.13 or 107.14.

SENATE FILE 2167

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JO ANN ZIMMERMAN  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

AN ACT  
RELATING TO DEFINITION AND REGULATION OF TIP-UP FISHING DEVICES,  
AND PROVIDING A PENALTY.

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

Section 1. NEW SECTION. 109.68 TIP-UP FISHING DEVICE.

1. As used in this section, "tip-up fishing device" means an ice fishing mechanism with an attached flag or signal to indicate fishing action, used to hold a fishing rod or pole with line and hook.

2. A person shall not use more than three tip-up fishing devices for fishing in the waters of the Mississippi river and its connected backwater. A person may use two or three hooks on the same line, but the total number of hooks used by each person shall not exceed three. Each tip-up fishing device used in fishing shall have attached a tag plainly labeled with the owner's name and address. A person shall not use a tip-up fishing device for fishing within three hundred feet of a dam or spillway or in a part of the river which is closed or posted against use of the device. Three tip-up fishing devices may be used in addition to the two lines with no more than two hooks per line, as specified in section 109.72.

I hereby certify that this bill originated in the Senate and is known as Senate File 2167, Seventy-second General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved April 11, 1988

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TERRY E. BRANSTAD  
Governor

SF 2167