

Reprinted

JAN 28 1991

HOUSE FILE 109

NATURAL SCENES AND
OUTDOOR RECREATION
Amend (3053) to Dis. Pres 2/12

BY DICKINSON, BLACK, DIEMER, and
HANSON of Black Hawk

Passed House, Date 3/25/91 (9:437) Passed Senate, Date 4/23/91 (P.1416)
Vote: Ayes 72 Nays 25 Vote: Ayes 46 Nays 0
Approved June 4, 1991

A BILL FOR

1 An Act to prohibit the shooting of a firearm across a public
2 highway and subjecting violators to a penalty.

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

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HF 109

to 53 amend bill

1 Section 1. Section 109.54, Code 1991, is amended to read
2 as follows:

3 109.54 SHOOTING RIFLE FIREARMS OVER WATER, RAILROADS, OR
4 HIGHWAY.

5 1. No A person shall ~~at any time~~ not shoot any rifle on or
6 over any of the public waters or ~~public highways~~ of the state
7 or any railroad ~~right-of-way~~ right-of-way.

8 2. A person shall not shoot a firearm across the traveled
9 part of a public highway.

10 EXPLANATION

11 This bill prohibits a person from shooting a firearm across
12 the traveled part of a public highway. Under current law, a
13 person is prohibited from shooting a rifle on or over public
14 waters, public highways, or railroad rights-of-way. Shotguns
15 and handguns are not affected. A violation is subject to a
16 scheduled fine of \$20.

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HOUSE FILE 109

H-3053

- 1 Amend House File 109 as follows:
- 2 1. Page 1, by striking everything after the
- 3 enacting clause and inserting the following:
- 4 "Section 1. Section 109.54, Code 1991, is amended
- 5 by striking the section and inserting in lieu thereof
- 6 the following:
- 7 109.54 SHOOTING FIREARMS OVER WATER, RAILROADS, OR
- 8 HIGHWAY.
- 9 1. A person shall not shoot a firearm on or over a
- 10 public roadway as defined in section 321.1, subsection
- 11 50, and shall not shoot a rifle on or over the public
- 12 waters of this state or a railroad right-of-way.
- 13 However, the department of natural resources shall
- 14 adopt rules authorizing a handicapped hunter to shoot
- 15 a shotgun on, but not over, public roadways.
- 16 2. Subsection 1 does not apply to peace officers
- 17 or military personnel while on duty."

By COMMITTEE ON NATURAL RESOURCES
AND OUTDOOR RECREATION,
BLACK of Jasper, Chairperson

H-3053 FILED FEBRUARY 12, 1991

Adopted 2/25

HOUSE FILE 109

H-3057

- 1 Amend the Committee amendment, H-3053, to House
 - 2 File 109 as follows:
 - 3 1. Page 1, line 11, by inserting after the word
 - 4 "public" the following: "highways or".
- By SPEAR of Lee

H-3057 FILED FEBRUARY 13, 1991

Lee 2/25

HOUSE FILE 109

BY DICKINSON, BLACK, DIEMER, and
HANSON of Black Hawk

Substituted for S.F. 47 3/7

(As Amended and Passed by the House February 25, 1991)

per H. 3815
Passed House, Date 4/30/91 (S. 1936) Passed Senate, Date 4/23/91 (S. 1416)

Vote: Ayes 84 Nays 13 Vote: Ayes 46 Nays 0

Approved June 4, 1991

A BILL FOR

1 An Act to prohibit the shooting of a firearm across a public
2 highway and subjecting violators to a penalty.

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

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All New Language by the House

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3528 amended

1 Section 1. Section 109.54, Code 1991, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 109.54 SHOOTING FIREARMS OVER WATER, RAILROADS, OR
5 HIGHWAY.

6 1. A person shall not shoot a firearm on or over a public
7 roadway as defined in section 321.1, subsection 50, and shall
8 not shoot a rifle on or over the public waters of this state
9 or a railroad right-of-way. However, the department of
10 natural resources shall adopt rules authorizing a handicapped
11 hunter to shoot a shotgun on, but not over, public roadways.

