



*Minnesota's Conservation Officers
Celebrating 120 years of Service
1887-2007*

2007 Minnesota Game & Fish Laws

Including Related Statutes and Rules

Vol. 1 *Statutes*



State of Minnesota

Game and Fish Laws and Related Statutes and Rules

Volume 1 - Statutes

2007

**[Includes Statute Changes Through June 30, 2007.
Subject to Change by the Legislature in any Special
or Regular Session Thereafter]**

Department of Natural Resources

Minnesota DNR Enforcement celebrates 120 years

The year 2007 marked the 120th anniversary of Minnesota conservation law enforcement.

The year is 1887. The Boone and Crockett Club is organized to protect U.S. wildlife from ruthless slaughter by commercial market hunters. Its founders are a group of "American hunting riflemen" including Theodore Roosevelt.

The year 1887 also marked a milestone in the history of conservation in Minnesota when the legislature appointed W.F. Zwickey as the first Minnesota Game Warden. His mission: cover the entire State enforcing game and fish laws. Never mind there was no salary, no expense money and no personnel to assist him. It is not surprising that Zwickey lasted less than two years before taking another law enforcement position in Washington State.

In 1889 the legislature deleted the position entirely, shifting the enforcement of "wildlife" laws back to local sheriffs, policemen and constables. Two years later the position of Game Warden was reestablished. He received a small salary and could select four unpaid deputies to assist.

Over the coming decades there would be much change, but that did little to lessen the danger of the job, with nineteen officers dying in the line of duty since the inception of the division. Game Wardens Marcus Whipps, Melvin Holt, and Dudley Brady were murdered on July 12, 1940 during a check of a commercial fish selling operation near Waterville.

Flash forward to 2007. The job title has changed from Game Warden to Conservation Officer. There are 155 field Conservation Officers enforcing a bevy of natural resources laws, as well as Conservation Officer Pilots, Regional Training Officers, Wetlands Enforcement Officers, Community Liaison Officers, a Special Investigation Unit, and supervisory staff. Today, some 204 licensed Conservation Officers and a small support staff are dedicated to protecting and preserving Minnesota's natural resources.

Despite 120 years of change the fundamental mission for Minnesota's Conservation Officers has remained the same: enforce the laws that protect and preserve Minnesota's outdoor heritage for generations to come.

FORWARD

This compilation is issued as a work tool for Conservation Officers and other Department of Natural Resources staff.

Only those provisions and portions of the statutes, which pertain to game and fish and resource protection activities of the Department of Natural Resources, are included. Many other laws relative to general natural resource matters have necessarily been omitted.

It is intended that this compilation should form a convenient handbook, containing the needed information about our laws regarding game and fish protection.

It must be remembered that many provisions of the game and fish laws provide for the adoption of rules by the commissioner, which have the force and effect of law. Printed synopses are issued by the Department of Natural Resources each year and include the regulations currently in force.

DEPARTMENT OF NATURAL RESOURCES
Division of Enforcement

STEWARDSHIP

*Your Creator
Has filled the earth
With all things
To sustain you.
And has found them
To be good.
While you dwell
Among the mortals,
You may partake
Thereof.
Use them wisely
And judiciously.
Guard them closely.
Squander them not.
If you are untrue
To this sacred trust
Mankind
Shall not be
Perpetuated
But shall banish
Itself
From the earth.*

Richard J. Dorer

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CHAPTER 10
MULTIPLE BRANCHES OR OFFICES; OBERVANCES

STATE OBSERVANCES

10.51 HUNTING HERITAGE WEEK.

The week beginning the third Monday in September is an official week of observance to commemorate the state's valued heritage of hunting game animals. During this week, all residents of the state are urged to:

- (1) reflect on hunting as an expression of our culture and heritage;
- (2) acknowledge that it is our community of sportsmen, sportswomen, and hunters who have made the greatest contributions to the establishment of current game animal populations; and
- (3) celebrate this culture and heritage in all lawful ways

CHAPTER 84

DEPARTMENT OF NATURAL RESOURCES (SELECTED SECTIONS)

84.027 POWERS AND DUTIES.

Subdivision 1. Powers and duties. The commissioner of natural resources shall be the administrative and executive head of the department. Subject to the provisions hereof and other applicable laws, the commissioner shall have the powers and duties herein prescribed. The enumeration of specific powers and duties herein shall not limit or exclude other powers or duties.

Subd. 2. General. The commissioner shall have charge and control of all the public lands, parks, timber, waters, minerals, and wild animals of the state and of the use, sale, leasing, or other disposition thereof, and of all records pertaining to the performance of the commissioner's functions relating thereto.

Subd. 3. Former powers and duties of commissioner of conservation. The commissioner shall have all the powers and duties prescribed for the commissioner of conservation by Laws 1931, chapter 186, all the powers and duties therein prescribed for the Conservation Commission except the power to appoint a commissioner, and all other powers and duties now prescribed by law for the commissioner of conservation, the Conservation Commission, the Department of Conservation, its divisions, or the director of any division.

Subd. 4. Certain powers and duties of state auditor. The commissioner shall have all existing powers and duties now or heretofore vested in or imposed upon the state auditor in any capacity and not heretofore transferred to any other officer or agency with respect to the public lands, parks, timber, waters, and minerals of the state, and the records thereof; provided, that nothing herein shall divest the state auditor of any power or duty otherwise prescribed by law with respect to auditing, accounting, disbursement, or other disposition of funds pertaining to the matters herein specified, nor of any power or duty expressly vested in or imposed upon the state auditor by the following provisions of law:

(1) The provisions of Mason's Minnesota Statutes 1927, section 76, so far as the same pertain to the crediting of payments on account of state lands, timber, or other products to the proper funds, or to the depositing and keeping of conveyances and abstracts of title; also all other provisions pertaining to the filing or keeping of deeds, grants, or conveyances to the state or abstracts or other evidence of title to state property;

(2) All provisions pertaining to escheated property;

(3) Mason's Minnesota Statutes 1927, sections 2220, 6442 to 6449, 6646, 6660, and 8223.

Subd. 5. Descriptions of lands. The commissioner shall have all the powers and duties prescribed for the state auditor by Mason's Supplement 1940, sections 5620-1 to 5620-13, 6452-1 to 6452-13, and 4031-75 to 4031-88, with respect to the receipt, filing, keeping, and certification of reports, lists, and records of descriptions of lands, reserving to the state auditor all other powers and duties therein prescribed for the state auditor. The county auditor shall make and transmit to the state auditor all the certificates and reports therein required except certificates and reports of land descriptions, which shall be made and transmitted to the commissioner.

Subd. 6. Land sales and conveyances. The commissioner shall have all the powers and duties prescribed for the state auditor by Mason's Supplement 1940, sections 5620-13 1/2 to 5620-13 1/2j, as amended, and 2139-27b to

2139-27k, as amended, with respect to the receipt, filing, and keeping of reports of sales of land and the execution of conveyances, reserving to the state auditor all other powers and duties therein prescribed for the state auditor. The county auditors shall make and transmit to the commissioner all the certificates and reports therein required to be made to the state auditor with respect to such sales and conveyances. The county treasurers shall make all reports of collections thereunder in duplicate and shall transmit a copy of each report to the commissioner of finance and the commissioner.

Subd. 7. Limitation of powers. Except as otherwise expressly provided, nothing herein shall confer on the commissioner any authority over any property of the state devoted pursuant to law to any specific purpose under any officer or agency of the state other than the commissioner or the Department of Natural Resources or its divisions.

Subd. 8. Selection of lands for certain purposes. The commissioner of natural resources may select from any available lands owned by the United States in this state such lands as the commissioner deems suitable in lieu of any deficiencies which may have occurred in grants of school lands or other lands heretofore made to the state under any act of Congress, and may, with the approval of the Executive Council, accept on behalf of the state any grants or patents of lands so selected issued by the United States to the state. This subdivision shall not be deemed to amend, supersede, or repeal any existing law, but shall be supplementary thereto.

Subd. 9. Condemnation with landowner's consent. If authorized by law to acquire any interest in real estate, the commissioner of natural resources may acquire by condemnation with the written consent of the landowner, that real estate which the commissioner deems to be in the best interests of the state. This subdivision shall apply only in those situations where condemnation is not otherwise authorized for the acquisition.

Subd. 10. Sale of surplus lands to local governments for recreational or natural resources purposes. (a) The commissioner, with the approval of the state Executive Council, may sell the class of land or interest in land under paragraph (b) to a county, home rule charter or statutory city, town, or other governmental subdivision of the state for public use, including recreational or natural resource purposes.

(b) The commissioner may sell the class of land or interest in land that has been acquired by gift, purchase, or eminent domain and the commissioner has declared surplus. The commissioner shall declare land surplus in writing and state the reasons why the land or interest in land is no longer needed.

(c) The commissioner shall appraise the land or interest in land before the land or interest in land is sold, and may sell the land or interest in land for less than the appraised value if the commissioner determines, in writing, that it is in the public interest.

(d) The commissioner shall convey the state's interest in the name of the state by quitclaim deed in a form approved by the attorney general. The deed must reserve to the state minerals and mineral rights in the manner provided in sections 93.01 and 93.02, and provide that the land or interest in land reverts to the state if the governmental subdivision acquiring the land or interest in land:

(1) fails to provide the public use intended on the property;

(2) allows a public use other than the public use agreed to by the commissioner at the time of conveyance without the written approval of the commissioner; or

(3) abandons the public use of the property.

Subd. 11. Federal conservation grants. The commissioner of natural resources shall receive and administer grants under the land and water conservation grant program authorized by Congress in the Land and Water Conservation Fund Act of 1965, as amended.

Subd. 12. Property disposal; gift acknowledgment; advertising sales.

(a) The commissioner may give away to members of the public items with a value of less than \$50 that are intended to promote conservation of natural resources or create awareness of the state and its resources or natural resource management programs. The total value of items given to the public under this paragraph may not exceed \$25,000 per year.

(b) The commissioner may recognize the contribution of money or in-kind services on plaques, signs, publications, audio-visual materials, and media advertisements by allowing the organization's contribution to be acknowledged in print of readable size.

(c) The commissioner may accept paid advertising for departmental publications. Advertising revenues received are appropriated to the commissioner to be used to defray costs of publications, media productions, or other informational materials. The commissioner may not accept paid advertising from any elected official or candidate for elective office.

Subd. 13. Game and fish rules. (a) The commissioner of natural resources may adopt rules under sections 97A.0451 to 97A.0459 and this subdivision that are authorized under:

(1) chapters 97A, 97B, and 97C to set open seasons and areas, to close seasons and areas, to select hunters for areas, to provide for tagging and registration of game and fish, to prohibit or allow taking of wild animals to protect a species, to prevent or control wildlife disease, and to prohibit or allow importation, transportation, or possession of a wild animal;

(2) sections 84.093, 84.15, and 84.152 to set seasons for harvesting wild ginseng roots and wild rice and to restrict or prohibit harvesting in designated areas; and

(3) section 84D.12 to designate prohibited invasive species, regulated invasive species, unregulated nonnative species, and infested waters.

(b) If conditions exist that do not allow the commissioner to comply with sections 97A.0451 to 97A.0459, the commissioner may adopt a rule under this subdivision by submitting the rule to the attorney general for review under section 97A.0455, publishing a notice in the State Register and filing the rule with the secretary of state and the Legislative Coordinating Commission, and complying with section 97A.0459, and including a statement of the emergency conditions and a copy of the rule in the notice. The notice may be published after it is received from the attorney general or five business days after it is submitted to the attorney general, whichever is earlier.

(c) Rules adopted under paragraph (b) are effective upon publishing in the State Register and may be effective up to seven days before publishing and filing under paragraph (b), if:

(1) the commissioner of natural resources determines that an emergency exists;

(2) the attorney general approves the rule; and

(3) for a rule that affects more than three counties the commissioner publishes the rule once in a legal newspaper published in Minneapolis, St. Paul, and Duluth, or for a rule that affects three or fewer counties the

commissioner publishes the rule once in a legal newspaper in each of the affected counties.

(d) Except as provided in paragraph (e), a rule published under paragraph (c), clause (3), may not be effective earlier than seven days after publication.

(e) A rule published under paragraph (c), clause (3), may be effective the day the rule is published if the commissioner gives notice and holds a public hearing on the rule within 15 days before publication.

(f) The commissioner shall attempt to notify persons or groups of persons affected by rules adopted under paragraphs (b) and (c) by public announcements, posting, and other appropriate means as determined by the commissioner.

(g) Notwithstanding section 97A.0458, a rule adopted under this subdivision is effective for the period stated in the notice but not longer than 18 months after the rule is adopted.

Subd. 13a. Game and fish expedited permanent rules. In addition to the authority granted in subdivision 13, the commissioner of natural resources may adopt rules under section 14.389 that are authorized under:

(1) chapters 97A, 97B, and 97C to describe zone or permit area boundaries, to designate fish spawning beds or fish preserves, to select hunters or anglers for areas, to provide for registration of game or fish, to prevent or control wildlife disease, or to correct errors or omissions in rules that do not have a substantive effect on the intent or application of the original rule; or

(2) section 84D.12 to designate prohibited invasive species, regulated invasive species, and unregulated nonnative species.

Subd. 14. Mission; efficiency. It is part of the department's mission that within the department's resources the commissioner shall endeavor to:

(1) prevent the waste or unnecessary spending of public money;

(2) use innovative fiscal and human resource practices to manage the state's resources and operate the department as efficiently as possible;

(3) coordinate the department's activities wherever appropriate with the activities of other governmental agencies;

(4) use technology where appropriate to increase agency productivity, improve customer service, increase public access to information about government, and increase public participation in the business of government;

(5) utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A;

(6) report to the legislature on the performance of agency operations and the accomplishment of agency goals in the agency's biennial budget according to section 16A.10, subdivision 1; and

(7) recommend to the legislature appropriate changes in law necessary to carry out the mission and improve the performance of the department.

Subd. 15. Electronic transactions. (a) The commissioner may receive an application for, sell, and issue any license, stamp, permit, pass, sticker, duplicate safety training certification, registration, or transfer under the jurisdiction of the commissioner by electronic means, including by telephone. Notwithstanding section 97A.472, electronic and telephone transactions may be made outside of the state. The commissioner may:

(1) provide for the electronic transfer of funds generated by electronic transactions, including by telephone;

(2) assign an identification number to an applicant who purchases a hunting or fishing license or recreational vehicle registration by electronic means, to

serve as temporary authorization to engage in the activity requiring a license or registration until the license or registration is received or expires;

(3) charge and permit agents to charge a fee of individuals who make electronic transactions and transactions by telephone or Internet, including issuing fees and an additional transaction fee not to exceed \$3.50;

(4) establish, by written order, an electronic licensing system commission to be paid by revenues generated from all sales made through the electronic licensing system. The commissioner shall establish the commission in a manner that neither significantly overrecovers nor underrecovers costs involved in providing the electronic licensing system; and

(5) adopt rules to administer the provisions of this subdivision.

(b) The fees established under paragraph (a), clause (3), and the commission established under paragraph (a), clause (4), are not subject to the rulemaking procedures of chapter 14 and section 14.386 does not apply. (c) Money received from fees and commissions collected under this subdivision, including interest earned, is annually appropriated from the game and fish fund and the natural resources fund to the commissioner for the cost of electronic licensing.

Subd. 16. Commissioner to administer grants programs. Unless otherwise specified by law, the commissioner may establish the procedures and criteria for selection of projects funded through authorized grants and research programs. Procedures and criteria for selection are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

Subd. 17. Background checks for volunteer instructors. (a) The commissioner may conduct background checks for volunteer instructor applicants for department safety training and education programs, including the programs established under sections 84.791 (youth off-highway motorcycle safety education and training), 84.86 and 84.862 (youth and adult snowmobile safety training), 84.925 (youth all-terrain vehicle safety education and training), 97B.015 (youth firearms safety training), and 97B.025 (hunter and trapper education and training).

(b) The commissioner shall perform the background check by retrieving criminal history data maintained in the criminal justice information system (CJIS) and other data sources.

(c) The commissioner shall develop a standardized form to be used for requesting a background check, which must include:

(1) a notification to the applicant that the commissioner will conduct a background check under this section;

(2) a notification to the applicant of the applicant's rights under paragraph (d); and

(3) a signed consent by the applicant to conduct the background check expiring one year from the date of signature.

(d) The volunteer instructor applicant who is the subject of a background check has the right to:

(1) be informed that the commissioner will request a background check on the applicant;

(2) be informed by the commissioner of the results of the background check and obtain a copy of the background check;

(3) obtain any record that forms the basis for the background check and report;

(4) challenge the accuracy and completeness of the information contained in the report or a record; and

(5) be informed by the commissioner if the applicant is rejected because of the result of the background check.

84.028 COMMISSIONER OF NATURAL RESOURCES, SPECIFIC ASSIGNMENTS.

Subdivision 1. Commissioner to control department responsibilities.

The powers, duties and responsibilities of the Department of Natural Resources relating to boat safety, firearm safety, wild rice harvest program, ginseng harvest program, and such other programs as are now or hereafter vested by statute in the Department of Natural Resources, shall be under the control and supervision of the commissioner of natural resources.

Subd. 2. Development and planning duties. The overall coordination of acquisition and development programs, comprehensive planning activities, including statewide recreational planning programs required by state or federal law, and not the responsibility of the commissioner of employment and economic development, are under the control and supervision of the commissioner.

Subd. 3. Game warden duties; conservation officers. The operation of the Game Warden Service in the Division of Game and Fish as constituted before July 1, 1967 is under the direct control and supervision of the commissioner. The name of the personnel in such Game Warden Service is changed to conservation officers. Conservation officers shall continue to have the powers and duties of game wardens as they existed before July 1, 1967 and may be assigned to public relations, conservation instructional activities, and the enforcement of laws relating to resources management which the commissioner shall direct. The commissioner shall create a separate division entitled the Division of Enforcement and Field Service, to be composed of conservation officers and shall appoint a director of the division. The commissioner may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

84.0285 GAME AND FISH CITATION QUOTAS PROHIBITED.

The commissioner of natural resources, or the director of the Division of Enforcement and Field Service, may not order, mandate, require, or in any manner suggest, directly or indirectly, to a conservation officer that the conservation officer issue a certain number of game and fish law violations on a daily, weekly, monthly, quarterly, or yearly quota basis.

84.03 ADDITIONAL DUTIES AND POWERS.

So far as practicable the commissioner shall collect and arrange statistics and other information in reference to the lands and general and special resources of the state.

The commissioner is hereby authorized and empowered to take such measures as the commissioner may deem advisable to advertise, both within and without the state, sales of all state lands, and to secure, compile, and issue such valuable statistics of the resources of the state.

The commissioner may adopt and promulgate reasonable rules, not inconsistent with law, governing the use and enjoyment of state land reserved from sale, state parks, state water access sites, state trails, state monuments, state scientific and natural areas, state wilderness areas, and recreational

areas owned by other state, local and federal agencies and operated under agreement by the Department of Natural Resources, which shall have the force and effect of law. A reasonable fee may be fixed, charged, and collected by the commissioner for the privilege of the use of any or all of the foregoing privileges and facilities.

The commissioner, on or before November 15 of each even numbered year, shall report to the legislature the commissioner's acts and doings, with recommendation for the improvement or conservation of state parks, state water access sites, state trails, and state monuments, state scientific and natural areas, state forests, state wildlife management areas, public hunting grounds, public shooting grounds, food and cover planting areas, wildlife lands, recreational or public hunting areas, state wild and scenic rivers, state wilderness areas, and all other recreational lands under the jurisdiction of the Department of Natural Resources, and for desirable accessions thereto, such report to include an inventory of the tracts and parcels of land, and rights, interests, and easements therein, held by the state or withdrawn from sale for any of these purposes, with the value thereof, and a list of the name, location, size, and description of each state trail, state scientific and natural area, state wildlife management area, state water access site, and state wild, scenic, or recreational river designated by the commissioner, and each public hunting grounds, public shooting grounds, food and cover planting area, wildlife lands, and recreational or public hunting area acquired by the commissioner since the last report. The commissioner shall maintain a long range plan governing the use of the public domain under the commissioner's jurisdiction.

84.085 ACCEPTANCE OF GIFTS.

Subdivision 1. Authority. (a) The commissioner of natural resources may accept for and on behalf of the state any gift, bequest, devise, or grants of lands or interest in lands or personal property of any kind or of money tendered to the state for any purpose pertaining to the activities of the department or any of its divisions. Any money so received is hereby appropriated and dedicated for the purpose for which it is granted. Lands and interests in lands so received may be sold or exchanged as provided in chapter 94.

(b) When the commissioner of natural resources accepts lands or interests in land, the commissioner may reimburse the donor for costs incurred to obtain an appraisal needed for tax reporting purposes. If the state pays the donor for a portion of the value of the lands or interests in lands that are donated, the reimbursement for appraisal costs shall not exceed \$1,500. If the donor receives no payment from the state for the lands or interests in lands that are donated, the reimbursement for appraisal costs shall not exceed \$5,000.

(c) The commissioner of natural resources, on behalf of the state, may accept and use grants of money or property from the United States or other grantors for conservation purposes not inconsistent with the laws of this state. Any money or property so received is hereby appropriated and dedicated for the purposes for which it is granted, and shall be expended or used solely for such purposes in accordance with the federal laws and regulations pertaining thereto, subject to applicable state laws and rules as to manner of expenditure or use providing that the commissioner may make subgrants of any money received to other agencies, units of local government, private individuals, private organizations, and private nonprofit corporations. Appropriate funds

and accounts shall be maintained by the commissioner of finance to secure compliance with this section.

(d) The commissioner may accept for and on behalf of the permanent school fund a donation of lands, interest in lands, or improvements on lands. A donation so received shall become state property, be classified as school trust land as defined in section 92.025, and be managed consistent with section 127A.31.

Subd. 2. Wetlands. The commissioner of natural resources must accept a gift, bequest, devise, or grant of wetlands, as defined in section 103G.005, subdivision 19, or public waters wetlands, as defined in section 103G.005, subdivision 15a, unless:

(1) the commissioner determines that the value of the wetland for water quality, floodwater retention, public recreation, wildlife habitat, or other public benefits is minimal;

(2) the wetland has been degraded by activities conducted without a required permit by the person offering the wetland and the person has not taken actions determined by the commissioner to be necessary to restore the wetland;

(3) the commissioner determines that the wetland has been contaminated by a hazardous substance as defined in section 115B.02, subdivision 8, a pollutant or contaminant as defined in section 115B.02, subdivision 13, or petroleum as defined in section 115C.02, subdivision 10, and the contamination has not been remedied as required under chapter 115B or 115C;

(4) the wetland is subject to a lien or other encumbrance; or

(5) the commissioner, after reasonable effort, has been unable to obtain an access to the wetland.

