

FEB 9 1973

HOUSE FILE 166

Place On Calendar

*Sen. Natural Resources 2-16-73, Pass 3-6*

BY COMMITTEE ON NATURAL RESOURCES

Scott, Chairman  
Winkelman  
Miller of Marshall

Passed House, Date 2-14-73 (338) Passed Senate, Date 6-11-73 (1647)

Vote: Ayes 77 Nays 1 Vote: Ayes 39 Nays 0

Approved 7-12-73

*Passed House as amended by Senate*

6-14-73 (1934)  
85-1

# A BILL FOR

1 An Act relating to the taking of fish with seines and traps.

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 eighty (109.80),  
2 subsection two (2), Code 1973, is amended to read as follows:

3 2. To seine, take, attempt to take, transport or carry  
4 away any minnows from the waters of any stream inhabited or  
5 stocked with trout except that chubs, suckers and redhorse  
6 may be taken from trout streams with pole and line during  
7 open trout season,~~and chubs may be taken with pole and line~~  
8 ~~only, at any time, from streams not stocked with trout.~~

9 Sec. 2. Section one hundred nine point eighty (109.80),  
10 the last unnumbered paragraph, Code 1973, is amended to read  
11 as follows:

12 Minnow traps not exceeding ~~twenty-four~~ thirty-six inches  
13 in length may be used wherever the taking of minnows is  
14 allowed. Each trap, when in use, shall have a metal tag  
15 attached plainly labeled with the owner's name and address.

16 EXPLANATION

17 At the present time it is unlawful for an individual to  
18 take "chubs" for bait purposes with a seine. Most individuals  
19 are unaware of the prohibition and are taking chubs along with  
20 their minnow seining activities. There is not any biological  
21 reason why chubs should not be included in the defined list  
22 of minnows that can be taken with seines for bait purposes.

23 The change in the size of minnow traps has been requested  
24 by northern Iowa bait dealers. It permits the use of a  
25 "cloverleaf" trap in the taking of minnows.

26 The bill also provides for attaching metal tags to each  
27 trap with the owner's name and address plainly labeled on  
28 the tag.

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1 Amend House File 166, as passed by the House, on  
2 page 2, by inserting after line 15 the following:

3 "Sec. \_\_\_\_\_. Section one hundred nine point one  
4 hundred six (109.106), Code 1973, is amended to read  
5 as follows:  
6 109.106 NETS, BASKET TRAPS OR SEINES. It shall  
7 be unlawful except as otherwise provided for any  
8 person to use any trotline, ~~wooden~~ basket trap,  
9 net or any seine in taking fish other than in the  
10 lawful taking of minnows. Each basket trap used in  
11 taking fish under this chapter shall be constructed  
12 only of those materials approved by rule of the  
13 commission.

14 Sec. \_\_\_\_\_. Section one hundred nine point one  
15 hundred seven (109.107), unnumbered paragraph three  
16 (3), Code 1973, is amended to read as follows:

17 All licensed nets, seines, ~~wooden~~ basket traps  
18 or trotlines shall have attached a metal tag  
19 identifying the equipment and license for its use.  
20 Tags must at all times be attached to commercial  
21 fishing gear and officers appointed by the commis-  
22 sion shall have authority to confiscate any such  
23 commercial fishing gear when found in use without  
24 such tags attached. Identification tags shall be  
25 furnished by the commission and a charge of ten

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1 cents shall be made for each tag and such tags shall  
2 be renewed annually.

3 Sec. \_\_\_\_\_. Section one hundred nine point one  
4 hundred eight (109.108), Code 1973, is amended to  
5 read as follows:

6 109.108 MESH SIZE AND HOOK LIMIT. It shall be  
7 unlawful for any person to fish with or to use any  
8 trammel net having a mesh of less than two inches  
9 square or bar measure, or to fish with or use a  
10 gill net having a mesh of less than three and three-  
11 quarters inches square or bar measure, or to use  
12 in the Mississippi or Missouri rivers, basket traps  
13 ~~made-of-wood~~, with the end opposite the throat having  
14 a hole of less than one and one-half inches in diam-  
15 eter or trotlines with more than one hundred hooks.  
16 Such measurements shall apply to meshes when in use  
17 and no allowance shall be made for shrinkage due to  
18 any cause. Any commercial fishing equipment in use  
19 shall be subject to inspection by the commission or  
20 its authorized agents at any time.