12 2. Subsection 1 does not apply to peace officers or
13 military personnel while on duty.

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HOUSE FILE 109

S-3528

1 Amend House File 109, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. Section 109.54, Code 1991, is amended
6 to read as follows:
7 109.54 SHOOTING RIFLE, SHOTGUN, PISTOL, OR
8 REVOLVER OVER WATER OR HIGHWAY.
9 1. No A person shall at-any-time not shoot any
10 rifle on or over any of the public waters or public
11 highways of the state or any railroad right of way.
12 2. A person shall not shoot a shotgun with a slug
13 load, pistol, or revolver on or over a public roadway
14 as defined in section 321.1, subsection 50.
15 3. This section does not apply to any peace
16 officers or military personnel in the performance of
17 their official duties."

By WILMER RENSINK
RICHARD VARN
WILLIAM D. PALMER

S-3528 FILED APRIL 22, 1991
Adopted as amended by 35-31 4/23/91 (p. 1416)

HOUSE FILE 109

S-3531

1 Amend amendment, S-3528, to House File 109, as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 1, by inserting after line 17, the
5 following:
6 "Sec. ____ . NEW SECTION. 109.125 INTENTIONAL
7 OBSTRUCTION OF LAWFUL ACTIVITIES PROHIBITED --PENALTY.
8 1. A person shall not intentionally obstruct the
9 participation of another person in the lawful activity
10 of hunting, fishing, or trapping. This subsection
11 shall not prohibit a landowner or lessee from
12 exercising the landowner's or lessee's lawful rights.
13 2. A person violating this section is guilty of a
14 simple misdemeanor.
15 ____ . Title, line 2, by inserting after the word
16 "highway" the following: ", or the intentional
17 obstruction of a person who is lawfully hunting,
18 fishing, or trapping,."

By JAMES B. KERSTEN
RAY TAYLOR
DERRYL MCLAREN

BERL E. PRIEBE
WILLIAM D. PALMER
RICHARD J. VARN

S-3531 FILED APRIL 22, 1991
Adopted 4/23/91 (p. 1416)

HOUSE FILE 109

S-3099

1 Amend House File 109, as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by inserting after line 13, the
4 following:

5 "Sec. ____ . NEW SECTION. 109.125 INTENTIONAL
6 OBSTRUCTION OF LAWFUL ACTIVITIES PROHIBITED --
7 PENALTY.

8 1. A person shall not intentionally obstruct the
9 participation of another person in the lawful activity
10 of hunting, fishing, or trapping. This subsection
11 shall not prohibit a landowner or lessee from
12 exercising the landowner's or lessee's lawful rights.

13 2. A person violating this section is guilty of a
14 simple misdemeanor."

15 2. Title, line 2, by inserting after the word
16 "highway" the following: ", or the intentional
17 obstruction of a person who is lawfully hunting,
18 fishing, or trapping,".

By JAMES B. KERSTEN
RAY TAYLOR

S-3099 FILED MARCH 11, 1991

o/o 4/23/91 (p. 1416)

SENATE AMENDMENT TO HOUSE FILE 109

H-3815

1 Amend House File 109, as amended, passed, and
2 reprinted by the House, as follows:

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

5 "Section 1. Section 109.54, Code 1991, is amended
6 to read as follows:

7 109.54 SHOOTING RIFLE, SHOTGUN, PISTOL, OR
8 REVOLVER OVER WATER OR HIGHWAY.

9 1. ~~No~~ A person shall ~~at any time~~ not shoot any
10 rifle on or over any of the public waters or public
11 highways of the state or any railroad right of way.

12 2. A person shall not shoot a shotgun with a slug
13 load, pistol, or revolver on or over a public roadway
14 as defined in section 321.1, subsection 50.

15 3. This section does not apply to any peace
16 officers or military personnel in the performance of
17 their official duties.

18 Sec. 2. NEW SECTION. 109.125 INTENTIONAL
19 OBSTRUCTION OF LAWFUL ACTIVITIES PROHIBITED --PENALTY.

20 1. A person shall not intentionally obstruct the
21 participation of another person in the lawful activity
22 of hunting, fishing, or trapping. This subsection
23 shall not prohibit a landowner or lessee from
24 exercising the landowner's or lessee's lawful rights.