84.0855 SALES; RECEIPTS; APPROPRIATION.

Subdivision 1. Sales authorized; gift certificates. The commissioner may sell natural resources-related publications and maps; forest resource assessment products; federal migratory waterfowl, junior duck, and other federal stamps; and other nature-related merchandise, and may rent or sell items for the convenience of persons using Department of Natural Resources facilities or services. The commissioner may sell gift certificates for any items rented or sold. Notwithstanding section 16A.1285, a fee charged by the commissioner under this section may include a reasonable amount in excess of the actual cost to support Department of Natural Resources programs. The commissioner may advertise the availability of a program or item offered under this section.

Subd. 1a. Software sales. Notwithstanding section 16E.15, the commissioner may sell or license intellectual property and software products or services developed by the department or custom developed by a vendor for the department.

Subd. 2. Receipts; appropriation. Except as provided under section 89.421, money received by the commissioner under this section or to buy supplies for the use of volunteers, may be credited to one or more special accounts in the state treasury and is appropriated to the commissioner for the purposes for which the money was received. Money received from sales at the state fair shall be available for state fair related costs. Money received from sales of intellectual property and software products or services shall be

84.086 Seals, uniforms, and badges.

available for development, maintenance, and support of software products and systems.

Subd. 3. Exemption from rulemaking and legislative approval. A fee charged under this section is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The commissioner may establish fees under this section notwithstanding section 16A.1283.

84.086 SEALS, UNIFORMS, AND BADGES.

Subdivision 1. Seals required. The Department of Natural Resources and the several divisions thereof shall have seals in the form and design heretofore adopted, bearing the words "State of Minnesota, Department of Natural Resources," also, in case of a division seal, the title of the division. The seals may be used to authenticate the official acts of the commissioner or the directors, respectively, but omission or absence of the seal shall not affect the validity or force of any such act.

Subd. 2. Badges and uniforms. (a) The commissioner may provide for the issuance at state expense of such badges and uniforms as the commissioner deems necessary and suitable for officers or employees of the department and its divisions.

(b) Uniforms for conservation officers and their supervisors shall be equipped with distinctive emblems, and shall be distinctive from the uniforms of any division or section of the Department of Natural Resources, the State Patrol, or any other state department or agency.

84.0894 ENFORCEMENT OF AQUATIC PLANTS AND ENDANGERED SPECIES.

An enforcement officer shall enforce a violation of sections 84.0895, 84.091, 84.093, 84.152, and 103G.615 in the same manner as a violation of the game and fish laws.

84.0895 PROTECTION OF THREATENED AND ENDANGERED SPECIES.

Subdivision 1. Prohibition. Notwithstanding any other law, a person may not take, import, transport, or sell any portion of an endangered species of wild animal or plant, or sell or possess with intent to sell an article made with any part of the skin, hide, or parts of an endangered species of wild animal or plant, except as provided in subdivisions 2 and 7.

Subd. 2. Application. (a) Subdivision 1 does not apply to:

(1) plants on land classified for property tax purposes as class 2a or 2c agricultural land under section 273.13, or on ditches and roadways; and

(2) noxious weeds designated pursuant to sections 18.76 to 18.88 or to weeds otherwise designated as troublesome by the Department of Agriculture.

(b) If control of noxious weeds is necessary, it takes priority over the protection of endangered plant species, as long as a reasonable effort is taken to preserve the endangered plant species first.

(c) The taking or killing of an endangered plant species on land adjacent to class 3 or 3b agricultural land as a result of the application of pesticides or other agricultural chemical on the class 3 or 3b land is not a violation of subdivision 1, if reasonable care is taken in the application of the pesticide or other chemical to avoid impact on adjacent lands. For the purpose of this paragraph, class 3 or 3b agricultural land does not include timber land, waste land, or other land for which the owner receives a state paid wetlands or native prairie tax credit.

(d) The accidental taking of an endangered plant, where the existence of the plant is not known at the time of the taking, is not a violation of subdivision 1.

Subd. 3. Designation. (a) The commissioner shall adopt rules under chapter 14, to designate species of wild animal or plant as:

(1) endangered, if the species is threatened with extinction throughout all or a significant portion of its range;

(2) threatened, if the species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range; or

(3) species of special concern, if although the species is not endangered or threatened, it is extremely uncommon in this state, or has unique or highly specific habitat requirements and deserves careful monitoring of its status. Species on the periphery of their range that are not listed as threatened may be included in this category along with those species that were once threatened or endangered but now have increasing or protected, stable populations.

(b) The range of the species in this state is a factor in determining its status as endangered, threatened, or of special concern. A designation by the secretary of the interior that a species is threatened or endangered is a prima facie showing under this section.

(c) The commissioner shall reevaluate the designated species list every three years after it is first adopted and make appropriate changes. The review must consider the need for further protection of species on the species of special concern list. Species may be withdrawn from designation in the same manner that species are designated.

Subd. 4. Studies. The commissioner may conduct investigations to determine the status and requirements for survival of a resident species of wild animal or plant.

Subd. 5. Management. (a) Notwithstanding any other law, the commissioner may undertake management programs, issue orders, and adopt rules necessary to bring a resident species of wild animal or plant that has been designated as threatened or endangered to a point at which it is no longer threatened or endangered.

(b) Subject to the provisions of subdivision 6, management programs for endangered or threatened species include research, census, law enforcement, habitat acquisition, habitat maintenance, propagation, live trapping, transplantation, and regulated taking.

Subd. 6. Enforcement. A peace officer or conservation officer, pursuant to chapter 626, may execute a warrant to search for and seize goods, merchandise, plant or animal taken, sold or offered for sale in violation of this section, or items used in connection with a violation of this section. Seized property must be held pending judicial proceedings. Upon conviction, seized property is forfeited to the state and must be offered to a scientific or educational institution or destroyed.

Subd. 7. General exceptions. (a) The commissioner may prescribe conditions for an act otherwise prohibited by subdivision 1 if:

(1) the act is for the purpose of zoological, educational, or scientific study;

(2) the act enhances the propagation or survival of the affected species;

(3) the act prevents injury to persons or property; or

(4) the social and economic benefits of the act outweigh the harm caused by it.

(b) A member of an endangered species may not be destroyed under clause (3) or (4) until all alternatives, including live trapping and transplantation, have been evaluated and rejected. The commissioner may prescribe conditions to propagate a species or subspecies.

(c) A person may capture or destroy a member of an endangered species, without permit, to avoid an immediate and demonstrable threat to human life or property.

(d) The commissioner must give approval under this subdivision for forest management, including permit, sale, or lease of land for timber harvesting.

Subd. 8. Application. This section does not apply retroactively or prohibit importation into this state and subsequent possession, transport, and sale of wild animals, wild plants, or parts of wild animals or plants that are legally imported into the United States or legally acquired and exported from another territory, state, possession, or political subdivision of the United States.

Subd. 9. Violations. A violation of this section is a misdemeanor.

CHAPTER 84D HARMFUL EXOTIC SPECIES

84D.01 DEFINITIONS.

Subdivision 1. Terms. For the purposes of this chapter, the following terms have the meanings given them.

Subd. 2. Aquatic macrophyte. "Aquatic macrophyte" means a macroscopic nonwoody plant, either a submerged, floating leafed, floating, or emergent plant that naturally grows in water.

Subd. 2a. Aquatic plant. "Aquatic plant" means a plant, including algae and submerged, floating leafed, floating, or emergent plants, that naturally grows in water, saturated soils, or seasonally saturated soils.

Subd. 3. Commissioner. "Commissioner" means the commissioner of the Department of Natural Resources.

Subd. 4. Department. "Department" means the Department of Natural Resources.

Subd. 5. Repealed, 2004

Subd. 6. Eurasian water milfoil. "Eurasian water milfoil" means *Myriophyllum spicatum* and its hybrids.

Subd. 7. Repealed, 2004

Subd. 8. Infested waters. "Infested waters" means waters of the state designated by the commissioner under sections 84D.03, subdivision 1, and 84D.12.

Subd. 8a. Introduce. "Introduce" means to place, release, or allow the escape of a nonnative species into a free-living state.

Subd. 9. Introduction. "Introduction" means the placement, release, or escape of a nonnative species into a free-living state.

Subd. 9a. Invasive species. "Invasive species" means a nonnative species that:

(1) causes or may cause economic or environmental harm or harm to human health; or

(2) threatens or may threaten natural resources or the use of natural resources in the state.

Subd. 10. Repealed, 1999

Subd. 11. Native species. "Native species" means an animal or plant species naturally present and reproducing within this state or that naturally expands from its historic range into this state.

Subd. 12. Naturalize. "Naturalize" means to establish a self-sustaining population of nonnative species in the wild outside of its natural range.

Subd. 12a. Nonnative species. "Nonnative species" means a species that is not a native species.

Subd. 13. Prohibited invasive species. "Prohibited invasive species" means a nonnative species that has been designated as a prohibited invasive species in a rule adopted by the commissioner under section 84D.12.

Subd. 14. Purple loosestrife. "Purple loosestrife" means *Lythrum salicaria*, *Lythrum virgatum*, or combinations thereof.

Subd. 15. Regulated invasive species. "Regulated invasive species" means a nonnative species that has been designated as a regulated invasive species in a rule adopted by the commissioner under section 84D.12.

Subd. 16. Transport. "Transport" means to cause or attempt to cause a species to be carried or moved into or within the state, and includes accepting

or receiving the species for transportation or shipment. Transport does not include the transport of infested water or a species within a water of the state or to a connected water of the state where the species being transported is already present.

Subd. 17. Unlisted nonnative species. "Unlisted nonnative species" means a nonnative species that has not been designated as a prohibited invasive species, a regulated invasive species, or an unregulated nonnative species in a rule adopted by the commissioner under section 84D.12.

Subd. 18. Unregulated nonnative species. "Unregulated nonnative species" means a nonnative species that has been designated as an unregulated nonnative species in a rule adopted by the commissioner under section 84D.12.

Subd. 19. Watercraft. "Watercraft" means a contrivance used or designed for navigation on water and includes seaplanes.

Subd. 20. Waters of the state. "Waters of the state" has the meaning given in section 97A.015, subdivision 54.

Subd. 21. Wild animal. "Wild animal" means a living creature, not human, wild by nature, endowed with sensation and power of voluntary motion.

Subd. 22. Zebra mussel. "Zebra mussel" means a species of the genus *Dreissena*.

84D.02 INVASIVE SPECIES MANAGEMENT PROGRAM FOR AQUATIC PLANTS AND WILD ANIMALS.

Subdivision 1. Establishment. The commissioner shall establish a statewide program to prevent and curb the spread of invasive species of aquatic plants and wild animals. The program must provide for coordination among governmental entities and private organizations to the extent practicable. The commissioner shall seek available federal funding and grants for the program.

Subd. 2. Purple loosestrife, curly-leaf pondweed, and Eurasian water milfoil programs. (a) The program required in subdivision 1 must include specific programs to curb the spread and manage the growth of purple loosestrife, curly-leaf pondweed, and Eurasian water milfoil. These programs must include:

(1) compiling inventories and monitoring the growth of purple loosestrife and Eurasian water milfoil in the state, for which the commissioner may use volunteers;

(2) publication and distribution of informational materials to boaters and lakeshore owners;

(3) cooperative research with the University of Minnesota and other public and private research facilities to study the use of nonchemical control methods, including biological control methods; and

(4) managing the growth of Eurasian water milfoil, curly-leaf pondweed, and purple loosestrife in coordination with appropriate local units of government, special purpose districts, and lakeshore associations, to include providing requested technical assistance.

(b) The commissioners of agriculture and transportation shall cooperate with the commissioner to establish, implement, and enforce the purple loosestrife program.

Subd. 3. Management plan. The commissioner shall prepare and maintain a long-term plan, which may include specific plans for individual species and actions, for the statewide management of invasive species of aquatic plants and wild animals. The plan must address:

- (1) coordinated detection and prevention of accidental introductions;
- (2) coordinated dissemination of information about invasive species of aquatic plants and wild animals among resource management agencies and organizations;
- (3) a coordinated public education and awareness campaign;
- (4) coordinated control of selected invasive species of aquatic plants and wild animals on lands and public waters;
- (5) participation by lake associations, local citizen groups, and local units of government in the development and implementation of local management efforts;
- (6) a reasonable and workable inspection requirement for watercraft and equipment including those participating in organized events on the waters of the state;
- (7) the closing of points of access to infested waters, if the commissioner determines it is necessary, for a total of not more than seven days during the open water season for control or eradication purposes;
- (8) maintaining public accesses on infested waters to be reasonably free of aquatic macrophytes; and
- (9) notice to travelers of the penalties for violation of laws relating to invasive species of aquatic plants and wild animals.

Subd. 4. Inspection of watercraft. The commissioner shall train and authorize personnel to inspect, for a minimum of 10,000 hours during the open water season, watercraft and associated equipment, including weed harvesters, for aquatic macrophytes and aquatic invasive species as the watercraft and equipment leave or are removed from waters of the state during the open water season.

Subd. 5. Regional cooperation. The commissioner shall seek cooperation with other states and Canadian provinces for the purposes of management and control of invasive species of aquatic plants and wild animals.

Subd. 6. Annual report. By January 15 each year, the commissioner shall submit a report on invasive species of aquatic plants and wild animals to the legislative committees having jurisdiction over environmental and natural resource issues. The report must include:

- (1) detailed information on expenditures for administration, education, management, inspections, and research;
- (2) an analysis of the effectiveness of management activities conducted in the state, including chemical control, harvesting, educational efforts, and inspections;
- (3) information on the participation of other state agencies, local government units, and interest groups in control efforts;
- (4) information on the progress made in the management of each species; and
- (5) an assessment of future management needs.

Subd. 7. Contracts for services for emergency invasive species prevention work; commissions to persons employed.

The commissioner may contract for or accept the services of any persons whose aid is available, temporarily or otherwise, in emergency invasive species prevention work, either gratuitously or for compensation not in excess of the limits provided by law with respect to the employment of labor by the commissioner. The commissioner may issue a commission, or other written evidence of authority, to any person whose services are so arranged for and may thereby empower the person to act, temporarily or otherwise, in any

other capacity, with powers and duties as may be specified in the commission or other written evidence of authority, but not in excess of the powers conferred by law. The commissioner of agriculture, under authority provided by law, shall cooperate with the commissioner in emergency control of invasive species prevention.

84D.03 INFESTED WATERS; RESTRICTED ACTIVITIES.

Subdivision 1. Infested waters; restricted activities. (a) The commissioner shall designate a water of the state as an infested water if the commissioner determines that:

(1) the water contains a population of an aquatic invasive species that could spread to other waters if use of the water and related activities are not regulated to prevent this; or

(2) the water is highly likely to be infested by an aquatic invasive species because it is connected to a water that contains a population of an aquatic invasive species..

(b) When determining which invasive species comprise infested waters, the commissioner shall consider:

(1) the extent of a species distribution within the state;

(2) the likely means of spread for a species; and

(3) whether regulations specific to infested waters containing a specific species will effectively reduce that species' spread.

(c) The presence of common carp and curly-leaf pondweed shall not be the basis for designating a water as infested.

(d) The designation of infested waters by the commissioner shall be by written order published in the State Register. Designations are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

Subd. 2. Repealed, 1999

Subd. 3. Bait harvest from infested waters. (a) The taking of wild animals from infested waters for bait or aquatic farm purposes is prohibited, except as provided in paragraph (b).

(b) In waters that are designated as infested waters, except those designated because they contain prohibited invasive species of fish, the taking of wild animals may be permitted for:

(1) commercial taking of wild animals for bait and aquatic farm purposes according to a permit issued under section 84D.11, subject to rules adopted by the commissioner; and

(2) bait purposes for noncommercial personal use in waters that contain Eurasian water milfoil, when the infested waters are designated solely because they contain Eurasian water milfoil and if the equipment for taking is limited to cylindrical minnow traps not exceeding 16 inches in diameter and 32 inches in length.

Subd. 4. Commercial fishing and turtle, frog, and crayfish harvesting restrictions in infested and noninfested waters. (a) All nets, traps, buoys, anchors, stakes, and lines used for commercial fishing or turtle, frog, or crayfish harvesting in an infested water that is designated because it contains invasive fish or invertebrates, may not be used in any other waters. If a commercial licensee operates in both an infested water designated because it contains invasive fish or invertebrates and other waters, all nets, traps, buoys, anchors, stakes, and lines used for commercial fishing or turtle, frog, or crayfish harvesting in waters not designated as infested with invasive fish or invertebrates must be tagged with tags provided by the commissioner, as

specified in the commercial licensee's license or permit, and may not be used in infested waters designated because the waters contain invasive fish or invertebrates.

(b) All nets, traps, buoys, anchors, stakes, and lines used for commercial fishing or turtle, frog, or crayfish harvesting in an infested water that is designated solely because it contains Eurasian water milfoil must be dried for a minimum of ten days or frozen for a minimum of two days before they are used in any other waters, except as provided in this paragraph. Commercial licensees must notify the department's regional or area fisheries office or a conservation officer before removing nets or equipment from an infested water designated solely because it contains Eurasian water milfoil and before resetting those nets or equipment in any other waters. Upon notification, the commissioner may authorize a commercial licensee to move nets or equipment to another water without freezing or drying, if that water is designated as infested solely because it contains Eurasian water milfoil.

(c) A commercial licensee must remove all aquatic macrophytes from nets and other equipment when the nets and equipment are removed from waters of the state.

(d) The commissioner shall provide a commercial licensee with a current listing of designated infested waters at the time that a license or permit is issued.

84D.04 CLASSIFICATION OF NONNATIVE SPECIES.

Subdivision 1. Classes. The commissioner shall, as provided in this chapter, classify nonnative species of aquatic plants and wild animals according to the following categories:

(1) prohibited invasive species, which may not be possessed, imported, purchased, sold, propagated, transported, or introduced except as provided in section 84D.05;

(2) regulated invasive species, which may not be introduced except as provided in section 84D.07;

(3) unlisted nonnative species, which are subject to the classification procedure in section 84D.06; and

(4) unregulated nonnative species, which are not subject to regulation under this chapter.

Subd. 2. Criteria. The commissioner shall consider the following criteria in classifying a nonnative species of aquatic plants or wild animals under this chapter:

(1) the likelihood of introduction of the species if it is allowed to enter or exist in the state;

(2) the likelihood that the species would naturalize in the state were it introduced;

(3) the magnitude of potential adverse impacts of the species on native species and on outdoor recreation, commercial fishing, and other uses of natural resources in the state;

(4) the ability to eradicate or control the spread of the species once it is introduced in the state; and

(5) other criteria the commissioner deems appropriate.

84D.05 PROHIBITED INVASIVE SPECIES.

Subdivision 1. Prohibited activities. A person may not possess, import, purchase, sell, propagate, transport, or introduce a prohibited invasive species, except:

- (1) under a permit issued by the commissioner under section 84D.11;
- (2) in the case of purple loosestrife, as provided by sections 18.75 to 18.88;
- (4) under a restricted species permit issued under section 17.457;
- (4) when being transported to the department, or another destination as the commissioner may direct, in a sealed container for purposes of identifying the species or reporting the presence of the species;
- (5) when being transported for disposal as part of a harvest or control activity under a permit issued by the commissioner according to section 103G.615, when being transported for disposal as specified under a commercial fishing license issued by the commissioner according to section 97A.418, 97C.801, 97C.811, 97C.825, 97C.831, or 97C.835, or when being transported as specified by the commissioner;
- (6) when the specimen has been lawfully acquired dead and, in the case of plant species, all seeds are removed or are otherwise secured in a sealed container;
- (7) in the form of herbaria or other preserved specimens;
- (8) when being removed from watercraft and equipment, or caught while angling, and immediately returned to the water from which they came; or
- (9) as the commissioner may otherwise prescribe by rule.

Subd. 2. Seizure. Under section 97A.221, the commissioner may seize or dispose of all specimens of prohibited invasive species unlawfully possessed, imported, purchased, sold, propagated, transported, or introduced in the state.

84D.06 UNLISTED NONNATIVE SPECIES.

Subdivision 1. Process. A person may not introduce an unlisted nonnative aquatic plant or wild animal species unless:

- (1) the person has notified the commissioner in a manner and form prescribed by the commissioner;
- (2) the commissioner has made the classification determination required in subdivision 2 and designated the species as appropriate; and
- (3) the introduction is allowed under the applicable provisions of this chapter.

Subd. 2. Classification. (a) If the commissioner determines that a species for which a notification is received under subdivision 1 should be classified as a prohibited invasive species, the commissioner shall:

- (1) adopt a rule under section 84D.12, subdivision 3, designating the species as a prohibited invasive species; and
- (2) notify the person from which the notification was received that the species is subject to section 84D.04.

(b) If the commissioner determines that a species for which a notification is received under subdivision 1 should be classified as an unregulated nonnative species, the commissioner shall:

- (1) adopt a rule under section 84D.12, subdivision 3, designating the species as an unregulated nonnative species; and
- (2) notify the person from which the notification was received that the species is not subject to regulation under this chapter.

(c) If the commissioner determines that a species for which a notification is received under subdivision 1 should be classified as a regulated invasive species, the commissioner shall notify the applicant that the species is subject to the requirements in section 84D.07

84D.07 REGULATED INVASIVE SPECIES.

Except as provided in rules adopted under section 84D.12, subdivision 2, clause (1), a person may not introduce a regulated invasive species without a permit issued by the commissioner.

84D.08 ESCAPE OF NONNATIVE AND INVASIVE SPECIES.

(a) A person that allows or causes the introduction of an animal that is a prohibited invasive, regulated invasive, or unlisted nonnative species shall, within 24 hours after learning of the introduction, notify the commissioner, a conservation officer, or another person designated by the commissioner. The person shall make every reasonable attempt to recapture or destroy the introduced animal. If the animal is a prohibited invasive species, the person is liable for the actual costs incurred by the department in capturing or controlling, or attempting to capture or control, the animal and its progeny. If the animal is a regulated invasive species, the person is liable for these costs if the introduction was in violation of the person's permit issued under section 84D.11.

(b) A person that complies with this section is not subject to criminal penalties under section 84D.13 for the introduction.

84D.09 AQUATIC MACROPHYTES.

Subdivision 1. Transportation prohibited. A person may not transport aquatic macrophytes on any state forest road as defined by section 89.001, subdivision 14, any road or highway as defined in section 160.02, subdivision 26, or any other public road, except as provided in this section.

