

5 spearing of carp, buffalo, quillback, gar and dogfish by persons law-
 6 fully permitted to fish shall be lawful between the hours of sunrise
 7 and sunset each day and at such times and at such places as the com-
 8 mission may determine necessary to carry out the purposes of sub-
 9 section one (1) of section one hundred nine point thirty-eight (109.38)
 10 of the Code, except that it shall be unlawful to spear from within an
 11 enclosure of the type that materially hides the fisherman from view."

Approved February 19, 1959.

CHAPTER 127

COMMERCIAL FISHING

S. F. 234

AN ACT to amend chapters one hundred nine (109) and one hundred ten (110), Code 1958, relating to regulations of commercial fishing to clarify the uses of certain types of commercial fishing gear and the licenses required.

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

1 SECTION 1. Section one hundred nine point one hundred six
 2 (109.106), Code 1958, is hereby amended by inserting following the
 3 first word "any" in line three (3) the following: "trotrline, wooden
 4 basket trap,".

1 SEC. 2. Section one hundred nine point one hundred seven
 2 (109.107), Code 1958, is hereby amended by deleting all of line two
 3 (2) following the comma (,) after the word "seines", all of line three
 4 (3) and up to and including the word "nets" in line four (4) and
 5 inserting in lieu thereof the words "dip nets, trammel nets, gill nets,
 6 basket traps, hoop nets, wing nets, pound, fyke and trap nets and
 7 trotlines" and by deleting the word "or" following the word "nets"
 8 in line six (6) and substituting therefor a comma (,) and by insert-
 9 ing following the word "seines" in line six (6) a comma (,) and the
 10 words "traps or trotlines"; and by deleting the word "or" following
 11 the word "nets" in line ten (10) and inserting a comma (,) therefor
 12 and by adding, following the word "seines" in line ten (10) the fol-
 13 lowing: ", traps or trotlines".

1 SEC. 3. Section one hundred nine point one hundred seven
 2 (109.107), Code 1958, is further amended by striking all of lines
 3 twenty-one (21) through and including line thirty-five (35) and in-
 4 serting in lieu thereof the following: "All licensed nets, seines,
 5 wooden basket traps or trotlines shall have attached a metal tag
 6 identifying the equipment and license for its use. Tags must at all
 7 times be attached to commercial fishing gear and conservation officers
 8 shall have authority to confiscate any such commercial fishing gear
 9 when found in use without such tags attached. Identification tags
 10 shall be furnished by the Commission and a charge of ten (10) cents
 11 shall be made for each tag and such tags shall be renewed annually."

1 SEC. 4. Section one hundred nine point one hundred eight
 2 (109.108), Code 1958, is hereby amended by striking all of line two
 3 (2) after the word "use", all of lines three (3), four (4), five (5)

4 and all of line six (6) preceding the word "any"; also by inserting
5 after the word "measure" in line ten (10) the following: ", or to use
6 in the Mississippi or Missouri rivers, basket traps made of wood, with
7 the end opposite the throat having a hole of less than one and one-half
8 inches in diameter."

1 SEC. 5. Section one hundred nine point one hundred nine
2 (109.109), Code 1958, is hereby amended by deleting the entire sec-
3 tion and inserting in lieu thereof the following: "It shall be lawful
4 to fish with and use wing nets, trap nets, hoop nets, dip nets, wooden
5 basket traps, gill nets, seines and trammel nets in the Mississippi
6 River and Missouri River at any time. Provided a trotline license is
7 procured, the holder of said license may use a trotline, with no more
8 than one hundred hooks, in the waters of the Mississippi and Missouri
9 Rivers. A tag as provided in section one hundred nine point one hun-
10 dred seven (109.107), Code 1958, shall be attached thereto."

1 SEC. 6. Section one hundred nine point one hundred ten (109.110),
2 Code 1958, is hereby repealed.

1 SEC. 7. Section one hundred nine point one hundred eleven
2 (109.111), Code 1958, is hereby amended by striking the word "and"
3 after the word "licensed" in line three (3) and the words "tagged
4 nets or seines" in line four (4) and inserting in lieu thereof the words,
5 "commercial fishing gear" and by striking the words "northern pike"
6 from line six (6) and "rock sturgeon" from line seven (7).