25 2. A person violating this section is guilty of a
26 simple misdemeanor."

27 2. Title page, line 2, by inserting after the
28 word "highway" the following: ", or the intentional
29 obstruction of a person who is lawfully hunting,
30 fishing, or trapping,".

RECEIVED FROM THE SENATE

H-3815 FILED APRIL 25, 1991

House considered 4/30/91 (p. 17.36)

HOUSE FILE 109

H-3955

1 Amend the Senate amendment, H-3815, to House File
2 109, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, line 24, by inserting after the word
5 "rights," the following: "As used in the subsection,
6 obstruction does not include speech, or a person's
7 right to lawful assembling including picketing."

By OSTERBERG of Linn

H-3955 FILED APRIL 26, 1991

Lost 4/30/91 (p 1935)

HOUSE FILE 109

H-3956

1 Amend the Senate amendment, H-3815, to House File
2 109, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, line 22, by inserting after the word
5 "hunting," the following: "bird-watching,"
6 2. Page 1, line 22, by inserting after the word
7 "Fishing," the following: "jogging,"

By OSTERBERG OF Linn

H-3956 FILED APRIL 26, 1991

Lost 4/30/91

HOUSE FILE 109

H-3959

1 Amend the Senate amendment, H-3815, to House File
2 109, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, line 22, by inserting after the word
5 "trapping," the following: "Men shall not stare at,
6 whistle at, snout at, or follow women around
7 construction sites, in cars, or on public streets. In
8 addition, men shall not stand in groups and stare at
9 women."

By OSTERBERG of Linn
HAMMOND of Story

H-3959 FILED APRIL 26, 1991

Repealed next year (p 1934)

HOUSE FILE 109

H-3972

1 Amend the amendment, H-3959, to the Senate
2 amendment, H-3815, to House File 109, as amended,
3 passed, and reprinted by the House, as follows:

4 1. Page 1, line 3, by inserting after the word
5 "stand" the following: "on their heads".

By KREMER of Buchanan

H-3972 FILED APRIL 30, 1991

ADOPTED (p 1934)

HOUSE FILE 109

H-3985

1 Amend the Senate amendment, H-3815, to House File
2 109, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by striking lines 18 through 30.

By SPEAR of Lee

H-3985 FILED APRIL 30, 1991

LOST (p 1936)

2. A person violating this section is guilty of a simple misdemeanor.

HOUSE FILE 109

AN ACT

TO PROHIBIT THE SHOOTING OF A FIREARM ACROSS A PUBLIC HIGHWAY, OR THE INTENTIONAL OBSTRUCTION OF A PERSON WHO IS LAWFULLY HUNTING, FISHING, OR TRAPPING, AND SUBJECTING VIOLATORS TO A PENALTY.

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

Section 1. Section 109.54, Code 1991, is amended to read as follows:

109.54 SHOOTING RIFLE, SHOTGUN, PISTOL, OR REVOLVER OVER WATER OR HIGHWAY.

1. No A person shall at any time not shoot any rifle on or over any of the public waters or public highways of the state or any railroad right-of-way.

2. A person shall not shoot a shotgun with a slug load, pistol, or revolver on or over a public roadway as defined in section 121.1, subsection 50.

3. This section does not apply to any peace officers or military personnel in the performance of their official duties.

Sec. 2. NEW SECTION. 109.125 INTENTIONAL OBSTRUCTION OF LAWFUL ACTIVITIES PROHIBITED -- PENALTY.

1. A person shall not intentionally obstruct the participation of another person in the lawful activity of hunting, fishing, or trapping. This subsection shall not prohibit a landowner or lessee from exercising the landowner's or lessee's lawful rights.

ROBERT C. ARNOLD
Speaker of the House

JOE J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 109, Seventy-fourth General Assembly.

Approved *June 4* 1991

JOSEPH O'HEARN
Chief Clerk of the House

TERRY E. BRANSTAD
Governor

HF 109