Subd. 2. Exceptions. Unless otherwise prohibited by law, a person may transport aquatic macrophytes:

- (1) that are duckweeds in the family Lemnaceae;
- (2) for disposal as part of a harvest or control activity conducted under an aquatic plant management permit pursuant to section 103G.615, under permit pursuant to section 84D.11, or as specified by the commissioner;
- (3) for purposes of constructing shooting or observation blinds in amounts sufficient for that purpose, provided that the aquatic macrophytes are emergent and cut above the waterline;
- (4) when legally purchased or traded by or from commercial or hobbyist sources for aquarium, wetland or lakeshore restoration, or ornamental purposes;
- (5) when harvested for personal or commercial use if in a motor vehicle;
- (6) to the department, or another destination as the commissioner may direct, in a sealed container for purposes of identifying a species or reporting the presence of a species;
- (7) when transporting commercial aquatic plant harvesting equipment to a suitable location for purposes of cleaning any remaining aquatic macrophytes;
- (8) that are wild rice harvested under section 84.091; or
- (9) in the form of fragments of emergent aquatic macrophytes incidentally transported in or on watercraft or decoys used for waterfowl hunting during the waterfowl season.

84D.10 PROHIBITED ACT; WATERCRAFT.

Subdivision 1. Launching prohibited. A person may not place or attempt to place into waters of the state a watercraft, a trailer, or plant harvesting equipment that has aquatic macrophytes, zebra mussels, or prohibited invasive species attached except as provided in this section.

Subd. 2. Exceptions. Unless otherwise prohibited by law, a person may place into the waters of the state a watercraft or trailer with aquatic macrophytes:

(1) that are duckweeds in the family Lemnaceae;

(2) for purposes of shooting or observation blinds in amounts sufficient for that purpose, if the aquatic macrophytes are emergent and cut above the waterline;

(3) that are wild rice harvested under section 84.091; or (4) in the form of fragments of emergent aquatic macrophytes incidentally transported in or on watercraft or decoys used for waterfowl hunting during the waterfowl season.

Subd. 3. Removal and confinement. A conservation officer or other licensed peace officer may order:

(1) the removal of aquatic macrophytes or prohibited invasive species from trailer or watercraft before it is placed into waters of the state;

(2) confinement of the watercraft at a mooring, dock, or other location until the watercraft is removed from the water; and

(3) removal of a watercraft from waters of the state to remove prohibited invasive species if the water has not been designated by the commissioner as being infested with that species.

84D.11 PERMITS.

Subdivision 1. Prohibited invasive species. The commissioner may issue a permit for the propagation, possession, importation, purchase, or transport of a prohibited invasive species for the purposes of disposal, control, research, or education.

Subd. 2. Regulated invasive species. The commissioner may issue a permit for the introduction of a regulated invasive species.

Subd. 2a. Harvest of bait from infested waters. The commissioner may issue a permit to allow the harvest of bait from waters that are designated as infested waters, except those designated because they contain prohibited invasive species of fish. The permit shall include conditions necessary to avoid spreading aquatic invasive species. Before receiving a permit, a person annually must satisfactorily complete aquatic invasive species-related training provided by the commissioner.

Subd. 3. Standard. The commissioner may issue a permit under this section only if the commissioner determines that the permitted activity would not pose an unreasonable risk of harm to natural resources or their use in the state. The commissioner may deny, issue with conditions, modify, or revoke a permit under this section as necessary to ensure that the proposed activity will not pose an unreasonable risk of harm to natural resources or their use in the state.

Subd. 4. Appeal of permit decision. A permit decision may be appealed as a contested case under chapter 14.

84D.12 RULES.

Subdivision 1. Required rules. The commissioner shall adopt rules:

(1) designating prohibited invasive species, regulated invasive species, and unregulated nonnative species of aquatic plants and wild animals;

(2) governing the application for and issuance of permits under this chapter, which rules may include a fee schedule; and

(3) governing notification under section 84D.08.

Subd. 2. Authorized rules. The commissioner may adopt rules:

(1) regulating the possession, importation, purchase, sale, propagation, transport, and introduction of invasive species of aquatic plants and wild animals; and

(2) regulating the appropriation, use, and transportation of water from infested waters.

Subd. 3. Expedited rules. The commissioner may adopt rules under section 84.027, subdivision 13, that designate:

(1) prohibited invasive species of aquatic plants and wild animals;

(2) regulated invasive species of aquatic plants and wild animals; and

(3) unregulated nonnative species of aquatic plants and wild animals.

84D.13 ENFORCEMENT; PENALTIES.

Subdivision 1. Enforcement. Unless otherwise provided, this chapter and rules adopted under section 84D.12 may be enforced by conservation officers under sections 97A.205, 97A.211, and 97A.221 and by other licensed peace officers.

Subd. 2. Cumulative remedy. The authority of conservation officers to issue civil citations is in addition to other remedies available under law, except that the state may not seek penalties under any other provision of law for the incident subject to the citation.

Subd. 3. Criminal penalties. (a) A person who violates a provision of section 84D.06, 84D.07, 84D.08, or 84D.10, or a rule adopted under section 84D.12, is guilty of a misdemeanor.

(b) A person who possesses, transports, or introduces a prohibited invasive species in violation of section 84D.05 is guilty of a misdemeanor. A person who imports, purchases, sells, or propagates a prohibited invasive species in violation of section 84D.05 is guilty of a gross misdemeanor.

(c) A person who refuses to obey an order of a peace officer or conservation officer to remove prohibited invasive species or aquatic macrophytes from any watercraft, trailer, or plant harvesting equipment is guilty of a gross misdemeanor.

Subd. 4. Warnings; civil citations. After appropriate training, conservation officers, other licensed peace officers, and other department personnel designated by the commissioner may issue warnings or citations to a person who:

(1) unlawfully transports prohibited invasive species or aquatic macrophytes;

(2) unlawfully places or attempts to place into waters of the state a trailer, a watercraft, or plant harvesting equipment that has prohibited invasive species attached;

(3) intentionally damages, moves, removes, or sinks a buoy marking, as prescribed by rule, Eurasian water milfoil;

(4) fails to drain water, as required by rule, from watercraft and equipment before leaving designated zebra mussel, spiny water flea, or other invasive plankton infested waters; or (5) transports infested water, in violation of rule, off riparian property.

Subd. 5. Civil penalties. A civil citation issued under this section must impose the following penalty amounts:

(1) for transporting aquatic macrophytes on a forest road as defined by section 89.001, subdivision 14, road or highway as defined by section 160.02, subdivision 26, or any other public road, \$50;

(2) for placing or attempting to place into waters of the state a watercraft, a trailer, or aquatic plant harvesting equipment that has aquatic macrophytes attached, \$100;

(3) for unlawfully possessing or transporting a prohibited invasive species other than an aquatic macrophyte, \$250;

(4) for placing or attempting to place into waters of the state a watercraft, a trailer, or aquatic plant harvesting equipment that has prohibited invasive species attached when the waters are not designated by the commissioner as being infested with that invasive species, \$500 for the first offense and \$1,000 for each subsequent offense;

(5) for intentionally damaging, moving, removing, or sinking a buoy marking, as prescribed by rule, Eurasian water milfoil, \$100;

(6) for failing to drain water, as required by rule, from watercraft and equipment before leaving designated zebra mussel, spiny water flea, or other invasive plankton infested waters, \$50; and

(7) for transporting infested water off riparian property without a permit as required by rule, \$200.

Subd. 6. Watercraft license suspension. A civil citation may be issued to suspend, for up to a year, the watercraft license of an owner or person in control of a watercraft or trailer who refuses to submit to an inspection under section 84D.02, subdivision 4, or who refuses to comply with a removal order given under section 84D.13.

Subd. 7. Satisfaction of civil penalties. A civil penalty is due and a watercraft license suspension is effective 30 days after issuance of the civil citation. A civil penalty collected under this section is payable to the commissioner and must be credited to the invasive species account.

Subd. 8. Appeal of civil citations and penalties. A civil citation and penalty may be appealed under the procedures in section 116.072, subdivision 6, if the person to whom the citation was issued requests a hearing by notifying the commissioner within 15 days after receipt of the citation. If a hearing is not requested within the 15-day period, the citation becomes a final order not subject to further review.

84D.14 EXEMPTIONS.

This chapter does not apply to:

(1) pathogens and terrestrial arthropods regulated under sections 18G.01 to 18G.15; or

(2) mammals and birds defined by statute as livestock

84D.15 INVASIVE SPECIES ACCOUNT.

Subdivision 1. Creation.

The invasive species account is created in the state treasury in the natural resources fund. **Effective July 1, 2007.**

Subd. 2. Receipts.

Money received from surcharges on watercraft licenses under section 86B.415, subdivision 7, and civil penalties under section 84D.13 shall be deposited in the invasive species account. Each year, the commissioner of

finance shall transfer from the game and fish fund to the invasive species account, the annual surcharge collected on nonresident fishing licenses under section 97A.475, subdivision 7, paragraph (b).

Subd. 3. Use of money in account.

Money credited to the invasive species account in subdivision 2 shall be used for management of invasive species and implementation of this chapter as it pertains to invasive species, including control, public awareness, law enforcement, assessment and monitoring, management planning, and research.

CHAPTER 97A GAME AND FISH

GENERAL PROVISIONS

97A.011 CITATION.

This chapter and chapters 97B and 97C may be cited as the "game and fish laws."

97A.015 DEFINITIONS.

Subdivision 1. Applicability. The terms defined in this section apply to this chapter and chapters 97B and 97C.

Subd. 2. Angling. "Angling" means taking fish with a hook and line. An "angler" is a person who takes fish by angling.

Subd. 3. Big game. "Big game" means deer, moose, elk, bear, antelope, and caribou.

Subd. 3a. Bonus permit. "Bonus permit" means a license to take and tag deer by archery or firearms, in addition to deer authorized to be taken under regular firearms or archery licenses.

Subd. 4. Buy. "Buy" includes barter, exchange for consideration, offer to buy, or attempt to buy.

Subd. 5. Camp. "Camp" means the temporary abode of a person fishing, hunting, trapping, vacationing, or touring, while on a trip or tour including resorts, tourist camps, and other establishments providing temporary lodging.

Subd. 6. Chub. "Chub" means shortnose cisco, shortjaw cisco, longjaw cisco, bloater, kiyi, blackfin cisco, and deepwater cisco.

Subd. 7. Cisco. "Cisco" means *Coregonus artedii* and includes lake herring and tullibee.

Subd. 8. Closed season. "Closed season" means the period when a specified protected wild animal may not be taken.

Subd. 9. Commercial fishing. "Commercial fishing" means taking fish, except minnows, for sale.

Subd. 10. Commissioner. "Commissioner" means the commissioner of natural resources.

Subd. 11. Condemnation. "Condemnation" means the exercise of the power of eminent domain in the manner provided under chapter 117.

Subd. 12. Contraband. "Contraband" means:

(1) a wild animal taken, bought, sold, transported, or possessed in violation of the game and fish laws, and all instrumentalities and devices used in taking wild animals in violation of the game and fish laws that are subject to confiscation; and

(2) wild rice and other aquatic vegetation harvested, bought, sold, transported, or possessed in violation of chapter 84.

Subd. 13. Conviction. "Conviction" means: (1) a final conviction after a trial or a plea of guilty; (2) a forfeiture of cash or collateral deposited to guarantee an appearance of a defendant in court, if the forfeiture has not been vacated or the court has not reinstated the trial within 15 days after the forfeiture; or (3) a breach of a condition of release without bail.

Subd. 14. Dark house. "Dark house" means a structure set on the ice of state waters that is darkened to view fish in the water beneath the structure.

Subd. 14a. Deer. "Deer" means white-tailed or mule deer.

Subd. 15. Designated trout lake; designated trout stream. "Designated trout lake" or "designated trout stream" means a lake or stream designated by the commissioner as a trout lake or a trout stream under section 97C.005.

Subd. 16. Director. "Director" means the director of any or all of the Divisions of Enforcement, Fisheries, Wildlife, and Ecological Services unless a specific division is identified.

Subd. 17. Division. "Division" means any or all of the Divisions of Enforcement, Fisheries, Wildlife, and Ecological Services unless a specific division is identified.

Subd. 18. Enforcement officer. "Enforcement officer" means the commissioner, the director of the Enforcement Division, or a conservation officer.

Subd. 19. Firearm. "Firearm" means a gun that discharges shot or a projectile by means of an explosive, a gas, or compressed air.

Subd. 20. Firearms safety certificate. "Firearms safety certificate" means the certificate issued under section 97B.015 or an equivalent certificate issued by another state or other evidence that meets with the requirements of section 97B.020.

Subd. 21. Fish house. "Fish house" means a structure set on the ice of state waters to provide shelter while taking fish by angling.

Subd. 22. Fur-bearing animals. "Fur-bearing animals" means mammals that are protected wild animals, except big game.

Subd. 23. Game. "Game" means big game and small game.

Subd. 24. Game birds. "Game birds" means migratory waterfowl, ring-necked pheasant, ruffed grouse, sharp-tailed grouse, Canada spruce grouse, prairie chickens, gray partridge, bob-white quail, wild turkeys, coots, gallinules, sora and Virginia rails, mourning dove, American woodcock, and common snipe.

Subd. 25. Game fish. "Game fish" means walleye, sauger, yellow perch, channel catfish, flathead catfish; members of the pike family, Esocidae, including muskellunge and northern pike; members of the sunfish family, Centrarchidae, including largemouth bass, smallmouth bass, sunfish, rock bass, white crappie, black crappie, members of the temperate bass family, Percichthyidae, including white bass and yellow bass; members of the salmon and trout subfamily, Salmoninae, including Atlantic salmon, chinook salmon, coho salmon, pink salmon, kokanee salmon, lake trout, brook trout, brown trout, rainbow (steelhead) trout, and splake; members of the paddlefish family, Polyodontidae; members of the sturgeon family, Acipenseridae, including lake sturgeon, and shovelnose sturgeon. "Game fish" includes hybrids of game fish.

Subd. 25a. Guardian. "Guardian" means a legal guardian of a person under age 16, or a person 18 or older who has been authorized by the parent or legal guardian to supervise the person under age 16.

Subd. 26. Hunting. "Hunting" means taking birds or mammals.

Subd. 26a. In-the-round. "In-the-round" means fish with heads, tails, fins, skins, and scales intact.

Subd. 26b. Intensive deer area. "Intensive deer area" means an area of the state where taking a deer of either sex is allowed and where multiple bonus permits are authorized.

Subd. 26c. Immediately released or immediately returned to the water. "Immediately released" or "immediately returned to the water" means that a fish must not be retained longer than is needed at the site of capture to

unhook, identify, measure, or photograph the fish. Placing a fish on a stringer, in a live well, or in a cooler, bucket, or other container is not "immediately released" or "immediately returned to the water."

Subd. 27. License. "License" means a license or stamp issued under the game and fish laws.

Subd. 27a. License identification number. "License identification number" means a verification number issued under the authority of the commissioner in conjunction with the electronic purchase of a license or stamp and valid until the license is received by the purchaser.

Subd. 27b. Lottery deer area. "Lottery deer area" means an area of the state where taking antlerless deer is allowed only by either-sex permit and where no bonus permits are authorized.

Subd. 27c. Managed deer area. "Managed deer area" means an area of the state where taking a deer of either sex is allowed and where one bonus permit is authorized.

Subd. 28. Migratory waterfowl. "Migratory waterfowl" means brant, ducks, geese, tundra swans, trumpeter swans, and whooper swans.

Subd. 29. Minnows. "Minnows" means: (1) members of the minnow family, Cyprinidae, except carp and goldfish; (2) members of the mudminnow family, Umbridae; (3) members of the sucker family, Catostomidae, not over 12 inches in length; (4) bullheads, ciscoes, lake whitefish, goldeyes, and mooneyes, not over seven inches long; (5) leeches; and (6) tadpole madtoms (willow cats) and stonecats.

Subd. 30. Minnow dealer. "Minnow dealer" means a person taking minnows for sale, buying minnows for resale, selling minnows at wholesale, or transporting minnows for sale.

Subd. 31. Minnow retailer. "Minnow retailer" means a person selling minnows at retail from an established place of business.

Subd. 32. Motor vehicle. "Motor vehicle" means a self-propelled vehicle or a vehicle propelled or drawn by a self-propelled vehicle that is operated on a highway, on a railroad track, on the ground, in the water, or in the air.

Subd. 32a. Muzzle-loader season. "Muzzle-loader season" means the firearms deer season option open only for legal muzzle-loading firearms, as prescribed by the commissioner.

Subd. 33. Nonresident. "Nonresident" means a person who is not a resident.

Subd. 34. Open season. "Open season" means the period when a specified protected wild animal may be taken.

Subd. 35. Person. "Person" means an individual only if used in reference to issuing licenses to take wild animals, but otherwise means an individual, firm, partnership, joint stock company, association, or public or private corporation.

Subd. 36. Possession. "Possession" means both actual and constructive possession and control of the things referred to.

Subd. 37. Predator. "Predator" means a gray wolf, coyote, fox, lynx, or bobcat.

Subd. 37a. Processing. "Processing" means rendering a species of aquatic life for food, bait, or other purposes so that it is no longer alive.

Subd. 38. Protected birds. "Protected birds" means all birds except unprotected birds.

Subd. 39. Protected wild animals. "Protected wild animals" are the following wild animals: big game, small game, game fish, rough fish, minnows, leeches, alewives, ciscoes, chubs, and lake whitefish, and the subfamily Coregoninae, rainbow smelt, frogs, turtles, clams, mussels, gray wolf,

mourning doves, and wild animals that are protected by a restriction in the time or manner of taking, other than a restriction in the use of artificial lights, poison, or motor vehicles.

Subd. 40. Public access. "Public access" means an access that is publicly owned and accessible to the public without charge.

Subd. 41. Public waters. "Public waters" means waters defined in section 103G.005, subdivision 15.

Subd. 41a. Regular firearms season. "Regular firearms season" means any of the firearms deer season options prescribed by the commissioner that begin in November, exclusive of the muzzle-loader season.

Subd. 42. Resident. "Resident" means: (1) an individual who is a citizen of the United States or a resident alien, and has maintained a legal residence in the state at least the immediately preceding 60 days; (2) a nonresident under the age of 21 who is the child of a resident; (3) a domestic corporation; or (4) a foreign corporation authorized to do business in the state that has conducted a licensed business at a location within the state for at least ten years.

Subd. 42a. Restitution value of the wild animals. "Restitution value of the wild animals" means the total value of the wild animals taken in a violation based on:

(1) the values established under section 97A.345; or

(2) the values determined by the court under section 97A.341, subdivision 4, if the values are not established under section 97A.345.

Subd. 43. Rough fish. "Rough fish" means carp, buffalo, sucker, sheepshead, bowfin, burbot, cisco, gar, goldeye, and bullhead.

Subd. 44. Sale. "Sale" means an exchange for consideration, and includes barter, offer to sell, and possession with intent to sell.

Subd. 45. Small game. "Small game" means game birds, gray squirrel, fox squirrel, cottontail rabbit, snowshoe hare, jack rabbit, raccoon, lynx, bobcat, red fox and gray fox, fisher, pine marten, opossum, badger, cougar, wolverine, muskrat, mink, otter, and beaver.

Subd. 46. Sunfish. "Sunfish" means bluegill, pumpkinseed, green sunfish, orange spotted sunfish, longear sunfish, and warmouth. "Sunfish" includes hybrids of sunfish.

Subd. 47. Taking. "Taking" means pursuing, shooting, killing, capturing, trapping, snaring, angling, spearing, or netting wild animals, or placing, setting, drawing, or using a net, trap, or other device to take wild animals. Taking includes attempting to take wild animals, and assisting another person in taking wild animals.

Subd. 48. Transport, transportation. "Transport, transportation" means causing or attempting to cause wild animals to be carried or moved by a device and includes accepting or receiving wild animals for transportation or shipment.

Subd. 49. Undressed bird. "Undressed bird" means:

(1) a bird, excluding migratory waterfowl, pheasant, Hungarian partridge, turkey, or grouse, with feet and feathered head intact;

(2) a migratory waterfowl, excluding geese, with a fully feathered wing and head attached;

(3) a pheasant, Hungarian partridge, turkey, or grouse with one leg and foot or the fully feathered head or wing intact; or

(4) a goose with a fully feathered wing attached.

Subd. 50. Undressed fish. "Undressed fish" means fish with heads, tails, fins and skins intact, whether entrails, gills, or scales are removed or not.

Subd. 51. Unloaded. "Unloaded" means, with reference to a firearm, without ammunition in the barrels and magazine, if the magazine is in the firearm. A muzzle loading firearm with a flintlock ignition is unloaded if it does not have priming powder in a pan. A muzzle loading firearm with percussion ignition is unloaded if it does not have a percussion cap on a nipple.

Subd. 52. Unprotected birds. "Unprotected birds" means English sparrow, blackbird, starling, magpie, cormorant, common pigeon, chukar partridge, quail other than bob-white quail, and mute swan.

Subd. 53. Unprotected wild animals. "Unprotected wild animals" means wild animals that are not protected wild animals including weasel, coyote (brush wolf), gopher, porcupine, striped skunk, and unprotected birds.

Subd. 54. Waters of this state; state waters. "Waters of this state" and "state waters" include all boundary and inland waters.

Subd. 55. Wild animals. "Wild animals" means all living creatures, not human, wild by nature, endowed with sensation and power of voluntary motion, and includes mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks.

97A.021 CONSTRUCTION.

Subdivision 1. Code of Criminal Procedure. A provision of the game and fish laws that is inconsistent with the Code of Criminal Procedure or of penal law is only effective under the game and fish laws.

Subd. 2. Authority of commissioner. A provision of the game and fish laws is subject to, and does not change or modify the authority of the commissioner to delegate powers, duties, and functions under section 84.083.

Subd. 3. Parts of wild animals. A provision relating to a wild animal applies in the same manner to a part of the wild animal.

Subd. 4. Dates and open seasons. The dates specified in the game and fish laws and time periods prescribed for certain activities or as open season are inclusive, unless otherwise specified.

97A.025 OWNERSHIP OF WILD ANIMALS.

The ownership of wild animals of the state is in the state, in its sovereign capacity for the benefit of all the people of the state. A person may not acquire a property right in wild animals, or destroy them, unless authorized under the game and fish laws, sections 84.091 to 84.15, or sections 17.47 to 17.498.

97A.028 CROP PROTECTION ASSISTANCE.

Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section.

(b) "Agricultural crops" means annually seeded crops, legumes, fruit orchards, tree farms and nurseries, turf farms, and apiaries.

(c) "Parcel" has the meaning given in section 272.03, subdivision 6.

(d) "Specialty crops" means fruit orchards, vegetables, tree farms and nurseries, turf farms, and apiaries.