1 SEC. 8. Section one hundred nine point one hundred twelve
2 (109.112), Code 1958, is hereby repealed.

1 SEC. 9. Section one hundred nine point one hundred thirteen
2 (109.113), Code 1958, is hereby amended by striking the words "li-
3 censed nets or seines" from lines two (2) and three (3) and inserting
4 in lieu thereof the words "commercial fishing gear"; by striking the
5 words "any northern pike or pickerel not less than eighteen inches
6 long," from lines five (5) and six (6); by substituting a period (.)
7 for the comma (,) after the word "long" in line nine (9); by striking
8 all of this section after the comma (,) after the word "long" in line
9 nine (9).

1 SEC. 10. Chapter one hundred nine (109), Code 1958, is hereby
2 amended by adding the following section:

3 "No licenses or tags for commercial fishing gear or no commercial
4 fishing gear operator's certificates may be issued to residents of states
5 who do not sell similar licenses, tags or certificates to residents of
6 Iowa."

1 SEC. 11. Section one hundred ten point one (110.1), Code 1958, is
2 hereby amended by deleting all of lines one hundred (100) through
3 and including line one hundred twenty-four (124) and inserting in
4 lieu thereof the following: "Net, seine, trap, trotline licenses for res-
5 idents of state:

6 Seine: for the first 500 lineal feet or fraction thereof \$15.00 and
7 for each additional 500 lineal feet or fraction thereof \$15.00.

8 Trammel net: for the first 300 lineal feet or fraction thereof \$10.00
9 and for each additional 300 lineal feet or fraction thereof \$10.00.

10 Gill net: for each 100 lineal feet or fraction thereof \$2.00.

11 Hoop net without wings or leads: for each net \$1.00.

- 12 Pound net with less than 100 feet of leads or wings: for each net
13 \$3.00.
- 14 Pound net with leads or wings of 100 or more feet in length: for
15 each net \$6.00.
- 16 Wing, fyke or trap net with less than 100 feet of leads or wings:
17 for each net \$1.00.
- 18 Wing, fyke or trap net with leads or wings of 100 or more feet in
19 length: for each net \$6.00.
- 20 Dip net: for the first net \$1.00 and for each additional net \$1.00.
- 21 Wooden basket trap: for the first trap \$5.00 and for each additional
22 trap \$1.00.
- 23 Trotline: for the first trotline \$3.00 and for each additional trotline
24 \$1.00.
- 25 Owner's certificate for commercial fishing gear \$15.00.
- 26 Operator's certificate for each person operating commercial fishing
27 gear \$1.00.
- 28 Net, seine, trap, trotline licenses for non-resident or alien who is
29 eligible to purchase such licenses.
- 30 Seine: for the first 500 lineal feet or fraction thereof \$20.00 and
31 for each additional 500 lineal feet or fraction thereof \$20.00.
- 32 Trammel net: for the first 300 lineal feet or fraction thereof \$20.00
33 and for each additional 300 lineal feet or fraction thereof \$20.00.
- 34 Gill net: for the first 300 lineal feet or fraction thereof \$20.00 and
35 for each additional 300 lineal feet or fraction thereof \$20.00.
- 36 Hoop nets without wings or leads: for the first net \$10.00 and for
37 each additional net \$3.00.
- 38 Wing, pound, fyke or trap net with less than 100 feet of leads or
39 wings: for the first net \$12.00 and for each additional net \$6.00.
- 40 Wing, pound, fyke or trap net with leads or wings of 100 feet or
41 more in length: for the first net \$20.00 and for each additional net
42 \$12.00.
- 43 Wooden basket traps: for the first trap \$10.00 and for each addi-
44 tional trap \$3.00.
- 45 Dip net: for the first net \$3.00 and for each additional net \$3.00.
- 46 Trotline: for the first trotline \$4.00 and for each additional trot-
47 line \$4.00."

1 SEC. 12. It shall be lawful to operate in the Mississippi and Mis-
2 souri Rivers, one basket trap and one trotline provided the operator
3 has purchased a regular fishing license that is required in section one
4 hundred ten point one (110.1), Code 1958, and pays the regular fee of
5 one (1) dollar for each basket trap or trotline. Each trap and trotline
6 must have attached thereto an identification tag as required in section
7 one hundred nine point one hundred seven (109.107), Code 1958.

Approved April 17, 1959.