21 Sec. \_\_\_\_\_. Section one hundred ten point one  
22 (110.1), ~~lines~~ eighty (80) and one hundred eight  
23 (109), Code 1973, are amended to read as follows:

24 ~~Wooden-basket~~ Basket trap:  
25 ~~Wooden-basket~~ Basket traps:"

Filed - *Adopted 6/1*  
February 28, 1973

By SHAW

## CORRECTED EXPLANATION

At the present time it is unlawful for an individual to take "chubs" for bait purposes with a seine. Most individuals are unaware of the prohibition and are taking chubs along with their minnow seining activities. There is not any biological reason why chubs should not be included in the defined list of minnows that can be taken with seines for bait purposes.

The change in the size of minnow traps has been requested by northern Iowa bait dealers. It permits the use of a "cloverleaf" trap in the taking of minnows.

The bill also provides for attaching metal tags to each trap with the owner's name and address plainly labeled on the tag.

This bill also removes the requirement that basket traps used for taking fish must be constructed of wooden materials. This bill allows the use of basket traps which are constructed of any material approved by the state conservation commission.

SENATE AMENDMENT TO HOUSE FILE 166

1 Amend House File 166, as passed by the House, page 2, by  
2 inserting after line 15 the following:  
3 Sec. \_\_\_\_\_. Section one hundred nine point one hundred six  
4 (109.106), Code 1973, is amended to read as follows:  
5 109.106 NETS, BASKET TRAPS OR SEINES. It shall be unlawful  
6 except as otherwise provided for any person to use any trot-  
7 line, wooden basket trap, net or any seine in taking fish other  
8 than in the lawful taking of minnows. Each basket trap used  
9 in taking fish under this chapter shall be constructed only  
10 of those materials approved by rule of the commission.  
11 Sec. \_\_\_\_\_. Section one hundred nine point one hundred  
12 seven (109.107), unnumbered paragraph three (3), Code 1973,  
13 is amended to read as follows:  
14 All licensed nets, seines, wooden basket traps or trotlines  
15 shall have attached a metal tag identifying the equipment and  
16 license for its use. Tags must at all times be attached to  
17 commercial fishing gear and officers appointed by the  
18 commission shall have authority to confiscate any such  
19 commercial fishing gear when found in use without such tags  
20 attached. Identification tags shall be furnished by the  
21 commission and a charge of ten cents shall be made for  
22 each tag and such tags shall be renewed annually.  
23 Sec. \_\_\_\_\_. Section one hundred nine point one hundred  
24 eight (109.108), Code 1973, is amended to read as follows:  
25 109.108 MESH SIZE AND HOOK LIMIT. It shall be unlawful  
26 for any person to fish with or to use any trammel net having  
27 a mesh of less than two inches square or bar measure, or to  
28 fish with or use a gill net having a mesh of less than three  
29 and three-quarters inches square or bar measure, or to use in  
30 the Mississippi or Missouri rivers, basket traps ~~made-of-wood~~,  
31 with the end opposite the throat having a hole of less than  
32 one and one-half inches in diameter or trotlines with more  
33 than one hundred hooks. Such measurements shall apply to  
34 meshes when in use and no allowance shall be made for  
35 shrinkage due to any cause. Any commercial fishing equipment  
36 in use shall be subject to inspection by the commission or  
37 its authorized agents at any time.  
38 Sec. \_\_\_\_\_. Section one hundred ten point one (110.1),  
39 lines eighty (80) and one hundred eight (108), Code 1973,  
40 are amended to read as follows:  
41 Wooden-basket Basket trap:  
42 Wooden-basket Basket traps:

Received from the Senate  
June 12, 1973

*Howe*

CORRECTED EXPLANATION

At the present time it is unlawful for an individual to take "chubs" for bait purposes with a seine. Most individuals are unaware of the prohibition and are taking chubs along with their minnow seining activities. There

is not any biological reason why chubs should not be included in the defined list of minnows that can be taken with seines for bait purposes.

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