(e) "Stored forage crops" means hay, silage, grain, or other crops that have been harvested and placed in storage for commercial livestock feeding.

Subd. 2. Technical assistance. The commissioner shall establish a statewide program to provide technical assistance to persons for the protection of agricultural crops from destruction by wild animals. As part of the program, the commissioner shall develop and identify the latest and most effective abatement techniques; acquire appropriate demonstration supplies and

materials required to meet specialized needs; train property owners, field staff, public land managers, extension agents, pest control operators, and others; provide technical manuals and brochures; and provide field personnel with supplies and materials for damage abatement demonstrations and short-term assistance and for the establishment of food or lure crops where appropriate.

Subd. 3. Emergency deterrent materials assistance. (a) For the purposes of this subdivision, "cooperative damage management agreement" means an agreement between a landowner or tenant and the commissioner that establishes a program for addressing the problem of destruction of the landowner's or tenant's specialty crops or stored forage crops by wild animals, or destruction of agricultural crops by flightless Canada geese.

(b) A landowner or tenant may apply to the commissioner for emergency deterrent materials assistance in controlling destruction of the landowner's or tenant's specialty crops or stored forage crops by wild animals, or destruction of agricultural crops by flightless Canada geese. Subject to the availability of money appropriated for this purpose, the commissioner shall provide suitable deterrent materials when the commissioner determines that:

(1) immediate action is necessary to prevent significant damage from continuing or to prevent the spread of bovine tuberculosis; and

(2) a cooperative damage management agreement cannot be implemented immediately.

(c) A person may receive emergency deterrent materials assistance under this subdivision more than once, but the cumulative total value of deterrent materials provided to a person, or for use on a parcel, may not exceed \$3,000 for specialty crops, \$5,000 for measures to prevent the spread of bovine tuberculosis within a five-mile radius of a cattle herd that is infected with bovine tuberculosis as determined by the Board of Animal Health, \$750 for protecting stored forage crops, or \$500 for agricultural crops damaged by flightless Canada geese. If a person is a co-owner or cotenant with respect to the specialty crops for which the deterrent materials are provided, the deterrent materials are deemed to be "provided" to the person for the purposes of this paragraph.

(d) As a condition of receiving emergency deterrent materials assistance under this subdivision, a landowner or tenant shall enter into a cooperative damage management agreement with the commissioner. Deterrent materials provided by the commissioner may include repellents, fencing materials, or other materials recommended in the agreement to alleviate the damage problem. If requested by a landowner or tenant, any fencing materials provided must be capable of providing long-term protection of specialty crops. A landowner or tenant who receives emergency deterrent materials assistance under this subdivision shall comply with the terms of the cooperative damage management agreement.

97A.031 WANTON WASTE.

Unless expressly allowed, a person may not wantonly waste or destroy a usable part of a protected wild animal.

97A.035 REMOVAL OF SIGNS PROHIBITED.

A person may not remove or deface a Department of Natural Resources sign, without approval of the commissioner.

97A.037 HUNTER, TRAPPER, AND ANGLER HARASSMENT PROHIBITED.

Subdivision 1. Interference with taking wild animals prohibited. A person who has the intent to prevent or disrupt another person from taking or preparing to take a wild animal or enjoyment of the out-of-doors must not disturb or interfere with that person if that person is lawfully taking or preparing to take a wild animal. "Preparing to take a wild animal" includes travel, camping, and other acts that occur on land or water where the affected person has the right or privilege to take lawfully a wild animal.

Subd. 2. Disturbing wild animals prohibited. A person who has the intent to prevent or disrupt a person from lawfully taking the animals may not disturb or engage in an activity that will tend to disturb wild animals.

Subd. 3. Persons intending to harass hunters, trappers, and anglers may not remain on land. A person who has intent to violate subdivision 1 or 2 may not enter or remain on public lands, or on private lands without permission of the owner.

Subd. 4. Peace officer order; penalty. A person must obey the order of a peace officer to stop the harassing conduct that violates this section if the officer observes the conduct. For purposes of this subdivision, "harassing conduct" does not include a landowner's or lessee's action to enforce the Trespass Law. Violation of this subdivision is a misdemeanor.

97A.041 EXHIBITION OF WILDLIFE.

Subdivision 1. Definition. For the purposes of this section, "wildlife" means any wild mammal, wild bird, reptile, or amphibian.

Subd. 2. Possession. A person connected with a commercial enterprise may not possess wildlife in captivity for public exhibition purposes, except under permit as provided in this section.

Subd. 3. Permit. The commissioner may issue a permit to possess wildlife for public exhibition to an applicant qualified by education or experience in the care and treatment of wildlife. The permit fee is \$10. The commissioner may prescribe terms and conditions of the permit. A permit issued under this section shall include a condition that allows an enforcement officer to enter and inspect the facilities where the wildlife covered by the permit are held in captivity.

Subd. 4. Permit application. An application for a permit must include:

(1) a statement regarding the education or experience in the care and treatment of wildlife of the applicant and each individual employed by the applicant for that purpose;

(2) a description of the facilities used to keep the wildlife in captivity;

(3) a statement of the number of species or subspecies of wildlife to be covered by the permit and a statement describing where and from whom the wildlife was acquired;

(4) a signed agreement that the standards prescribed by the commissioner will be followed; and

(5) other information requested by the commissioner.

Subd. 5. Care and treatment. The commissioner shall adopt, under chapter 14, reasonable standards for the care and treatment of captive wildlife for public display purposes, including standards of sanitation.

Subd. 6. Violation of possession standards. If a violation is found during an inspection, the commissioner shall give the permittee notice to abate the violation within an adequate time determined by the commissioner. If the

violation has not been abated when the time expires, the commissioner may request the attorney general to bring an action to abate the violation.

Subd. 7. Exemption for zoos, circuses, pet shops. This section does not apply to a publicly owned zoo or wildlife exhibit, privately owned traveling zoo or circus, or a pet shop.

97A.045 COMMISSIONER, GENERAL POWERS AND DUTIES.

Subdivision 1. Duties; generally. The commissioner shall do all things the commissioner determines are necessary to preserve, protect, and propagate desirable species of wild animals. The commissioner shall make special provisions for the management of fish and wildlife to ensure recreational opportunities for anglers and hunters. The commissioner shall acquire wild animals for breeding or stocking and may dispose of or destroy undesirable or predatory wild animals and their dens, nests, houses, or dams.

Subd. 2. Power to protect wild animals. (a) The commissioner may protect a species of wild animal in addition to the protection provided by the game and fish laws, by further limiting or closing seasons or areas of the state, or by reducing limits in areas of the state, if the commissioner determines the action is necessary to prevent unnecessary depletion or extinction, or to promote the propagation and reproduction of the animal.

(b) The commissioner may protect a species of wild animal in the state by emergency rule adopted under section 84.027, subdivision 13, by prohibiting or allowing taking of the animal whether or not the animal is protected under the game and fish laws. The commissioner must make findings of the necessity of a rule authorized under this paragraph and may authorize taking by special permit with or without fee under conditions prescribed in the rule by the commissioner.

(c) The commissioner may protect a species of wild animal in the state by emergency rule adopted under section 84.027, subdivision 13, by allowing importation, transportation, or possession of the wild animal or prohibiting these activities except by special permit with or without fee under conditions prescribed in the rule by the commissioner.

Subd. 3. Power to modify dates of seasons. If the statutory opening date of a season for taking protected wild animals, except a season prescribed under federal regulations, is not on a Saturday, the commissioner may designate the nearest Saturday to the statutory date as the opening day of the season. If the statutory closing date falls on a Saturday, the commissioner may extend it through the following day.

Subd. 4. Boundary waters. The commissioner may regulate the taking, possession, and transportation of wild animals from state and international boundary waters. The rules may include:

(1) special seasons for taking fish; and

(2) restrictions on the limits of fish that may be taken, possessed, or transported from international boundary waters by a person possessing both a Minnesota angling license and an angling license from an adjacent Canadian province.

Subd. 5. Power to prescribe the form of permits and licenses. The commissioner may prescribe the form of permits, licenses, and tags issued under the game and fish laws.

Subd. 6. Duty to disseminate information. The commissioner shall collect, compile, publish, and disseminate statistics, bulletins, and information related to conservation.

Subd. 7. Duty to encourage stamp design and purchases. (a) The commissioner shall encourage the purchase of:

(1) Minnesota migratory waterfowl stamps by nonhunters interested in migratory waterfowl preservation and habitat development;

(2) pheasant stamps by persons interested in pheasant habitat improvement;

(3) trout and salmon stamps by persons interested in trout and salmon stream and lake improvement; and

(4) turkey stamps by persons interested in wild turkey management and habitat improvement.

(b) The commissioner shall make rules governing contests for selecting a design for each stamp, including those stamps not required to be in possession while taking game or fish.

Subd. 8. Hunting and fishing license reciprocity with Wisconsin. The commissioner may enter into an agreement with game and fish licensing authorities in the state of Wisconsin under which Wisconsin residents owning real property in Minnesota are allowed to purchase annual nonresident game and fish licenses at fees required of Minnesota residents, provided Minnesota residents owning real property in Wisconsin are allowed to purchase identical nonresident licenses in Wisconsin upon payment of the Wisconsin resident license fee. The commissioners of natural resources in Minnesota and Wisconsin must agree on joint standards for defining real property ownership. The commissioner shall present the joint standards to the senate and house committees having jurisdiction over environment and natural resources matters.

Subd. 9. Notice of rulemaking. In addition to notice requirements under chapter 14, the commissioner shall attempt to notify persons or groups of persons affected by rules adopted under the game and fish laws by public announcements, press releases, and other appropriate means as determined by the commissioner.

Subd. 10. Reciprocal agreements on violations. The commissioner, with the approval of the attorney general, may enter into reciprocal agreements with game and fish authorities in other states and the United States government to provide for:

(1) revocation of the appropriate Minnesota game and fish licenses of Minnesota residents for violations of game and fish laws committed in signatory jurisdictions which result in license revocation in that jurisdiction;

(2) reporting convictions and license revocations of residents of signatory states for violations of game and fish laws of Minnesota to game and fish authorities in the nonresident's state of residence; and

(3) release upon signature without posting of bail for residents of signatory states accused of game and fish law violations in this state, providing for recovery, in the resident jurisdiction, of fines levied if the citation is not answered in this state. As used in this subdivision, "conviction" includes a plea of guilty or a forfeiture of bail.

Subd. 11. Power to prevent or control wildlife disease. (a) If the commissioner determines that action is necessary to prevent or control a wildlife disease, the commissioner may prevent or control wildlife disease in a species of wild animal in addition to the protection provided by the game and fish laws by further limiting, closing, expanding, or opening seasons or areas of the state; by reducing or increasing limits in areas of the state; by establishing disease management zones; by authorizing free licenses; by

allowing shooting from motor vehicles by persons designated by the commissioner; by issuing replacement licenses for sick animals; by requiring sample collection from hunter-harvested animals; by limiting wild animal possession, transportation, and disposition; and by restricting wildlife feeding.

(b) The commissioner shall restrict wildlife feeding within a 15-mile radius of a cattle herd that is infected with bovine tuberculosis.

(c) The commissioner may prevent or control wildlife disease in a species of wild animal in the state by emergency rule adopted under section 84.027, subdivision 13.

Subd. 12. Establishing fees. Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish fees providing for the use of state wildlife management area or aquatic management area lands for specific purposes, including dog trials, special events, and commercial uses. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

97A.0451 AUTHORITY FOR USE OF EMERGENCY RULES PROCEDURE; EXPIRATION OF AUTHORITY.

Subdivision 1. When to use emergency rulemaking. When the commissioner is directed by statute, federal law, or court order to adopt, amend, suspend, or repeal a rule in a manner that does not allow for compliance with sections 14.14 to 14.28, or if the commissioner is expressly required or authorized by statute to adopt emergency rules, the commissioner shall adopt emergency rules in accordance with sections 97A.0451 to 97A.0459.

Subd. 2. 180-day time limit. Unless the commissioner is directed by federal law or court order to adopt, amend, suspend, or repeal a rule in a manner that does not allow for compliance with sections 14.14 to 14.28, the commissioner may not adopt an emergency rule later than 180 days after the effective date of the statutory authority, except as provided in section 84.027, subdivision 13. If emergency rules are not adopted within the time allowed, the authority for the rules expires. The time limit of this section does not include any days used for review by the attorney general. If the 180-day period expires while the attorney general is reviewing the rule and the attorney general disapproves the rule, the commissioner may resubmit the rule to the attorney general after taking corrective action. The resubmission must occur within five working days after the commissioner receives written notice of disapproval. If the rule is again disapproved by the attorney general, it is withdrawn.

97A.0452 NOTICE OF PROPOSED ADOPTION OF EMERGENCY RULE.

The proposed emergency rule must be published with a notice of intent to adopt emergency rules in the State Register, and the same notice must be mailed to all persons registered with the commissioner to receive notice of any rulemaking proceedings. The notice must include a statement advising the public that a free copy of the proposed rule is available on request from the commissioner and that notice of the date of submission of the proposed emergency rule to the attorney general will be mailed to any person requesting to receive the notice. For at least 25 days after publication the commissioner shall afford all interested persons an opportunity to submit data and views on the proposed emergency rule in writing. The notice must also include the date on which the 25-day comment period ends.

97A.0453 NOTICE TO COMMITTEES FOR FEES FIXED BY RULE.

Before the commissioner submits notice to the State Register of intent to adopt emergency rules that establish or adjust fees, the commissioner shall send a copy of the notice and the proposed rules to the chairs of the house Ways and Means Committee and the senate Committee on Finance.

97A.0454 MODIFICATIONS OF PROPOSED EMERGENCY RULE.

The proposed emergency rule may be modified if the modifications are supported by the data and views submitted to the commissioner.

97A.0455 SUBMISSION OF PROPOSED EMERGENCY RULE TO ATTORNEY GENERAL.

Subdivision 1. Submission. The commissioner shall submit to the attorney general the proposed emergency rule as published, with any modifications. On the same day that it is submitted, the commissioner shall mail notice of the submission to all persons who requested to be informed that the proposed emergency rule has been submitted to the attorney general. If the proposed emergency rule has been modified, the notice must state that fact, and must state that a free copy of the proposed emergency rule, as modified, is available upon request from the commissioner.

Subd. 2. Review. The attorney general shall review the proposed emergency rule as to its legality, review its form to the extent the form relates to legality, and shall approve or disapprove the proposed emergency rule and any modifications on the tenth working day following the date of receipt of the proposed emergency rule from the commissioner. The attorney general shall send a statement of reasons for disapproval of the rule to the commissioner, the chief administrative law judge, the Legislative Coordinating Commission, and to the revisor of statutes. The attorney general shall disregard any error or defect in the proceeding due to the commissioner's failure to satisfy any procedural requirement imposed by law or rule if the attorney general finds:

(1) that the failure did not deprive any person or entity of an opportunity to participate meaningfully in the rulemaking process; or

(2) that the commissioner has taken corrective action to cure the error or defect so that the failure did not deprive any person or entity of an opportunity to participate meaningfully in the rulemaking process.

Subd. 3. Costs. The attorney general shall assess the commissioner for the actual cost of processing rules under this section. The commissioner shall include in the department's budget money to pay the attorney general's assessment. Receipts from the assessment must be deposited in the state treasury and credited to the general fund.

97A.0456 EFFECTIVE DATE OF EMERGENCY RULE.

The emergency rule takes effect five working days after approval by the attorney general. The attorney general shall file two copies of the approved emergency rule with the secretary of state. The secretary of state shall forward one copy of each approved and filed emergency rule to the revisor of statutes. Failure of the attorney general to approve or disapprove a proposed emergency rule within ten working days is approval.

97A.0457 PUBLICATION OF APPROVAL.

As soon as practicable, notice of the attorney general's decision must be published in the State Register and the adopted rule must be published in the manner as provided for adopted rules in section 14.18.

97A.0458 EFFECTIVE PERIOD OF EMERGENCY RULE.

Emergency rules adopted under sections 97A.0451 to 97A.0459 shall be effective for the period stated in the notice of intent to adopt emergency rules which may not be longer than 180 days. The emergency rules may be continued in effect for an additional period of up to 180 days if the commissioner gives notice of continuation by publishing notice in the State Register and mailing the same notice to all persons registered with the commissioner to receive notice of any rulemaking proceedings. The continuation is not effective until these notices have been mailed. No emergency rule may remain in effect on a date 361 days after its original effective date. The emergency rules may not be continued in effect after 360 days without following the procedure of sections 14.14 to 14.28.

97A.0459 APPROVAL OF FORM OF EMERGENCY RULE.

No approved emergency rule shall be filed with the secretary of state or published in the State Register unless the revisor of statutes has certified that the emergency rule's form is approved.

97A.051 PUBLICATION OF RULES AND LAWS.

Subdivision 1. Repealed, 2003

Subd. 2. Summary of fish and game laws. (a) The commissioner shall prepare a summary of the hunting and fishing laws and rules and deliver a sufficient supply to county auditors to furnish one copy to each person obtaining a hunting, fishing, or trapping license.

(b) At the beginning of the summary, under the heading "Trespass," the commissioner shall summarize the trespass provisions under sections 97B.001 to 97B.945, state that conservation officers and peace officers must enforce the trespass laws, and state the penalties for trespassing.

(c) In the summary the commissioner shall, under the heading "Duty to Render Aid," summarize the requirements under section 609.662 and state the penalties for failure to render aid to a person injured by gunshot.

Subd. 3. Repealed, 1989

Subd. 4. Rules have force and effect of law. When a rule is effective, it has the force and effect of law. Violation of a rule has the same penalty as a violation of the law under which the rule was adopted.

97A.055 GAME AND FISH FUND.

Subdivision 1. Establishment; purposes. The game and fish fund is established as a fund in the state treasury.

Subd. 2. Receipts. The commissioner of finance shall credit to the game and fish fund all money received under the game and fish laws and all income from state lands acquired by purchase or gift for game or fish purposes, including receipts from:

- (1) licenses and permits issued;
- (2) fines and forfeited bail;
- (3) sales of contraband, wild animals, and other property under the control of the division;

- (4) fees from advanced education courses for hunters and trappers;
- (5) reimbursements of expenditures by the division;
- (6) contributions to the division; and

(7) revenue credited to the game and fish fund under section 297A.94, paragraph (e), clause (1).

Subd. 2a. Federal aid disposition. (a) Federal aid reimbursements under the Federal Aid in Wildlife Restoration Act, United States Code, title 16, sections 669 to 669i, shall be deposited in the game and fish fund.

(b) Federal aid reimbursements under the Federal Aid in Fish Restoration Act, United States Code, title 16, sections 777 to 777k, shall be deposited in the game and fish fund.

Subd. 3. Game and fish fund fees. To reduce yearly fluctuations of the game and fish fund balance and to provide improved long-range planning of the fund, the policy of the state is to make fee adjustments as part of the budget process. Agency responsibilities are:

(a) The commissioner of natural resources must make specific requests for fee adjustments for all receipt items in the game and fish fund as a part of the fee report.

(b) The commissioner of finance must review the fee report and make recommendations for each fee. The commissioner of finance must submit a six-year projection on revenues and expenditures to the legislature.

Subd. 4. Game and fish annual reports. (a) By December 15 each year, the commissioner shall submit to the legislative committees having jurisdiction over appropriations and the environment and natural resources reports on each of the following:

(1) the amount of revenue from the following and purposes for which expenditures were made:

(i) the small game license surcharge under section 97A.475, subdivision 4;

(ii) the Minnesota migratory waterfowl stamp under section 97A.475, subdivision 5, clause (1); (iii) the trout and salmon stamp under section 97A.475, subdivision 10;

(iv) the pheasant stamp under section 97A.475, subdivision 5, clause (2);

(v) the turkey stamp under section 97A.475, subdivision 5, clause (3); and

(vi) the deer license donations and surcharges under section 97A.475, subdivisions 3, paragraph (b), and 3a;

(2) the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c), and the purposes for which these amounts were spent;

(3) money credited to the game and fish fund under this section and purposes for which expenditures were made from the fund;

(4) outcome goals for the expenditures from the game and fish fund; and

(5) summary and comments of citizen oversight committee reviews under subdivision 4b.

(b) The report must include the commissioner's recommendations, if any, for changes in the laws relating to the stamps and surcharge referenced in paragraph (a).

Subd. 4a. Repealed, 2001

Subd. 4b. Citizen oversight subcommittees. (a) The commissioner shall appoint subcommittees of affected persons to review the reports prepared under subdivision 4; review the proposed work plans and budgets for the coming year; propose changes in policies, activities, and revenue enhancements or reductions; review other relevant information; and make

recommendations to the legislature and the commissioner for improvements in the management and use of money in the game and fish fund.

(b) The commissioner shall appoint the following subcommittees, each comprised of at least three affected persons:

(1) a Fisheries Operations Subcommittee to review fisheries funding, excluding activities related to trout and salmon stamp funding;

(2) a Wildlife Operations Subcommittee to review wildlife funding, excluding activities related to migratory waterfowl, pheasant, and turkey stamp funding and excluding review of the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c);

(3) a Big Game Subcommittee to review the report required in subdivision 4, paragraph (a), clause (2);

(4) an Ecological Services Operations Subcommittee to review ecological services funding;

(5) a subcommittee to review game and fish fund funding of enforcement, support services, and Department of Natural Resources administration;

(6) a subcommittee to review the trout and salmon stamp report and address funding issues related to trout and salmon;

(7) a subcommittee to review the report on the migratory waterfowl stamp and address funding issues related to migratory waterfowl;

(8) a subcommittee to review the report on the pheasant stamp and address funding issues related to pheasants; and

(9) a subcommittee to review the report on the turkey stamp and address funding issues related to wild turkeys.

(c) The chairs of each of the subcommittees shall form a Budgetary Oversight Committee to coordinate the integration of the subcommittee reports into an annual report to the legislature; recommend changes on a broad level in policies, activities, and revenue enhancements or reductions; provide a forum to address issues that transcend the subcommittees; and submit a report for any subcommittee that fails to submit its report in a timely manner.

(d) The Budgetary Oversight Committee shall develop recommendations for a biennial budget plan and report for expenditures on game and fish activities. By August 15 of each even-numbered year, the committee shall submit the budget plan recommendations to the commissioner and to the senate and house committees with jurisdiction over natural resources finance.

(e) Each subcommittee shall choose its own chair, except that the chair of the Budgetary Oversight Committee shall be appointed by the commissioner and may not be the chair of any of the subcommittees.

(f) The Budgetary Oversight Committee must make recommendations to the commissioner and to the senate and house committees with jurisdiction over natural resources finance for outcome goals from expenditures.

(g) Notwithstanding section 15.059, subdivision 5, or other law to the contrary, the Budgetary Oversight Committee and subcommittees do not expire until June 30, 2010.

Subd. 5. Pelting fees. The commissioner may pay a pelting fee to a person who recovers, treats, preserves, or transports the pelt of a fur-bearing animal that is accidentally killed or is lawfully taken under section 97B.655. The commissioner may adopt rules setting pelting fees and governing their payment. The amounts necessary to pay the fees are appropriated from the game and fish fund to the commissioner.

97A.057 FEDERAL LAW COMPLIANCE; RESTRICTION ON LICENSE REVENUE.

Subdivision 1. Compliance with federal law. The commissioner shall take any action necessary to comply with the Federal Aid in Wildlife Restoration Act, United States Code, title 16, sections 669 to 669i, and the Federal Aid in Fish Restoration Act, United States Code, title 16, sections 777 to 777k.

Subd. 2. Restriction on license revenue. Money accruing to the state from fees charged for hunting and angling licenses shall not be used for any purpose other than game and fish activities and related activities under the administration of the commissioner.

97A.061 PAYMENT IN LIEU OF TAXES.

Subdivision 1. Applicability; amount. (a) The commissioner shall annually make a payment to each county having public hunting areas and game refuges. Money to make the payments is annually appropriated for that purpose from the general fund. Except as provided in paragraph

(b), this section does not apply to state trust fund land and other state land not purchased for game refuge or public hunting purposes. Except as provided in paragraph (b), the payment shall be the greatest of:

(1) 35 percent of the gross receipts from all special use permits and leases of land acquired for public hunting and game refuges;

(2) 50 cents per acre on land purchased actually used for public hunting or game refuges; or

(3) three-fourths of one percent of the appraised value of purchased land actually used for public hunting and game refuges.

(b) The payment shall be 50 percent of the dollar amount adjusted for inflation as determined under section 477A.12, subdivision 1, paragraph (a), clause (1), multiplied by the number of acres of land in the county that are owned by another state agency for military purposes and designated as a game refuge under section 97A.085.

(c) The payment must be reduced by the amount paid under subdivision 3 for croplands managed for wild geese.

(d) The appraised value is the purchase price for five years after acquisition. The appraised value shall be determined by the county assessor every five years after acquisition.

Subd. 2. Allocation. (a) Except as provided in subdivision 3, the county treasurer shall allocate the payment among the county, towns, and school districts on the same basis as if the payments were taxes on the land received in the year. Payment of a town's or a school district's allocation must be made by the county treasurer to the town or school district within 30 days of receipt of the payment to the county. The county's share of the payment shall be deposited in the county general revenue fund.

(b) The county treasurer of a county with a population over 39,000 but less than 42,000 in the 1950 federal census shall allocate the payment only among the towns and school districts on the same basis as if the payments were taxes on the lands received in the current year.

Subd. 3. Goose management croplands. (a) The commissioner shall make a payment on July 1 of each year to each county where the state owns more than 1,000 acres of crop land, for wild goose management purposes. The payment shall be equal to the taxes assessed on comparable, privately owned, adjacent land. Money to make the payments is annually appropriated for that

purpose from the general fund. The county treasurer shall allocate and distribute the payment as provided in subdivision 2.

(b) The land used for goose management under this subdivision is exempt from taxation as provided in sections 272.01 and 273.19.

Subd. 4. Offset of payments. Payments to a county or town under this section must be reduced by the amount of payment to that county or town under section 477A.12 for the same lands in the same year.

Subd. 5. Allocation of payments. Notwithstanding section 477A.14, the amounts paid to a county under section 477A.14 for lands that are also subject to payment under this section shall be allocated within the county in accordance with subdivision 2.

97A.065 DEDICATION OF CERTAIN RECEIPTS.

Subdivision 1. Fish and turtles from rough fish removal. Money received from the sale of fish and turtles taken under rough fish removal operations is continuously available for rough fish removal.

Subd. 2. Fines and forfeited bail. (a) Fines and forfeited bail collected from prosecutions of violations of: the game and fish laws or rules adopted thereunder; sections 84.091 to 84.15 or rules adopted thereunder; sections 84.81 to 84.91 or rules adopted thereunder; section 169A.20, when the violation involved an off-road recreational vehicle as defined in section 169A.03, subdivision 16 ; chapter 348; and any other law relating to wild animals or aquatic vegetation, must be paid to the treasurer of the county where the violation is prosecuted. The county treasurer shall submit one-half of the receipts to the commissioner and credit the balance to the county general revenue fund except as provided in paragraphs (b) and (c). In a county in a judicial district under section 480.181, subdivision 1, paragraph (b), the share that would otherwise go to the county under this paragraph must be submitted to the commissioner of finance for deposit in the state treasury and credited to the general fund.

(b) The county treasurer shall submit one-half of the receipts collected under paragraph (a) from prosecutions of violations of sections 84.81 to 84.91 or rules adopted thereunder, and 169A.20, except receipts that are surcharges imposed under section 357.021, subdivision 6, to the commissioner and credit the balance to the county general fund. The commissioner shall credit these receipts to the snowmobile trails and enforcement account in the natural resources fund.

(c) The county treasurer shall indicate the amount of the receipts that are surcharges imposed under section 357.021, subdivision 6, and shall submit all of those receipts to the commissioner of finance.

Subd. 3. Repealed, 1994

Subd. 4. Repealed, 1987

Subd. 5. Restitution for wild animals. Money collected from restitution under section 97A.341 for wild animals killed, injured, or possessed in violation of the game and fish laws must be used by the commissioner for replacement, propagation, or protection of wild animals.

Subd. 6. Deer license donations and surcharges.

(a) The surcharges and donations collected under section 97A.475, subdivision 3, paragraph (b), and subdivision 3a, shall be deposited in an account in the special revenue fund and are appropriated to the commissioner for deer management, including for grants or payments to agencies, organizations, or individuals for assisting with the cost of processing deer

taken for population management purposes for venison donation programs. None of the additional license fees shall be transferred to any other agency for administration of programs other than venison donation. If any money transferred by the commissioner is not used for a venison donation program, it shall be returned to the commissioner.

(b) By February 10, 2010, the commissioner shall report to the legislature on the participation in and the effectiveness of the venison donation program.

97A.071 WILDLIFE ACQUISITION ACCOUNT.

Subdivision 1. Account established. The wildlife acquisition account is established as an account in the game and fish fund.

Subd. 2. Revenue from small game license surcharge and lifetime licenses. Revenue from the small game surcharge and \$6.50 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under sections 97A.473, subdivisions 3 and 5, and 97A.474, subdivision 3, shall be credited to the wildlife acquisition account and the money in the account shall be used by the commissioner only for the purposes of this section, and acquisition and development of wildlife lands under section 97A.145 and maintenance of the lands, in accordance with appropriations made by the legislature.

Subd. 2a. Use of wildlife acquisition account money. Of the money annually appropriated and available from the wildlife acquisition account:

(1) at least 50 percent must be used for land costs; and

(2) the remainder may only be used for other land acquisition costs, development, and maintenance of wildlife lands, and activities under subdivision 3.

Subd. 3. Waterfowl breeding grounds in Canada. The wildlife acquisition account may be used for developing, preserving, restoring, and maintaining waterfowl breeding grounds in Canada under agreement or contract with any nonprofit organization dedicated to the construction, maintenance, and repair of projects that are acceptable to the governmental agency having jurisdiction over the land and water affected by the projects. The commissioner may execute agreements and contracts if the commissioner determines that the use of the funds will benefit the migration of waterfowl into the state.

Subd. 4. Repealed, 1994

Subd. 5. Definitions. (a) The definitions in this subdivision apply to this section.

(b) "Development" means fencing, signing, and on-site improvement of the land that is related to the purposes for which the land was acquired. Development includes material or equipment that is purchased or rented and labor that is necessary to provide for the onsite improvement of the land.

(c) "Land costs" means the purchase price of land acquired by the commissioner under section 97A.145.

(d) "Maintenance" means noxious weed control and other on-site functions performed on a regular basis to sustain the environmental conditions that result from the original improvement of the land.

(e) "Other acquisition costs" means acquisition coordination costs, costs of engineering services, appraisal fees, attorney fees, taxes, assessments required at the time of purchase, and recording fees for land acquired by the commissioner under section 97A.145.

97A.075 USE OF LICENSE REVENUES.

Subdivision 1. Deer, bear, and lifetime licenses. (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (4), (5), (9), (11), (13), and (14), and 3, clauses (2), (3), and (7), and licenses issued under section 97B.301, subdivision 4.

(b) \$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer management account and shall be used for deer habitat improvement or deer management programs.

(c) \$1 from each annual deer license and each bear license and \$1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer and bear management account and shall be used for deer and bear management programs, including a computerized licensing system.

(d) Fifty cents from each deer license is credited to the emergency deer feeding and wild cervidae health management account and is appropriated for emergency deer feeding and wild cervidae health management. Money appropriated for emergency deer feeding and wild cervidae health management is available until expended. When the unencumbered balance in the appropriation for emergency deer feeding and wild cervidae health management at the end of a fiscal year exceeds \$2,500,000 for the first time, \$750,000 is canceled to the unappropriated balance of the game and fish fund. The commissioner must inform the legislative chairs of the natural resources finance committees every two years on how the money for emergency deer feeding and wild cervidae health management has been spent. Thereafter, when the unencumbered balance in the appropriation for emergency deer feeding and wild cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the unencumbered balance in excess of \$2,500,000 is canceled and available for deer and bear management programs and computerized licensing.

Subd. 2. Minnesota migratory waterfowl stamp. (a) Ninety percent of the revenue from the Minnesota migratory waterfowl stamps must be credited to the waterfowl habitat improvement account. Money in the account may be used only for:

(1) development of wetlands and lakes in the state and designated waterfowl management lakes for maximum migratory waterfowl production including habitat evaluation, the construction of dikes, water control structures and impoundments, nest cover, rough fish barriers, acquisition of sites and facilities necessary for development and management of existing migratory waterfowl habitat and the designation of waters under section 97A.101;

(2) management of migratory waterfowl;

(3) development, restoration, maintenance, or preservation of migratory waterfowl habitat;

(4) acquisition of and access to structure sites; and

(5) the promotion of waterfowl habitat development and maintenance, including promotion and evaluation of government farm program benefits for waterfowl habitat.

(b) Money in the account may not be used for costs unless they are directly related to a specific parcel of land or body of water under paragraph (a), clause (1), (3), (4), or (5), or to specific management activities under paragraph (a), clause (2).

Subd. 3. Trout and salmon stamp. (a) Ninety percent of the revenue from trout and salmon stamps must be credited to the trout and salmon management account. Money in the account may be used only for:

(1) the development, restoration, maintenance, improvement, protection, and preservation of habitat for trout and salmon in trout streams and lakes, including, but not limited to, evaluating habitat; stabilizing eroding stream banks; adding fish cover; modifying stream channels; managing vegetation to protect, shade, or reduce runoff on stream banks; and purchasing equipment to accomplish these tasks;

(2) rearing trout and salmon, including utility and service costs associated with coldwater hatchery buildings and systems; stocking trout and salmon in streams and lakes and Lake Superior; and monitoring and evaluating stocked trout and salmon;

(3) acquisition of easements and fee title along trout waters;

(4) identifying easement and fee title areas along trout waters; and

(5) research and special management projects on trout streams, trout lakes, and Lake Superior and portions of its tributaries.

(b) Money in the account may not be used for costs unless they are directly related to a specific parcel of land or body of water under paragraph (a), to specific fish rearing activities under paragraph (a), clause (2), or for costs associated with supplies and equipment to implement trout and salmon management activities under paragraph (a).

Subd. 4. Pheasant stamp. (a) Ninety percent of the revenue from pheasant stamps must be credited to the pheasant habitat improvement account. Money in the account may be used only for:

(1) the development, restoration, and maintenance of suitable habitat for ringnecked pheasants on public and private land including the establishment of nesting cover, winter cover, and reliable food sources;

(2) reimbursement of landowners for setting aside lands for pheasant habitat;

(3) reimbursement of expenditures to provide pheasant habitat on public and private land;

(4) the promotion of pheasant habitat development and maintenance, including promotion and evaluation of government farm program benefits for pheasant habitat; and

(5) the acquisition of lands suitable for pheasant habitat management and public hunting.

(b) Money in the account may not be used for:

(1) costs unless they are directly related to a specific parcel of land under paragraph (a), clause (1), (3), or (5), or to specific promotional or evaluative activities under paragraph (a), clause (4); or

(2) any personnel costs, except that prior to July 1, 2009, personnel may be hired to provide technical and promotional assistance for private landowners to implement conservation provisions of state and federal programs.

Subd. 5. Turkey stamps. (a) Ninety percent of the revenue from turkey stamps must be credited to the wild turkey management account. Money in the account may be used only for:

(1) the development, restoration, and maintenance of suitable habitat for wild turkeys on public and private land including forest stand improvement and establishment of nesting cover, winter roost area, and reliable food sources;

(2) acquisitions of, or easements on, critical wild turkey habitat;

(3) reimbursement of expenditures to provide wild turkey habitat on public and private land;

(4) trapping and transplantation of wild turkeys; and

(5) the promotion of turkey habitat development and maintenance, population surveys and monitoring, and research.

(b) Money in the account may not be used for:

(1) costs unless they are directly related to a specific parcel of land under paragraph (a), clauses (1) to (3), a specific trap and transplant project under paragraph (a), clause (4), or to specific promotional or evaluative activities under paragraph (a), clause (5); or

(2) any permanent personnel costs.

97A.081 POSTING LAND.

The commissioner may post land acquired for public hunting grounds, food and cover planting areas, game refuges, wildlife lands, and conservation area lands so as to identify and indicate the management purpose and whether hunting and trapping are allowed.

97A.083 HUNTING AND FISHING ON STATE LAND.

The commissioner shall allow or prohibit hunting and fishing on state land as provided under the game and fish laws. The commissioner shall publish information on hunting and fishing on state land, including areas where taking wild animals is allowed or prohibited.

97A.085 GAME REFUGES.

Subdivision 1. State parks. All state parks are designated as game refuges.

Subd. 2. Establishment by commissioner. The commissioner may designate a game refuge if more than 50 percent of the area is in public ownership. The game refuge must be a contiguous area of at least 640 acres unless it borders or includes a marsh, or other body of water or watercourse suitable for wildlife habitat.

Subd. 3. Establishment by petition of land holders. The commissioner may designate a land area or portion of a land area described in a petition as a game refuge. The petition must be signed by the owner, the lessee, or the person in possession of each tract in the area. A certificate of the auditor of the county where the lands are located must accompany the petition stating that the persons named in the petition are the owners, lessees, or persons in possession of all of the land described according to the county records. The game refuge must be a contiguous area of at least 640 acres unless it borders or includes a marsh, or other body of water or watercourse suitable for wildlife habitat.

Subd. 4. Establishment by petition of county residents. The commissioner may designate as a game refuge public waters or a contiguous area described in a petition, signed by 50 or more residents of the county where the public waters or area is located. The game refuge must be a contiguous area of at least 640 acres unless it borders or includes a marsh, or other body of water or watercourse suitable for wildlife habitat. The game refuge may be designated only if the commissioner finds that protected wild animals are depleted and are in danger of extermination, or that it will best serve the public interest. If any of the land area in the proposed game refuge is privately owned and the commissioner receives a petition opposing designation of the refuge signed by the owners, lessees, or persons in

possession of at least 75 percent of the private land area within the proposed game refuge, the commissioner shall not designate the private lands as a game refuge.

Subd. 4a. Hearing required. Before designating a game refuge under this section, the commissioner must hold a public hearing within the county where the majority of the proposed game refuge exists. Notices of the time and place of the hearing must be posted in five conspicuous places within the proposed game refuge at least 15 days before the hearing. A notice of the hearing must be published in a legal newspaper in each county where the area is located at least seven days before the hearing.

Subd. 5. Game refuge for specified game. The commissioner may designate a game refuge under this section for only specified species. The game refuge must be posted accordingly.

Subd. 6. Area included in game refuge. A state game refuge includes all public lands, waters, highways, and railroad right-of-way within the refuge boundary and, in the discretion of the commissioner, may include adjacent public lands and waters.

Subd. 7. Game refuge boundary posting. (a) The designation of a state game refuge is not effective until the boundary has been posted with notices that measure at least 12 inches.

(b) The notices must be posted at intervals of not more than 500 feet or less along the boundary. The notices must also be posted at all public road entrances to the refuges, except where the boundary is also an international or state boundary in public waters. Where the boundary of a refuge extends more than 500 feet continuously through a body of water, instead of placing notices in the water, notices with the words, "Adjacent Waters Included," may be placed on the shoreline at the intersection of the boundary and the water 20 feet or less above the high-water mark and at intervals of 500 feet or less along the shoreline.

(c) A certification by the commissioner or the director of the Wildlife Division, or a certification filed with the commissioner or director by a conservation officer, refuge supervisor, or other authorized officer or employee, stating that the required notices have been posted is prima facie evidence of the posting.

Subd. 8. Modification or abandonment. A state game refuge may be vacated or modified by the commissioner under the same procedures required for establishment of the refuge, except that a refuge established or modified under subdivision 2 or 3 may be vacated or modified following a public hearing as specified in subdivision 4a.

97A.091 HUNTING ON GAME REFUGES.

Subdivision 1. Hunting and possession of firearms. Except as provided in subdivision 2, a person may not take a wild animal, except fish, within a state game refuge. A person may not carry within a refuge:

(1) a firearm unless the firearm is unloaded and contained in a case, or unloaded and broken down; or

(2) an uncased bow.

Subd. 2. When hunting allowed. (a) The commissioner may allow hunting of a protected wild animal species within any portion of a state game refuge, including a state park. Hunting may be allowed under this paragraph only if the commissioner finds:

(1) the population of the species exceeds the refuge's carrying capacity;

(2) the species is causing substantial damage to agricultural or forest crops in the vicinity;

(3) the species or other protected wild animals are threatened by the species population; or

(4) a harvestable surplus of the species exists.

(b) The commissioner may allow hunting of unprotected wild animals in a game refuge.

(c) The commissioner may prescribe rules for any hunting allowed within a refuge.

(d) In any selection process for permits to take deer within a game refuge, the commissioner may designate a certain number of permits that are available only to applicants who are age 70 or over or are qualified for a special permit under section 97B.055, subdivision 3, or 97B.106.

Subd. 3. Trap or target shooting. The commissioner may issue special permits, without fee, to the owner or lessee of privately owned land within the boundaries of a state game refuge for trap or target shooting.

97A.092 CONTROLLED HUNTING ZONES.

The commissioner may by rule establish controlled hunting zones in areas on or adjacent to wildlife management areas and game refuges where the commissioner determines it is necessary to limit the distribution of waterfowl hunters. The commissioner may by rule establish conditions for entry and restrictions on hunting in a controlled hunting zone, including procedures for impartially selecting hunters for the zone.

97A.093 HUNTING, TRAPPING, AND FISHING IN SCIENTIFIC AND NATURAL AREAS.

Except as otherwise provided by law, scientific and natural areas are closed to hunting, trapping, and fishing unless:

(1) the designating document allows hunting, trapping, or fishing; or

(2) the commissioner allows hunting, trapping, or fishing in accordance with the procedure in section 86A.05, subdivision 5, paragraph (d).

97A.095 WATERFOWL PROTECTED AREAS.

Subdivision 1. Migratory waterfowl sanctuary. The commissioner may designate by rule any part of a state game refuge or any part of a public water that is designated for management purposes under section 97A.101, subdivision 2, as a migratory waterfowl sanctuary if there is presented to the commissioner a petition signed by ten resident licensed hunters describing an area that is primarily a migratory waterfowl refuge. The commissioner shall post the area as a migratory waterfowl sanctuary. A person may not enter a posted migratory waterfowl sanctuary during the open migratory waterfowl season unless accompanied by or under a permit issued by a conservation officer or wildlife manager. Upon a request from a private landowner within a migratory waterfowl sanctuary, an annual permit must be issued to provide access to the property during the waterfowl season. The permit shall include conditions that allow no activity which would disturb waterfowl using the refuge during the waterfowl season.

Subd. 2. Waterfowl feeding and resting areas. The commissioner may, by rule, designate any part of a lake as a migratory feeding and resting area. Before designation, the commissioner must receive a petition signed by at least ten local resident licensed hunters describing the area of a lake that is a

substantial feeding or resting area for migratory waterfowl, and find that the statements in the petition are correct, and that adequate, free public access to the lake exists near the designated area. The commissioner shall post the area as a migratory waterfowl feeding and resting area. Except as authorized in rules adopted by the commissioner, a person may not enter a posted migratory waterfowl feeding and resting area, during a period when hunting of migratory waterfowl is allowed, with watercraft or aircraft propelled by a motor, other than an electric motor of less than 30 pounds thrust. The commissioner may, by rule, further restrict the use of electric motors in migratory waterfowl feeding and resting areas.

Subd. 3. Hunting on Muskrat Lake. The commissioner may prohibit migratory waterfowl hunting on Muskrat Lake in Beltrami County by posting accordingly.

Subd. 4. Swan Lake Migratory Waterfowl Sanctuary. The land described in Laws 1999, chapter 81, section 2, is designated Swan Lake Migratory Waterfowl Sanctuary under subdivision 1.

97A.098 TRESPASS ON FEDERAL LANDS.

A person may not enter or use a national wildlife refuge or federal waterfowl production area in violation of federal law.

97A.101 PUBLIC WATER RESERVES AND MANAGEMENT DESIGNATION.

Subdivision 1. Reserves. The commissioner may designate and reserve public waters of the state to propagate and protect wild animals.

Subd. 2. Management designation. (a) The commissioner may designate, reserve, and manage public waters for wildlife after giving notice and holding a public hearing. The hearing must be held in the county where the major portion of the waters is located. Notice of the hearing must be published in a legal newspaper within each county where the waters are located at least seven days before the hearing. The designation by the commissioner shall be by written order published in the State Register. Designations are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

(b) The commissioner may contract with riparian owners for water projects under section 103G.121, subdivision 3, and may acquire land, accept local funding, and construct, maintain, and operate structures to control water levels under section 103G.505 to manage designated waters.

Subd. 3. Fishing may not be restricted. Seasons or methods of taking fish may not be restricted under this section.

Subd. 4. Restrictions on airboats, watercraft, and recreational vehicles. (a) The use of airboats is prohibited at all times on lakes designated for wildlife management purposes under this section unless otherwise authorized by the commissioner.

(b) The commissioner may restrict the use of motorized watercraft and recreational vehicles on lakes designated for wildlife management purposes by posting all public access points on the designated lake. To minimize disturbance to wildlife or to protect wildlife habitat, the commissioner may restrict the type of allowable motorized watercraft or recreational vehicle, horsepower or thrust of motor, speed of operation, and season or area of use. Designation of areas, times, and types of restrictions to be posted shall be by written order published in the State Register. Posting of the restrictions is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

(c) Before the commissioner establishes perpetual restrictions under paragraph (b), public comment must be received and a public meeting must be held in the county where the largest portion of the lake is located. Notice of the meeting must be published in a news release issued by the commissioner and in a newspaper of general circulation in the area where the waters are located. The notice must be published at least once between 30 and 60 days before the public meeting and at least once between seven and 30 days before the meeting. The notices required in this paragraph must summarize the proposed action, invite public comment, and specify a deadline for the receipt of public comments. The commissioner shall mail a copy of each required notice to persons who have registered their names with the commissioner for this purpose. The commissioner shall consider any public comments received in making a final decision. This paragraph does not apply to temporary restrictions that expire within 90 days of the effective date of the restrictions.

97A.105 GAME AND FUR FARMS.

Subdivision 1. License requirements. (a) A person may breed and propagate fur-bearing animals, game birds, bear, or mute swans only on privately owned or leased land and after obtaining a license. Any of the permitted animals on a game farm may be sold to other licensed game farms. "Privately owned or leased land" includes waters that are shallow or marshy, are not actually navigable, and are not of substantial beneficial public use. Before an application for a license is considered, the applicant must enclose the area to sufficiently confine the animals to be raised in a manner approved by the commissioner. A license may be granted only if the commissioner finds the application is made in good faith with intention to actually carry on the business described in the application and the commissioner determines that the facilities are adequate for the business.

(b) A person may purchase live game birds or their eggs without a license if the birds or eggs, or birds hatched from the eggs, are released into the wild, consumed, or processed for consumption within one year after they were purchased or hatched. This paragraph does not apply to the purchase of migratory waterfowl or their eggs.

(c) A person may not introduce mute swans into the wild without a permit issued by the commissioner.

Subd. 2. Transfer of license. (a) A game or fur farm license is transferable with the transfer of all or a portion of the title or leasehold of the land if:

- (1) the land transferred complies with the license requirements;
- (2) the land is used for the purposes of the license; and
- (3) a verified written report of the existing and intended land use is made to the commissioner, accompanied by a copy of deed, assignment, lease, or other instrument transferring the corresponding title or leasehold in the enclosed land.

(b) A transfer of less than the whole interest in the license is not valid. Each bona fide partner or associate in the ownership or operation of a game or fur farm must obtain a separate license.

Subd. 3. Ownership of wild animals. All wild animals and their offspring, of the species identified in the license, that are within the enclosure are the property of the game and fur farm licensee.

Subd. 3a. Repealed, 2003

Subd. 3b. Repealed, 2003

Subd. 4. Sale of live animals. (a) A sale of live animals from a licensed fur or game farm is not valid unless the animals are delivered to the purchaser or they are identified and kept separately.

(b) Live animals sold through auction or through a broker are considered to be sold by the game farm licensee.

(c) The sale agreement or contract must be in writing. The licensee must notify a purchaser of the death of an animal within 30 days and of the number of increase before July 20 of each year.\

Subd. 5. Sale of pelts. The commissioner shall prescribe:

(1) the manner that pelts and products of wild animals raised on fur or game farms may be sold or transported; and

(2) the tags or seals to be affixed to the pelts and products.

Subd. 6. Fox and mink. Fox and mink may not be bought or sold for breeding or propagating unless they have been pen-bred for at least two generations.

Subd. 7. Transportation of live beaver. Live beaver may not be transported without a permit from the commissioner.

Subd. 8. Penalty. A licensee that does not comply with a provision of this section subjects all wild animals on the game or fur farm to confiscation.

Subd. 9. Rules. The commissioner may adopt rules for:

(1) the issuance of game farm licenses;

(2) the inspection of game farm facilities;

(3) the acquisition and disposal of game farm animals; and

(4) record keeping and reporting by game farm licensees, including transactions handled by auction or broker.

97A.111 REPEALED, 1997

97A.115 ESTABLISHMENT OF SHOOTING PRESERVES.

Subdivision 1. Licenses; rules. A person may not operate a shooting preserve without a license. The commissioner may issue licenses to operate commercial shooting preserves and private shooting preserves if the commissioner determines that it is in the public interest and that there will not be an adverse effect on wild game bird populations. Private shooting preserves may only be located outside of the pheasant range as determined by the commissioner. The commissioner may adopt rules to implement this section and section 97A.121.

Subd. 2. Species available. Species that may be released and hunted in a licensed shooting preserve must be specified in the license and are limited to unprotected birds, adult pheasant, and bob-white quail for private shooting preserves and adult pheasant, bob-white quail, turkey, mallard duck, black duck, and other species designated by the commissioner for commercial shooting preserves. These game birds must be pen hatched and raised.

Subd. 3. Size of preserve. A shooting preserve must be at least 40 but not more than 160 contiguous acres for private shooting preserves and at least 100 but not more than 1,000 contiguous acres, including any water area, for commercial shooting preserves.

Subd. 4. Posting of boundaries. The boundaries of a shooting preserve must be clearly posted in a manner prescribed by the commissioner.

Subd. 5. Revocation of license. The commissioner may revoke a shooting preserve license if the licensee or persons authorized to hunt in the preserve

have been convicted of a violation under this section or section 97A.121. After revocation, a new license may be issued in the discretion of the commissioner.

97A.121 HUNTING IN PRIVATE SHOOTING PRESERVES.

Subdivision 1. Hunter's license. (a) A person hunting released birds in a private shooting preserve must have the licenses required by law for hunting pheasants.

(b) A license is not required to hunt authorized game birds on a commercial shooting preserve.

Subd. 2. Season. (a) The open season for hunting in commercial shooting preserves is continuous. Sanctioned registered field trials in commercial shooting preserves may be held from April 16 to July 14 after notification to the commissioner.

(b) The open season for hunting in a private shooting preserve is September 15 until December 31.

(c) The commissioner may restrict the open season after receiving a complaint, holding a public hearing, and finding that the population of wild game birds is in danger by hunting in the preserve.

Subd. 3. Operator may establish restrictions. A shooting preserve licensee may determine who is allowed to hunt in the preserve. In each preserve the licensee may establish the charge for taking game, the shooting hours, the season, limitations, and restrictions on the age, sex, and number of each species that may be taken by a hunter. These provisions may not conflict with this section or section 97A.115 and may not be less restrictive than any rule.

Subd. 4. Limits and marking of game birds. Except as provided in subdivision 4a, the commissioner shall prescribe the minimum number of each authorized species that may be released and the percentage of each species that may be taken. The commissioner shall prescribe methods for identifying birds to be released.

Subd. 4a. Pheasants. (a) A private shooting preserve licensed to release pheasants may release no more than 300 adult pheasants on the licensed shooting preserve area during the private shooting preserve hunting season. The number of pheasants harvested may not exceed 95 percent of the number of pheasants released.

(b) A commercial shooting preserve must release at least 1,000 adult pheasants.

Subd. 5. Marking harvested game. Harvested game, except ducks that are marked in accordance with regulations of the United States Fish and Wildlife Service, must be marked or identified by the shooting preserve in a manner prescribed by the commissioner. The commissioner may issue the tags or other markings at a cost of 15 cents each. The marking must remain attached on the bird while the bird is transported.

Subd. 6. Record keeping. A shooting preserve licensee must maintain a registration book listing the names, addresses, and hunting license numbers, if applicable, of all hunters, the date when they hunted, the amount and species of game taken, and the tag numbers or other markings affixed to each bird. A shooting preserve must keep records of the number of each species raised and purchased and the date and number of each species released. The records must be open to inspection by the commissioner at all reasonable times.

97A.125 WILDLIFE HABITAT ON PRIVATE LAND.

The commissioner may enter into agreements with landowners to develop or improve wildlife habitat on private land and provide financial, technical, and professional assistance and material.

97A.127 FINANCING WATERFOWL DEVELOPMENT.

The commissioner may use funds appropriated for fish and wildlife programs for the purpose of developing, preserving, restoring, and maintaining waterfowl breeding grounds in Canada under agreement or contract with any nonprofit organization dedicated to the construction, maintenance, and repair of projects that are acceptable to the governmental agency having jurisdiction over the land and water affected by the projects. The commissioner may execute agreements and contracts if the commissioner determines that use of the funds will benefit the migration of waterfowl into the state.

97A.131 GAME FARMS AND HATCHERIES.

The commissioner may acquire property by gift, lease, purchase, or condemnation and may construct, maintain, operate, and alter facilities for game farms and hatcheries.

97A.133 STATE WILDLIFE MANAGEMENT AREAS.

Subdivision 1. Establishment. State wildlife management areas are established and designated as provided under this section. State wildlife management areas are located and named as indicated in this section. 2000 c 485 s 16

Subd. 2. Payment in lieu of taxes. The consolidated conservation lands included in state wildlife management areas are subject to the payment in lieu of tax as provided in section 477A.12, paragraph (a), clause (1). 2000 c 485 s 16

Subd. 3. All-terrain vehicle travel within designated wildlife management areas. (a) On lands acquired by the state under chapter 84A that are designated after January 1, 1986, as wildlife management areas, the commissioner shall, by January 15, 2004, identify, designate, and sign at least 90 miles of all-terrain vehicle trails, not including public roads that are maintained and open to travel by other noncommercial vehicles, in corridors of disturbance that:

(1) the commissioner determines are appropriate to connect trails, forest roads established under section 89.71, subdivision 1, and public highways to provide reasonable travel for all-terrain vehicles; or

(2) are areas of historic all-terrain vehicle use, including trails that end within a wildlife management area. The designated trails must be either within or contiguous to the wildlife management areas. The commissioner shall consult with wildlife management area users, including both motorized and nonmotorized trail users, in identifying and designating trails under this paragraph. Trail establishment must be in compliance with other state and federal law. Local governments and other trail sponsors may propose the designation of trails, including the designation as a grant-in-aid trail for the purposes of funding under section 84.927, subdivision 2. Designation of trails by the commissioner, authorized under this subdivision, shall be by written order published in the State Register. Designations are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

(b) The following roads shall be open to travel by all-terrain vehicles when the roads are open to other noncommercial vehicles:

(1) the Rapid River Forest Road, beginning at the west boundary of the Red Lake Wildlife Management Area at the southwest corner of Section 7, Township 156 North, Range 35 West, Beltrami County, thence in an easterly and northeasterly direction through the Red Lake Wildlife Management Area to the east boundary of the Red Lake Wildlife Management Area at the southwest corner of Section 7, Township 157 North, Range 33 West, Lake of the Woods County;

(2) the Blanchard Forest Road, beginning at the junction of the North Shore Road along the northern shore of Upper Red Lake and the Blanchard State Forest Road at the west section line of Section 30, Township 155 North, Range 31 West, Beltrami County, thence in a westerly direction to the west section line of Section 31, Township 155 North, Range 32 West;

(3) the Moose River Forest Road, beginning at the junction of Dick's Parkway State Forest Road and the Moose River State Forest Road at the southwest corner of Section 31, Township 36 West, Range 158 North, thence in a westerly direction along the Moose River State Forest Road to the junction of Beltrami County Road 706; and

(4) the existing west access road to the Moose River dike, which is included in meeting the required all-terrain vehicle trail mileage specified in paragraph (a).

(c) The commissioner shall sign each road and trail designated under this subdivision indicating the motorized uses allowed.

(d) During the regular firearms deer season, on all wildlife management area lands within the area described in paragraph (e), a person licensed to take deer may operate an all-terrain vehicle:

- (1) before legal shooting hours;
- (2) after legal shooting hours; and
- (3) from 11:00 a.m. to 2:00 p.m.

(e) Paragraph (d) applies from where State Highway No. 1 intersects the west boundary of the Red Lake Indian Reservation, then west to State Highway No. 219, then north on State Highway No. 219 to State Highway No. 89, then north on State Highway No. 89 to County Highway No. 6, then east on County Highway No. 6 to County Highway No. 54 and County Highway No. 1 (Beltrami/Marshall county line) then north along the Beltrami/Marshall county line to Roseau county line, then east on Beltrami/Roseau county line to Dick's Parkway, then south on Dick's Parkway to County Road No. 704, Beltrami County, then south to County State-Aid Highway No. 44 to Fourtown, then south on State Highway No. 89 to the north boundary of the Red Lake Indian Reservation, then west and south following the boundary of the Red Lake Indian Reservation to where it intersects State Highway No. 1.

(f) For the purposes of this subdivision, "corridors of disturbance" means rights-of-way such as ditches, ditch banks, transmission lines, pipelines, permanent roads, winter roads, and recreational trails. The existence of a corridor of disturbance eligible for corridor designation may be demonstrated by physical evidence, document recorded in the office of the county recorder or other public official, aerial survey, or other evidence similar to the above. Cross-country motorized use of land shall not cause that land to be considered a corridor of disturbance.

Subd. 4. Agder Wildlife Management Area, Marshall County.

Subd. 5. Aitkin Wildlife Management Area, Aitkin County.

- Subd. 6. Bear Creek Wildlife Management Area, Roseau County.
- Subd. 7. Benville Wildlife Management Area, Beltrami County.
- Subd. 8. Border Wildlife Management Area, Roseau County.
- Subd. 9. Carmalee Wildlife Management Area, Beltrami County.
- Subd. 10. Carp Swamp Wildlife Management Area, Lake of the Woods
- Subd. 11. Cedar Wildlife Management Area, Marshall County.
- Subd. 12. Cedarbend Wildlife Management Area, Roseau County.
- Subd. 13. Clear River Wildlife Management Area, Roseau County.
- Subd. 14. East Branch Wildlife Management Area, Roseau County.
- Subd. 15. East Park Wildlife Management Area, Marshall County.
- Subd. 16. Eckvoll Wildlife Management Area, Marshall County.
- Subd. 17. Elm Lake Wildlife Management Area, Marshall County.
- Subd. 18. Enstrom Wildlife Management Area, Roseau County.
- Subd. 19. Espelie Wildlife Management Area, Marshall County.
- Subd. 20. Fireweed Wildlife Management Area, Beltrami County.
- Subd. 21. Foote Wildlife Management Area, Mahnomen County.
- Subd. 22. Four Mile Bay Wildlife Management Area, Lake of the Woods County.
- Subd. 23. Golden Valley Wildlife Management Area, Roseau County.
- Subd. 24. Graceton Wildlife Management Area, Lake of the Woods County.
- Subd. 25. Grayling Marsh Wildlife Management Area, Aitkin
- Subd. 26. Grygla Wildlife Management Area, Marshall County.
- Subd. 27. Gun Dog Wildlife Management Area, Beltrami County.
- Subd. 28. Hamre Wildlife Management Area, Beltrami County.
- Subd. 29. Hayes Wildlife Management Area, Roseau County.
- Subd. 29a. Hill Lake Wildlife Management Area, Aitkin County.
- Subd. 30. Huntly Wildlife Management Area, Marshall County.
- Subd. 31. Killian Wildlife Management Area, Mahnomen County.
- Subd. 32. Kimberly Wildlife Management Area, Aitkin County.
- Subd. 33. Larry Bernhoft Wildlife Management Area, Lake of the Woods County.
- Subd. 34. Lee Wildlife Management Area, Beltrami County.
- Subd. 35. Little Willow Wildlife Management Area, Aitkin County.
- Subd. 36. Marbel Wildlife Management Area, Roseau County.
- Subd. 37. McGregor Marsh Wildlife Management Area, Aitkin County.
- Subd. 38. Moose River Wildlife Management Area, Beltrami County.
- Subd. 39. Moylan Wildlife Management Area, Marshall County.
- Subd. 40. Nereson Wildlife Management Area, Roseau County.
- Subd. 41. New Maine Wildlife Management Area, Marshall County.
- Subd. 42. Palmville Wildlife Management Area, Marshall and Roseau Counties.
- Subd. 43. Prosper Wildlife Management Area, Lake of the Woods County.
- Subd. 44. Red Lake Wildlife Management Area, Beltrami County.
- Subd. 45. Robert Wickstrom Wildlife Management Area, Aitkin County.
- Subd. 46. Rocky Point Wildlife Management Area, Lake of the Woods County.
- Subd. 47. Roseau Lake Wildlife Management Area, Roseau County.
- Subd. 48. Rosver Wildlife Management Area, Roseau County.
- Subd. 49. Salo Wildlife Management Area, Aitkin County.
- Subd. 50. Saw-Whet Wildlife Management Area, Beltrami County.

- Subd. 51. Sem Wildlife Management Area, Marshall County.**
- Subd. 52. Sharp Wildlife Management Area, Marshall County.**
- Subd. 53. Skime Wildlife Management Area, Roseau County.**
- Subd. 54. Snowshoe Wildlife Management Area, Marshall County.**
- Subd. 55. South Shore Wildlife Management Area, Lake of the Woods and Roseau Counties.**
- Subd. 56. Spooner Wildlife Management Area, Lake of the Woods County.**
- Subd. 57. Thief Lake Wildlife Management Area, Marshall County.**
- Subd. 58. Valley Wildlife Management Area, Marshall County.**
- Subd. 59. Vanose Wildlife Management Area, Mahnomen County.**
- Subd. 60. Wabun Wildlife Management Area, Mahnomen County.**
- Subd. 61. Wannaska Wildlife Management Area, Roseau County.**
- Subd. 62. Wapiti Wildlife Management Area, Beltrami County.**
- Subd. 63. Willow Run Wildlife Management Area, Beltrami**
- Subd. 64. Willowsippi Wildlife Management Area, Aitkin County.**
- Subd. 65. Wolf Trail Wildlife Management Area, Beltrami County.**
- Subd. 66. Vermillion Highlands Wildlife Management Area, Dakota County.**

97A.135 ACQUISITION OF WILDLIFE LANDS.

Subdivision 1. Public hunting and wildlife areas. (a) The commissioner or the commissioner of administration shall acquire and improve land for public hunting, game refuges, and food and cover planting. The land may be acquired by a gift, lease, easement, purchase, or condemnation. At least two-thirds of the total area acquired in a county must be open to public hunting. The commissioner may designate, by written order published in the State Register, land acquired under this subdivision as a wildlife management area for the purposes of the outdoor recreation system. Designations of wildlife management areas are exempt from the rulemaking provisions of chapter 14 and section 14.386 does not apply.

(b) The commissioner of administration may transfer money to the commissioner for acquiring wildlife lands to qualify for Pittman-Robertson funds. The transferred money is

Subd. 2. Disposal of unsuitable hunting areas. The commissioner shall sell or exchange land acquired for public hunting that is unnecessary or unsuitable. The land may not be sold for less than its purchase price. The land may be exchanged for land of equal value that adds to existing public hunting areas. The sales and exchanges must be approved by the Executive Council. This subdivision does not apply to land in a wildlife management area.

Subd. 2a. Disposal of land in wildlife management areas. (a) The commissioner may sell or exchange land in a wildlife management area authorized by designation under section 86A.07, subdivision 3, 97A.133, or 97A.145 if the commissioner vacates the designation before the sale or exchange in accordance with this subdivision. The designation may be vacated only if the commissioner finds, after a public hearing, that the disposal of the land is in the public interest.

(b) A sale under this subdivision is subject to sections 94.09 to 94.16. An exchange under this subdivision is subject to sections 94.341 to 94.347.

(c) Revenue received from a sale authorized under paragraph (a) is appropriated to the commissioner for acquisition of replacement wildlife management lands.

(d) Land acquired by the commissioner under this subdivision must meet the criteria in section 86A.05, subdivision 8, and as soon as possible after the acquisition must be designated as a wildlife management area under section 86A.07, subdivision 3, 97A.133, or 97A.145.

(e) In acquiring land under this subdivision, the commissioner must give priority to land within the same geographic region of the state as the land conveyed.

Subd. 3. Cooperative farming agreements. On any public hunting, game refuge, wildlife management area, or scientific and natural area lands, the commissioner may enter into written cooperative farming agreements on a sharecrop basis, without competitive bidding, for the purpose of wildlife and plant management. Cooperative farming agreements may also be used to allow pasturing of livestock. The agreements may provide for the bartering of a share of any crop, produced from these lands, for services or products that will enhance or benefit the management of state lands for plant and animal species. Cooperative farming agreements pursuant to this section shall not be considered leases for tax purposes under section 272.01, subdivision 2, or 273.19.

97A.137 HUNTING, FISHING, AND TRESPASSING IN WILDLIFE MANAGEMENT AREAS.

Subdivision 1. Hunting and fishing. Wildlife management areas are open to hunting and fishing unless closed by rule of the commissioner or by posting under subdivision 2.

Subd. 2. Commissioner may restrict entry to designated areas. The commissioner may, by posting in accordance with section 97B.001, subdivision 4, designate areas within wildlife management areas that are closed to entry for the purpose of providing areas where disturbance of wildlife can be minimized. A person may not enter an area posted under this subdivision except as authorized by rule or a permit issued by the commissioner.

Subd. 3. Use of motorized vehicles by disabled hunters. The commissioner may issue a special permit, without a fee, authorizing a hunter with a permanent physical disability to use a snowmobile or all-terrain vehicle in wildlife management areas. To qualify for a permit under this subdivision, the disabled person must possess:

- (1) the required hunting licenses; and
- (2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.

97A.141 PUBLIC WATER ACCESS SITES.

Subdivision 1. Acquisition; generally. The commissioner shall acquire access sites adjacent to public waters and easements and rights-of-way necessary to connect the access sites with public highways. The land may be acquired by gift, lease, or purchase, or by condemnation with approval of the Executive Council. An access site may not exceed seven acres and may only be acquired where access is inadequate.

Subd. 2. Acquisition; limitations. Access sites may not be acquired under this section adjacent to public waters that are unmeandered or completely surrounded by land owned and maintained for the purpose of an educational or religious institution. Access sites adjacent to public waters that contain less than 200 acres within the meander lines may not be acquired by condemnation and may only be acquired if:

- (1) the public water contains at least 150 acres within the meander lines; or
- (2) the public waters are to be managed intensively for fishing.

Subd. 3. Maintenance. The commissioner shall maintain the sites, easements, and rights-of-way acquired under this section. The commissioner may make an agreement for the maintenance of the site easements and rights-of-way with a county board if the connecting public highway is a county state-aid highway or county highway, or the town board if the connecting highway is a town road. The county board and town board may spend money from its road and bridge funds for maintenance under the agreement.

Subd. 4. Cooperation with metropolitan governmental units. Local units of government owning lands adjacent to public waters within the seven-county metropolitan area shall cooperate with the commissioner to use those lands for public access purposes when identified by the commissioner under subdivision 1. If cooperation does not occur, the commissioner may use condemnation authority under this section to acquire an interest in the local government lands for public access purposes.

Subd. 5. Hunting generally prohibited. A person may not hunt on water access sites unless allowed by rule of the commissioner.

97A.145 WETLANDS FOR WILDLIFE.

Subdivision 1. Acquisition; generally. (a) The commissioner or the commissioner of administration may acquire wetlands and bordering areas, including marshes, ponds, small lakes, and stream bottoms for water conservation relating to wildlife development. The lands that are acquired may be developed for wildlife, recreation, and public hunting. The wetlands may be acquired by gift, lease, purchase, or exchange of state lands.

(b) The commissioner may also acquire land owned by the state and tax-forfeited land that is suitable for wildlife development. The wetlands may not be acquired unless public access by right-of-way or easement from a public road is also acquired or available. In acquiring wetlands under this section the commissioner shall assign highest priority to type 3 and 4 wetlands, as defined in United States Fish and Wildlife Service Circular No. 39 (1971 edition), that are public waters. Lands purchased or leased under this section may not be used to produce crops unless needed for wildlife. The commissioner may designate, by written order published in the State Register, land acquired under this section as a wildlife management area for purposes of the outdoor recreation system. Designations of wildlife management areas are exempt from the rulemaking provisions of chapter 14 and section 14.386 does not apply.

Subd. 2. Acquisition procedure. (a) Lands purchased or leased under this section must be acquired in accordance with this subdivision.

(b) The commissioner must notify the county board and the town officers where the land is located and furnish them a description of the land to be acquired. The county board must approve or disapprove the proposed acquisition within 90 days after being notified. The commissioner may extend the time up to 30 days. The soil and water conservation district supervisors shall counsel the county board on drainage and flood control and the best utilization and capability of the land.

(c) If the county board approves the acquisition within the prescribed time, the commissioner may acquire the land.

(d) If the county board disapproves the acquisition, it must state valid reasons. The commissioner may not purchase or lease the land if the county

board disapproves the acquisition and states its reasons within the prescribed time period. The landowner or the commissioner may appeal the disapproval to the district court having jurisdiction where the land is located.

(e) The commissioner or the owner of the land may submit the proposed acquisition to the Land Exchange Board if: (1) the county board does not give reason for disapproval, or does not approve or disapprove the acquisition within the prescribed time period; or (2) the court finds that the disapproval is arbitrary and capricious, or that the reasons stated for disapproval are invalid.

(f) The Land Exchange Board must conduct a hearing and make a decision on the acquisition within 60 days after receiving the proposal. The Land Exchange Board must give notice of the hearing to the county board, the commissioner, the landowner, and other interested parties. The Land Exchange Board must consider the interests of the county, the state, and the landowner in determining whether the acquisition is in the public interest. If a majority of the Land Exchange Board members approves the acquisition, the commissioner may acquire the land. If a majority disapproves, the commissioner may not purchase or lease the land.

Subd. 3. Management. If a drainage outlet is petitioned and drainage proceedings are conducted under the Drainage Code, chapter 103E, the commissioner should not interfere with or unnecessarily delay the proceedings.

97A.151 LEECH LAKE INDIAN RESERVATION AGREEMENT.

Subdivision 1. Purpose. The purpose of this section is to give recognition and effect to the rights of the Leech Lake Band of Chippewa Indians that are preserved by federal treaty relating to hunting, fishing, and trapping, and to the gathering of wild rice on the Leech Lake Indian Reservation. These rights have been recognized and given effect by the decision of the United States District Court in the following entitled actions: Leech Lake Band of Chippewa Indians, et al v. Robert L. Herbst, No. 3-69 Civ. 65; and United States of America v. State of Minnesota, No. 3-70 Civ. 228. The state of Minnesota desires to settle all outstanding issues and claims relating to the above rights.

Subd. 2. Definitions. The definitions in this subdivision apply to this section.

(a) "Band" means the Leech Lake Band of Chippewa Indians.

(b) "Committee" means the Reservation Business Committee of the Leech Lake Band of Chippewa Indians.

(c) "Reservation" means the Leech Lake Indian Reservation described in the settlement agreement.

(d) "Settlement agreement" means the document entitled "Agreement and Settlement" on file and of record in the United States District Court for the District of Minnesota, Third Division, in the following entitled actions: Leech Lake Band of Chippewa Indians, et al v. Robert L. Herbst, No. 3-69 Civ. 65; and United States of America v. State of Minnesota, No. 3-70 Civ. 228.

Subd. 3. Ratification of settlement agreement. Notwithstanding the provisions of any other law to the contrary, the state of Minnesota by this section ratifies and affirms the agreement set forth in the settlement agreement.

Subd. 4. Commissioner's powers and duties. (a) Notwithstanding the provisions of any other law to the contrary, the commissioner, on behalf of the state of Minnesota, shall take all actions, by rule or otherwise, necessary to carry out the duties and obligations of the state of Minnesota arising from the agreement entered into by the parties to the settlement agreement.

(b) These actions include but are not limited to the following:

(1) the implementation of the exemption of members of the band and other members of the Minnesota Chippewa tribe from state laws relating to hunting, fishing, trapping, the taking of minnows and other bait, and the gathering of wild rice within the reservation, together with exemption from related possession and transportation laws, to the extent necessary to effectuate the terms of the settlement agreement;

(2) the establishment of a system of special licenses and related license fees for persons who are not members of the Minnesota Chippewa tribe for the privilege of hunting, fishing, trapping, or taking minnows and other bait within the reservation. All money collected by the commissioner for special licenses shall be deposited in the state treasury and credited to the Leech Lake Band and White Earth Band special license account, which is hereby created. All money in the state treasury credited to the Leech Lake Band and White Earth Band special license account, less any deductions for administrative costs authorized by the terms of the settlement agreement, is appropriated to the commissioner who shall remit the money to the committee pursuant to the terms of the settlement agreement;

(3) to the extent necessary to effectuate the terms of the settlement agreement, the promulgation of rules for the harvesting of wild rice within the reservation by non-Indians;

(4) to the extent necessary to effectuate the terms of the settlement agreement, the establishment of policies and procedures for the enforcement by conservation officers of the Conservation Code adopted by the band; and

(5) the arbitration of disputes arising under the terms of the settlement agreement.

97A.155 AMENDMENTS TO LEECH LAKE INDIAN RESERVATION AGREEMENT.

Subdivision 1. Payment in lieu of special licenses. The commissioner may enter into an agreement with authorized representatives of the Leech Lake Band of Chippewa Indians to amend the settlement agreement adopted by section 97A.151 by providing that in lieu of the system of special licenses and license fees for persons who are not members of the Minnesota Chippewa tribe for the privilege of hunting, fishing, trapping, or taking minnows and other bait within the reservation, five percent of the proceeds from all licenses sold in the state for hunting, fishing, trapping, and taking minnows and other bait shall be credited to the special license account established by section 97A.151. The funds shall be remitted to the Leech Lake Band in the manner and subject to the terms and conditions that may be mutually agreed upon.

Subd. 2. Payment in lieu of migratory waterfowl stamp fee. The commissioner may enter into an agreement with the Reservation Business Committee of the Leech Lake Indian Reservation to amend the settlement agreement adopted in section 97A.151 by providing that in lieu of collecting an additional fee in connection with the state migratory waterfowl stamp for the privilege of hunting waterfowl on the Leech Lake Indian Reservation five percent of the proceeds from the sale of state migratory waterfowl stamps shall be credited to the special license account established by section 97A.151. The funds shall be remitted to the Leech Lake Reservation Business Committee in the manner and subject to the terms and conditions provided in section 97A.151.

Subd. 3. Aquaculture allowed. The commissioner shall not interpret commercial fishing in the settlement agreement in a manner that restricts

aquaculture by the Leech Lake Band, or Leech Lake Band members, that is conducted consistent with state policies, laws, and regulations relating to aquaculture.

97A.157 1854 TREATY AREA AGREEMENT.

Subdivision 1. Purpose. The purpose of this section is to effectuate resolution of issues in dispute between the state of Minnesota and the Grand Portage, Bois Forte, and Fond du Lac Bands of Chippewa Indians that relate to hunting, fishing, trapping, and gathering in the ceded area described in the September 30, 1854, treaty between the Lake Superior Chippewa and the government of the United States. This treaty was ratified by the United States Senate on January 10, 1855, and was recognized and affirmed in a subsequent treaty between the Bois Forte Band of Chippewa Indians and the government of the United States dated April 7, 1866, and ratified by the United States Senate on April 26, 1866. The enforcement of certain rights claimed by Lake Superior Chippewas under these treaties has been sought in a civil action brought in the United States District Court for the District of Minnesota, Fourth Division, that is entitled Grand Portage Band of Chippewas, et al. v. State of Minnesota, et al., Civ. No. 4-85-1090. The state of Minnesota desires to settle all outstanding matters relating to the above dispute.

Subd. 2. Settlement agreement. The parties to the above named civil action have negotiated a settlement of the dispute and have filed an executed copy of their "Memorandum of Agreement" with the court on February 16, 1988.

Subd. 3. Ratification of settlement agreement. The state of Minnesota, by the enactment of this section, ratifies and affirms the Memorandum of Agreement, provided the agreement is amended by July 1, 1988, by the addition of the following language: "Any party in the Memorandum of Agreement may cancel this agreement upon one year's written notice to the other parties."

Subd. 4. Commissioner's powers and duties. The commissioner of natural resources, on behalf of the state of Minnesota, shall take all actions, by rule or otherwise, necessary to carry out the duties and obligations of the state of Minnesota arising from the Memorandum of Agreement. Powers and duties provided by this subdivision apply to payment of money under the Memorandum of Agreement only to the extent and to the amount specifically appropriated by the legislature to carry out the terms of the Memorandum of Agreement.

97A.161 AGREEMENT WITH WHITE EARTH INDIANS.

The commissioner may enter into an agreement with authorized representatives of the White Earth Band of Chippewa Indians on substantially the same terms as the agreement adopted by section 97A.151 and amended under section 97A.155; except that the agreement shall provide that 2-1/2 percent of the proceeds from all licenses sold in the state for hunting, fishing, trapping, and taking of minnows and other bait shall be credited to the special license account established by section 97A.151. The funds shall be remitted to the White Earth Band in the manner and subject to the terms and conditions that may be mutually agreed upon. An agreement negotiated under this section shall be for a term of at least four years following the date of its execution.

97A.165 SOURCE OF PAYMENTS FOR INDIAN AGREEMENT.

Money to make payments to the Leech Lake Band, the 1854 treaty area agreement, and White Earth Band special license account under sections 97A.151, subdivision 4, 97A.155, subdivision 2, and 97A.157, subdivision 4, is annually appropriated for that purpose from the general fund.

ENFORCEMENT

97A.201 ENFORCEMENT.

Subdivision 1. Enforcement by the commissioner. The commissioner shall execute and enforce the laws relating to wild animals. The commissioner may delegate execution and enforcement of the wild animal laws to the director and enforcement officers.

Subd. 2. Duty of county attorneys and peace officers. County attorneys and all peace officers must enforce the game and fish laws.

97A.205 ENFORCEMENT OFFICER POWERS.

An enforcement officer is authorized to:

(1) execute and serve court issued warrants and processes relating to wild animals, wild rice, public waters, water pollution, conservation, and use of water, in the same manner as a sheriff;

(2) enter any land to carry out the duties and functions of the division;

(3) make investigations of violations of the game and fish laws;

(4) take an affidavit, if it aids an investigation;

(5) arrest, without a warrant, a person who is detected in the actual violation of the game and fish laws, a provision of chapters 84, 84A, 84D, 85, 86A, 88 to 97C, 103E, 103F, 103G, sections 86B.001 to 86B.815, 89.51 to 89.64; or 609.66, subdivision 1, clauses (1), (2), (5), and (7); and 609.68; and

(6) take an arrested person before a court in the county where the offense was committed and make a complaint.

Nothing in this section grants an enforcement officer any greater powers than other licensed peace officers.

97A.211 ARREST PROCEDURES.

Subdivision 1. Notice to appear in court. (a) A person must be given notice to appear in court for a misdemeanor violation of the game and fish laws; chapter 84, 84D, 103E, or 103G; sections 103F.201 to 103F.221; or section 103F.601 or 609.68 if:

(1) the person is arrested and is released from custody prior to appearing before a court; or

(2) the person is subject to a lawful arrest and is not arrested because it reasonably appears to the enforcement officer that arrest is unnecessary to prevent further criminal conduct and that there is a substantial likelihood that the person will respond to a notice.

(b) The enforcement officer shall prepare, in quadruplicate, a written notice to appear in court. The notice must be in the form and has the effect of a summons and complaint. The notice must contain the name and address of the person charged, the offense, and the time and the place to appear in court. The court must have jurisdiction within the county where the offense is alleged to have been committed.

Subd. 2. Release after arrest. A person arrested for a misdemeanor violation of the game and fish laws; chapter 84, 84D, 103E, or 103G; sections 103F.201 to 103F.221; or section 103F.601 or 609.68 may obtain release by signing the written notice prepared by the arresting officer promising to appear in court. The officer shall deliver a copy marked "SUMMONS" to the person arrested. The officer must then release the person from custody.

Subd. 3. Court appearance. On or before the court appearance date, the enforcement officer must deliver the summons and complaint to the court. If the person summoned fails to appear in court on the day specified, the court shall issue a warrant for the person's arrest.

97A.215 INSPECTIONS.

Subdivision 1. Storage of wild animals. (a) When an enforcement officer has probable cause to believe that wild animals possessed or stored in violation of the game and fish laws are present, the enforcement officer may enter and inspect any commercial cold storage warehouse, hotel, restaurant, ice house, locker plant, butcher shop, and other building used to store dressed meat, game, or fish, to determine whether wild animals are kept and stored in compliance with the game and fish laws.

(b) When an enforcement officer has probable cause to believe that wild animals taken or possessed in violation of the game and fish laws are present, the officer may:

- (1) enter and inspect any place or vehicle; and
- (2) open and inspect any package or container.

Subd. 2. Records. An enforcement officer may inspect the relevant records of any person that the officer has probable cause to believe has violated the game and fish laws.

Subd. 3. Licensed activity. An enforcement officer may, at reasonable times:

- (1) enter and inspect the premises of an activity requiring a license under the game and fish laws; and
- (2) stop and inspect a motor vehicle requiring a license under the game and fish laws.

97A.221 SEIZURE AND CONFISCATION OF PROPERTY.

Subdivision 1. Property subject to seizure and confiscation. (a) An enforcement officer may seize:

- (1) wild animals, wild rice, and other aquatic vegetation taken, bought, sold, transported, or possessed in violation of the game and fish laws or chapter 84 or 84D; and
- (2) firearms, bows and arrows, nets, boats, lines, poles, fishing rods and tackle, lights, lanterns, snares, traps, spears, dark houses, fish houses, and wild rice harvesting equipment that are used with the owner's knowledge to unlawfully take or transport wild animals, wild rice, or other aquatic vegetation and that have a value under \$1,000 are subject to this section.

(b) An item described in paragraph (a), clause (2), that has a value of \$1,000 or more is subject to the provisions of section 97A.225.

(c) An enforcement officer must seize nets and equipment unlawfully possessed within ten miles of Lake of the Woods or Rainy Lake.

Subd. 2. Seizure of commingled shipments. A whole shipment or parcel is contraband if two or more wild animals are shipped or possessed in the same container, vehicle, or room, or in any way commingled, and any of the animals

are contraband. Seizure of any part of a shipment includes the entire shipment.

Subd. 3. Procedure for confiscation of property seized. The enforcement officer must hold the seized property. The property held may be confiscated when:

(1) the person from whom the property was seized is convicted, the conviction is not under appeal, and the time period for appeal of the conviction has expired; or

(2) the property seized is contraband consisting of a wild animal, wild rice, or other aquatic vegetation.

Subd. 4. Disposal of confiscated property. Confiscated property may be disposed of or retained for use by the commissioner, or sold at the highest price obtainable as prescribed by the commissioner. Upon acquittal or dismissal of the charged violation for which the property was seized:

(1) all property, other than contraband consisting of a wild animal, wild rice, or other aquatic vegetation, must be returned to the person from whom the property was seized; and

(2) the commissioner shall reimburse the person for any seized or confiscated property that is sold, lost, or damaged.

97A.223 SEIZURE AND ADMINISTRATIVE FORFEITURE OF CERTAIN FIREARMS AND ABANDONED PROPERTY.

Subdivision 1. Property subject to seizure and forfeiture. (a) An enforcement officer must seize:

(1) firearms possessed in violation of state or federal law or court order; and

(2) property described in section 97A.221, subdivision 1, where no owner can be determined.

(b) Property seized under this section is subject to administrative forfeiture.

Subd. 2. Notice of seizure and intent to forfeit. When property is seized under subdivision 1, the enforcement officer shall serve any known owner and person possessing the property with a notice of the seizure and intent to forfeit the property. The notice must be in writing, describing the property seized, the date of seizure, and notice of the right to appeal the seizure and forfeiture as described in subdivision 3.

Subd. 3. Appeal; final order. Seizure and administrative forfeiture of property under this section may be appealed under the procedures in section 116.072, subdivision 6, if the owner or other person from whom the property was seized requests a hearing by notifying the commissioner in writing within 45 days after seizure of the property. For purposes of this section, the terms "commissioner" and "agency" as used in section 116.072 mean the commissioner of natural resources. If a hearing is not requested within 45 days of seizure, the forfeiture becomes a final order and not subject to further review.

Subd. 4. Other remedies. The authority to forfeit firearms and other property under this section is in addition to other remedies available under state and federal law.

Subd. 5. Disposal of forfeited property. Forfeited property under this section may be disposed of as contraband according to section 97A.221, subdivision 4.

97A.225 SEIZURE AND CONFISCATION OF MOTOR VEHICLES AND BOATS.

Subdivision 1. Seizure. (a) An enforcement officer must seize all motor vehicles used to:

- (1) shine wild animals in violation of section 97B.081, subdivision 1;
- (2) transport big game animals illegally taken or fur-bearing animals illegally purchased; or
- (3) transport minnows in violation of section 97C.501, 97C.515, or 97C.525.

(b) An enforcement officer must seize all boats and motors used in netting fish on Lake of the Woods, Rainy Lake, Lake Superior, Namakan Lake, and Sand Point Lake in violation of licensing or operating requirements of section 97A.475, subdivision 30, 97C.825, 97C.831, or 97C.835, or a rule of the commissioner relating to these provisions.

(c) An enforcement officer may seize all boats and motors with their trailers that are used to take, possess, or transport wild animals when the restitution value of the wild animals exceeds \$500.

Subd. 2. Procedure for confiscation of property seized. The enforcement officer must hold the seized property, subject to the order of the court having jurisdiction where the offense was committed. The property held is confiscated when:

- (1) the commissioner complies with this section;
- (2) the person from whom it was seized is convicted of the offense; and
- (3) the conviction is not under appeal and the time period for appeal of the conviction has expired.

Subd. 3. Complaint against property. The commissioner shall file with the court a separate complaint against the property held. The complaint must identify the property, describe its use in the violation, and specify the time and place of the violation. A copy of the complaint must be served upon the defendant or the owner of the property.

Subd. 4. Release of property after posting bond. At any time after seizure of the property specified in this section, the property must be returned to the owner or person having the legal right to possession upon execution of a valid bond to the state with a corporate surety. The bond must be approved by a judge of the court of jurisdiction, conditioned to abide by an order and judgment of the court and to pay the full value of the property at the time of seizure. The bond must be for \$100 or for a greater amount not more than twice the value of the property seized.

Subd. 5. Court order. (a) If the person arrested is acquitted, the court shall dismiss the complaint against the property and:

- (1) order it returned to the person legally entitled to it; and
- (2) order the commissioner to reimburse the person for any seized or confiscated property that is sold, lost, or damaged.

(b) Upon conviction of the person, the court shall issue an order directed to any person that may have any right, title, or interest in, or lien upon, the seized property. The order must describe the property and state that it was seized and that a complaint against it has been filed. The order shall require a person claiming right, title, or interest in, or lien upon, the property to file with the court administrator an answer to the complaint, stating the claim, within ten days after the service of the order. The order shall contain a notice that if the person fails to file an answer within the time limit, the property may be ordered sold by the commissioner.

(c) The court order must be served upon any person known or believed to have any right, title, interest, or lien in the same manner as provided for service of a summons in a civil action, and upon unknown persons by publication, in the same manner as provided for publication of a summons in a civil action.

Subd. 6. Court ordered sale after no answer. If an answer is not filed within the time provided in subdivision 5, the court administrator shall notify the court and the court shall order the commissioner to sell the property. The net proceeds of the sale shall be deposited in the state treasury and credited to the game and fish fund.

Subd. 7. Hearing after answer. If an answer is filed within the time provided in subdivision 5, the court shall schedule a hearing within ten to 30 days after the time expired for filing the answer. The court, without a jury, shall determine whether any of the property was used in a violation specified in the complaint and whether the owner had knowledge or reason to believe that the property was being used, or intended to be used, in the violation. The court shall order the commissioner to sell the property that was unlawfully used with knowledge of the owner and to return to the owner property that was not unlawfully used with the knowledge of the owner. If the property is to be sold, the court shall determine the priority of liens against the property and whether the lienholders had knowledge that the property was being used or was intended to be used. Lienholders that had knowledge of the property's use in the violation are not to be paid. The court order must state the priority of the liens to be paid.

Subd. 8. Proceeds of sale. After determining the expense of seizing, keeping, and selling the property, the commissioner must pay the liens from the proceeds according to the court order. The remaining proceeds shall be deposited in the state treasury and credited to the game and fish fund.

Subd. 9. Cancellation of security interests. A sale under this section cancels all liens on and security interests in the property sold.

97A.231 SEARCH WARRANTS.

Upon complaint establishing that the complainant has probable cause to believe that a wild animal taken, bought, sold, transported, or possessed in violation of the game and fish laws, or contraband, is concealed or illegally kept in a place, a judge, authorized to issue warrants in criminal cases, may issue a search warrant. The judge may direct that the place be entered, broken open, and examined. Property seized under the warrant shall be safely kept under the direction of the court so long as necessary for the purpose of being used as evidence in a trial and subsequently disposed of as otherwise provided.

97A.235 JURISDICTION OVER BOUNDARY WATERS.

Courts in counties having jurisdiction adjacent to boundary waters and enforcement officers have jurisdiction over the entire boundary waters. The courts and enforcement officers of North Dakota, South Dakota, Iowa, Wisconsin, and Michigan have concurrent jurisdiction over boundary waters.

97A.241 RECIPROCITY WITH OTHER STATES IN APPOINTING OFFICERS.

Subdivision 1. Officers of other jurisdictions as special conservation officers. With approval of the proper authority of another state or the United

States, the commissioner may appoint any salaried and bonded officer of that jurisdiction authorized to enforce its wild animal laws a special conservation officer of this state. A special conservation officer is subject to the supervision and control of and serves at the pleasure of the commissioner, but may not be compensated by this state. A special conservation officer has powers of and is subject to the liabilities of conservation officers of this state, except as otherwise directed by the commissioner.

Subd. 2. Officers of this state as officers of other jurisdictions. An enforcement officer or peace officer of this state may enforce wild animal laws of another state, or the United States, under conditions prescribed by the commissioner. The officer may serve under the laws of another jurisdiction to the extent they are compatible with the duties of an officer of this state.

Subd. 3. Reciprocal effect. This section is effective with respect to another state or the United States to the extent that there is a similar provision in effect in that jurisdiction with respect to this state.

97A.245 REWARDS.

The commissioner may pay rewards for information leading to the conviction of a person that has violated a provision of laws relating to wild animals or threatened or endangered species of wildlife. A reward may not exceed \$500, except a reward for information relating to big game or threatened or endangered species of wildlife, may be up to \$1,000 and a reward for information relating to gray wolves may be up to \$2,500. The rewards may only be paid from funds donated to the commissioner for these purposes and may not be paid to salaried conservation officers or peace officers.

97A.251 OBSTRUCTION OF OFFICERS.

Subdivision 1. Unlawful conduct. A person may not:

(1) intentionally hinder, resist, or obstruct an enforcement officer, agent, or employee of the division in the performance of official duties;

(2) refuse to submit to inspection of equipment used to take wild animals while in the field, licenses, or wild animals; or

(3) refuse to allow inspection of a motor vehicle, boat, or other conveyance used while taking or transporting wild animals.

Subd. 2. Civil actions. In addition to criminal prosecution, the state may bring a civil action to recover damages resulting from and enjoin the continuance of a violation of this section. The civil actions may be brought by the attorney general on the request of the commissioner.

97A.255 PROSECUTIONS.

Subdivision 1. Statute of limitations. A prosecution under the game and fish laws may not be brought more than three years after commission of the offense.

Subd. 2. Burden of proof. (a) In a prosecution that alleges animals have been taken, bought, sold, transported, or possessed in violation of the game and fish laws, the burden of establishing that the animals were domesticated, reared in a private preserve, raised in a private fish hatchery or aquatic farm, taken for scientific purposes, lawfully taken, or received as a gift, is on the defendant.

(b) The commissioner may by rule prescribe the documentation or other evidence sufficient to demonstrate lawful possession of:

(1) a wild animal received as a gift; and

(2) a wild animal taken on an Indian reservation or in another state, province, or country.

Subd. 3. Repealed, 1987

Subd. 4. Each violation a separate offense. Each wild animal unlawfully taken, bought, sold, transported, or possessed is a separate offense. If acquitted, a person may not be prosecuted for a similar offense involving another animal in the same incident.

Subd. 5. Joint and several liability. When two or more people intentionally aid, advise, counsel, conspire with, or act in concert with each other to unlawfully take, transport, or possess wild animals when the restitution value of the wild animals exceeds \$500, each person is jointly and severally liable for the wild animals for purposes of:

(1) license seizure and revocation under sections 97A.420 and 97A.421;

(2) equipment and property seizure under section 97A.221;

(3) boat, motor, and trailer seizure under section 97A.225; and

(4) restitution under section 97A.341.

PENALTIES

97A.301 GENERAL PENALTY PROVISIONS.

Subdivision 1. Misdemeanor. Unless a different penalty is prescribed, a person is guilty of a misdemeanor if that person:

(1) takes, buys, sells, transports or possesses a wild animal in violation of the game and fish laws;

(2) aids or assists in committing the violation;

(3) knowingly shares in the proceeds of the violation;

(4) fails to perform a duty or comply with a requirement of the game and fish laws;

(5) knowingly makes a false statement related to an affidavit regarding a violation of the game and fish laws; or

(6) violates or attempts to violate a rule under the game and fish laws.

Subd. 2. Gross misdemeanor. Unless a different penalty is prescribed, a person convicted of violating a provision of the game and fish laws that is defined as a gross misdemeanor is subject to a fine of not less than \$100 nor more than \$3,000 and imprisonment in the county jail for not less than 90 days or more than one year.

97A.305 IMPERSONATION OF AN ENFORCEMENT OFFICER.

A person that purports to be acting in an official capacity and causes another to be injured or defrauded while falsely impersonating an enforcement officer or other officer acting under authority of the game and fish laws, or falsely claiming to have special authority under those laws, is guilty of a gross misdemeanor.

97A.311 LICENSES.

Subdivision 1. Alteration of a license. A person that alters a license in a material manner is guilty of a misdemeanor.

Subd. 2. False statement. A person that knowingly makes a false statement related to an application for a license, a license, or certificate, required by or issued under the game and fish laws, is guilty of a misdemeanor.

Subd. 3. License agent violations. A license agent that knowingly issues a license to an ineligible person or predates a license is guilty of a misdemeanor.

Subd. 4. License agent suspension. In addition to other penalties, a license agent that violates a law or rule of the commissioner relating to license sales, handling, or accounting forfeits the right to sell and handle licenses for a period of one year.

Subd. 5. Refunds. (a) The commissioner may issue a refund on a license, not including any issuing fees paid under section 97A.485, subdivision 6, if:

(1) the licensee dies before the opening of the licensed season. The original license and a copy of the death certificate must be provided to the commissioner; or

(2) the licensee is unable to participate in the licensed activity because the licensee is called to active military duty or military leave is canceled during the entire open season of the licensed activity. The original license and a copy of the military orders or notice of cancellation of leave must be provided to the commissioner.

(b) This subdivision does not apply to lifetime licenses.

97A.315 TRESPASS.

Subdivision 1. Criminal penalties. (a) A person that violates a provision of section 97B.001, relating to trespass is guilty of a misdemeanor except as provided in paragraph (b).

(b) A person is guilty of a gross misdemeanor if the person:

(1) knowingly disregards signs prohibiting trespass;

(2) trespasses after personally being notified by the landowner or lessee not to trespass; or

(3) is convicted of violating this section more than once in a three-year period.

Subd. 2. License revocations. (a) If a person is convicted of trespassing under subdivision 1 while exercising or attempting to exercise an activity licensed under the game and fish laws or requiring snowmobile registration under section 84.82, the applicable license and registration are null and void.

(b) A person convicted of a gross misdemeanor under subdivision 1, paragraph (b), may not be issued a license to take game for two years after the conviction.

97A.321 DOGS PURSUING OR KILLING BIG GAME.

The owner of a dog that pursues but does not kill a big game animal is subject to a civil penalty of \$100 for each violation. The owner of a dog that kills a big game animal is subject to a civil penalty of \$500 for each violation.

97A.325 PENALTIES FOR UNLAWFULLY BUYING OR SELLING WILD ANIMALS.

Subdivision 1. Gross misdemeanor for sales of \$300 or more. (a) A person that buys or sells protected wild animals in violation of the game and fish laws where the sales total \$300 or more is guilty of a gross misdemeanor. The person is subject to the penalty in section 97A.301, subdivision 2, except that the fine may not be less than \$3,000 or more than \$10,000.

(b) Licenses possessed by a person convicted under this subdivision are null and void and the person may not take wild animals for three years after the conviction.

Subd. 2. Deer; bear; moose; elk; caribou. Except as provided in subdivision 1, a person that violates a provision of the game and fish laws relating to buying or selling deer, bear, moose, elk, or caribou is guilty of a gross misdemeanor.

Subd. 3. Small game and game fish. Except as provided in subdivision 1, a person that buys or sells small game or game fish in violation of the game and fish laws where the sales total \$50 or more is guilty of a gross misdemeanor.

Subd. 4. Fur-bearing animals. Except as provided in subdivision 1, a person that buys fur-bearing animals in violation of the game and fish laws is guilty of a gross misdemeanor.

97A.331 PENALTIES RELATED TO HUNTING.

Subdivision 1. Hunting while under the influence of alcohol or a controlled substance. A person that violates the provision of section 97B.065 relating to hunting while under the influence of alcohol or a controlled substance is guilty of a gross misdemeanor.

Subd. 2. Shining. A person that violates section 97B.081, relating to the use of an artificial light to locate wild animals while in possession of a firearm, bow, or other implement capable of killing big game is guilty of a gross misdemeanor.

Subd. 3. Transporting illegal big game. A person that knowingly transports big game taken in violation of the game and fish laws is guilty of a gross misdemeanor.

Subd. 4. Taking and possessing big game out of season. A person that takes or illegally possesses big game during the closed season is guilty of a gross misdemeanor.

Subd. 5. Moose; elk; caribou. A person that unlawfully takes, transports, or possesses moose, elk, or caribou in violation of the game and fish laws is guilty of a gross misdemeanor.

Subd. 6. Pine marten; otter; fisher; wolverine. A person that takes, transports, or possesses pine marten, otter, fisher, or wolverine in violation of the game and fish laws is guilty of a gross misdemeanor.

Subd. 7. Gray wolf. A person who takes, harasses, destroys, buys, sells, possesses, transports, or ships a gray wolf in violation of the game and fish laws is guilty of a gross misdemeanor.

97A.335 PENALTIES RELATED TO FISHING.

Subdivision 1. Taking fish with illegal devices or substances. A person that takes fish with devices, chemicals or substances in violation of section 97C.325, is guilty of a gross misdemeanor.

Subd. 2. Illegally taking or possessing muskellunge. A person who takes or possesses a muskellunge in violation of the game and fish laws is guilty of a misdemeanor and subject to a fine of up to \$1,000.

97A.338 GROSS OVERLIMITS OF WILD ANIMALS; PENALTY.

A person who takes, possesses, or transports wild animals over the legal limit, in closed season, or without a valid license, when the restitution value of the wild animals is over \$1,000 is guilty of a gross overlimit violation. A violation under this section is a gross misdemeanor.

97A.341 RESTITUTION FOR WILD ANIMALS ILLEGALLY TAKEN.

Subdivision 1. Liability for restitution. A person who kills, injures, or possesses a wild animal in violation of the game and fish laws is liable to the state for the value of the wild animal as provided in this section. Species afforded protection include members of the following groups as defined by statute or rule: game fish, game birds, big game, small game, fur-bearing animals, minnows, and threatened and endangered animal species. Other animal species may be added by rule of the commissioner as determined after public meetings and notification of the chairs of the environment and natural resources committees in the senate and house of representatives.

Subd. 2. Arrest and charging procedure. (a) An enforcement officer who arrests a person for killing, injuring, or possessing a wild animal in violation of the game and fish laws must describe the number, species, and restitution value of wild animals illegally killed, injured, or possessed on the warrant or the notice to appear in court.

(b) As part of the charge against a person arrested for killing, injuring, or possessing a wild animal in violation of the game and fish laws, the prosecuting attorney must include a demand that restitution be made to the state for the value of the wild animal killed, injured, or possessed. The demand for restitution is in addition to the criminal penalties otherwise provided for the violation.

Subd. 3. Sentencing procedure. If a person is convicted of or pleads guilty to killing, injuring, or possessing a wild animal in violation of the game and fish laws, the court must require the person to pay restitution to the state for replacement of the wild animal as part of the sentence or state in writing why restitution was not imposed. The court may consider the economic circumstances of the person and, in lieu of monetary restitution, order the person to perform conservation work representing the amount of restitution that will aid the propagation of wild animals. If the court does not order a person to pay restitution, the court administrator must send a copy of the court order to the commissioner.

Subd. 4. Amount of restitution. The amount of restitution shall be determined by the court by a preponderance of the evidence. In determining the amount of restitution, the court must consider the value of the wild animal under section 97A.345.

Subd. 5. Restitution credited to game and fish fund. The court administrator shall forward restitution collected under this section to the commissioner of finance and the commissioner shall credit all money forwarded to the game and fish fund in the state treasury.

97A.345 RESTITUTION VALUE OF WILD ANIMALS.

(a) The commissioner may, by rules adopted under chapter 14, prescribe the dollar value to the state of species of wild animals. The value may reflect the value to other persons to legally take the wild animal, the replacement cost, or the intrinsic value to the state of the wild animals. Species of wild animals with similar values may be grouped together.

(b) The value of a wild animal under the rules adopted by the commissioner is prima facie evidence of a wild animal's value under section 97A.341.

(c) The commissioner shall report annually to the legislature the amount of restitution collected under section 97A.341 and the manner in which the funds were expended.

LICENSES AND PERMITS

97A.401 SPECIAL PERMITS.

Subdivision 1. Commissioner's authority. The commissioner may issue special permits for the activities in this section.

Subd. 2. Zoological specimen collecting. Special permits may be issued without a fee to municipalities, incorporated natural history societies, high schools, colleges, and universities that maintain a zoological collection, to collect specimens of eggs, nests, and wild animals for scientific or exhibition purposes.

Subd. 3. Taking, possessing, and transporting wild animals for certain purposes. (a) Except as provided in paragraph (b), special permits may be issued without a fee to take, possess, and transport wild animals as pets and for scientific, educational, rehabilitative, wildlife disease prevention and control, and exhibition purposes. The commissioner shall prescribe the conditions for taking, possessing, transporting, and disposing of the wild animals.

(b) A special permit may not be issued to take or possess wild or native deer for exhibition, propagation, or as pets.

Subd. 4. Taking wild animals from game refuges, wildlife management, and other areas. Special permits may be issued, with or without a fee, to take a wild animal from game refuges, wildlife management areas, state parks, controlled hunting zones, and other areas of the state that the commissioner may open for the taking of a wild animal during a special season or subject to special restrictions. In addition, an application fee may be charged for a special permit. Local units of government may charge an administrative fee in connection with special hunts under their jurisdiction. Fees to be collected shall be based upon the estimated cost of conducting the special season or administering the special restrictions.

Subd. 5. Wild animals damaging property. Special permits may be issued with or without a fee to take protected wild animals or to remove or destroy their dens, nests, eggs, houses, or dams for the purpose of preventing or reducing damage or injury to people, property, agricultural crops, or other interests. The commissioner may prescribe rules for taking Canada geese and their nests and eggs, with or without a permit, consistent with federal regulations.

Subd. 6. Endangered muskrats. Special permits may be issued with or without a fee to take muskrats in danger of freezing out or starving in the winter.

Subd. 7. Raptors. The commissioner shall prescribe conditions and may issue permits for persons to breed, propagate, and sell raptors

97A.405 LICENSE REQUIREMENTS.

Subdivision 1. Protected wild animals. Unless allowed under the game and fish laws, a person may not take, buy, sell, transport, or possess protected wild animals of this state without a license.

Subd. 2. Personal possession. (a) A person acting under a license or traveling from an area where a licensed activity was performed must have in personal possession either: (1) the proper license, if the license has been issued to and received by the person; or (2) the proper license identification number or stamp validation, if the license has been sold to the person by electronic means but the actual license has not been issued and received.

(b) If possession of a license or a license identification number is required, a person must exhibit, as requested by a conservation officer or peace officer, either: (1) the proper license if the license has been issued to and received by the person; or (2) the proper license identification number or stamp validation and a valid state driver's license, state identification card, or other form of identification provided by the commissioner, if the license has been sold to the person by electronic means but the actual license has not been issued and received. A person charged with violating the license possession requirement shall not be convicted if the person produces in court or the office of the arresting officer, the actual license previously issued to that person, which was valid at the time of arrest, or satisfactory proof that at the time of the arrest the person was validly licensed. Upon request of a conservation officer or peace officer, a licensee shall write the licensee's name in the presence of the officer to determine the identity of the licensee.

(c) If the actual license has been issued and received, a receipt for license fees, a copy of a license, or evidence showing the issuance of a license, including the license identification number or stamp validation, does not entitle a licensee to exercise the rights or privileges conferred by a license.

(d) A license issued electronically and not immediately provided to the licensee shall be mailed to the licensee within 30 days of purchase of the license. A pictorial turkey, migratory waterfowl, pheasant, or trout and salmon stamp shall be provided to the licensee after purchase of a stamp validation only if the licensee pays an additional \$2 fee.

Subd. 3. Duplicate licenses. The commissioner shall prescribe rules for issuing duplicate licenses to persons whose licenses are lost or destroyed. A duplicate license may not be issued unless the applicant takes an oath covering the facts of loss or destruction of the license.

Subd. 4. Replacement licenses. (a) The commissioner may permit licensed deer hunters to change zone, license, or season options. The commissioner may issue a replacement license if the applicant submits the original deer license and unused tags that are being replaced and the applicant pays any increase in cost between the original and the replacement license. A refund of the difference in fees may be issued when a person changes from a regular deer license to a youth deer license. When a person submits both an archery and a firearms license for replacement, the commissioner may apply the value of both licenses towards the replacement license fee.

(b) A replacement license may be issued only if the applicant has not used any tag from the original license or licenses and meets the conditions of paragraph (c). The original license or licenses and all unused tags for the licenses being replaced must be submitted to the issuing agent at the time the replacement license is issued.

(c) A replacement license may be issued under the following conditions, or as otherwise prescribed by rule of the commissioner:

- (1) when the season for the license being surrendered has not yet opened;
- (2) when the person is upgrading from a regular firearms or archery deer license to an all season deer license;
- (3) when the person is upgrading from a regular firearms license to a multizone deer license; or
- (4) when the person is changing from a regular firearms deer license to a youth deer license.

(d) Notwithstanding section 97A.411, subdivision 3, a replacement license is valid immediately upon issuance if the license being surrendered is valid at that time.

Subd. 5. Resident licenses. To obtain a resident license, a resident 21 years of age or older must:

- (1) possess a current Minnesota driver's license;
- (2) possess a current identification card issued by the commissioner of public safety; or
- (3) present evidence showing proof of residency in cases when clause (1) or (2) would violate the Religious Freedom Restoration Act of 1993, Public Law 103-141.

97A.411 VALIDITY OF LICENSES.

Subdivision 1. License period. (a) Except as provided in paragraphs (b) (d), and (e) a license is valid during the lawful time within the license year that the licensed activity may be performed. Except as provided in paragraph (c), a license year begins on the first day of March and ends on the last day of February.

(b) A license issued under section 97A.475, subdivision 6, clause (5), 97A.475, subdivision 7, clause (2), (3), (5), or (6), or 97A.475, subdivision 12, clause (2), is valid for the full license period even if this period extends into the next license year, provided that the license period selected by the licensee begins at the time of issuance.

(c) The license year for resident fishing, the angling portion of a sporting license, nonresident fishing, resident fish house, resident dark house, and nonresident fish house begins on March 1 and ends on April 30 of the following year.

(d) A lifetime license issued under section 97A.473 or 97A.474 is valid during the lawful time within the license year that the licensed activity may be performed for the lifetime of the licensee.

(e) A three-year fish house or dark house license is valid during the license year that it is purchased and the two succeeding license years.

Subd. 2. Signature on stamps. A migratory waterfowl or pheasant stamp issued under the game and fish laws must be signed by the licensee across the front of the stamp to be valid.

Subd. 3. Deer license. (a) Except as provided in paragraphs (b) and (c), a license to take deer by archery, firearms, or muzzleloader issued after the opening of the related archery, firearms, or muzzleloader deer season, respectively, is not valid until the second day after it is issued.

(b) The commissioner may issue a license to take additional deer under section 97B.301, subdivision 4, that is valid immediately upon issuance.

(c) Paragraph (a) does not apply to deer licenses for discharged military personnel under section 97A.465, subdivision 4.

97A.415 LICENSE RESTRICTIONS.

Subdivision 1. One license per person. Only one trapping and big game license of each kind may be issued to a person in a license year unless authorized by commissioner's rule.

Subd. 2. Transfer prohibited. A person may not lend, transfer, borrow, or solicit a license or permit, license identification number, application for a license or permit, coupon, tag, or seal, or use a license, permit, license

identification number, coupon, tag, or seal not issued to the person unless otherwise expressly authorized.

Subd. 3. Nonresidents. Nonresidents may not obtain a license for an activity unless the activity is expressly authorized for nonresidents.

97A.418 PERMIT RULES.

Wherever the game and fish laws specifically provide for the issuance of a permit by the commissioner, the commissioner may do the following in accordance with criteria and procedures established in rules adopted by the commissioner:

- (1) issue a permit with reasonable conditions; and
- (2) deny, modify, suspend, or revoke a permit for cause, including violation of the game and fish laws or rules adopted thereunder.

97A.420 SEIZURE OF LICENSES.

Subdivision 1. Seizure. (a) An enforcement officer shall immediately seize the license of a person who unlawfully takes, transports, or possesses wild animals when the restitution value of the wild animals exceeds \$500. Except as provided in subdivisions 2, 4, and 5, the person may not obtain any license to take the same type of wild animals involved, including a duplicate license, until an action is taken under subdivision 6.

(b) In addition to the license seizure under paragraph (a), if the restitution value of the wild animals unlawfully taken, possessed, or transported is \$5,000 or more, all other game and fish licenses held by the person shall be immediately seized. Except as provided in subdivision 2, 4, or 5, the person may not obtain any game or fish license or permit, including a duplicate license, until an action is taken under subdivision 6.

(c) A person may not take wild animals covered by a license seized under this subdivision until an action is taken under subdivision 6.

Subd. 2. Administrative review. (a) At any time after the seizure of a license under subdivision 1 and before revocation under section 97A.421, a person may request in writing a review of the seizure under this section. Upon receiving the request for review, the commissioner shall review the seizure, the evidence upon which it was based, and other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the seizure.

(b) Within 15 days after receiving the request for administrative review, the commissioner shall issue a written report of the review and shall order that the seizure be either sustained or rescinded.

(c) The review provided in this subdivision is not subject to the contested case provisions of the Administrative Procedure Act under chapter 14. The availability of administrative review does not preclude judicial review under this section.

Subd. 3. Judicial review. (a) Within 30 days following the seizure of a license under subdivision 1, a person may petition the court for review. The petition must be filed with the district court administrator in the county where the incident occurred, together with proof of service of a copy on the commissioner and the county attorney. A responsive pleading is not required of the commissioner of natural resources and court fees may not be charged for the appearance of the representative of the commissioner in the matter.

(b) The petition must be captioned in the name of the person making the petition as petitioner and the commissioner as respondent. The petition must

state specifically the grounds upon which the petitioner seeks rescission of the license seizure.

(c) The filing of the petition does not stay the license seizure. The judicial review shall be conducted according to the Rules of Civil Procedure.

Subd. 4. Hearing. (a) A hearing under subdivision 3 must be before a district court judge in the county where the incident occurred giving rise to the license seizure. The hearing must be to the court and may be conducted at the same time as hearings upon pretrial motions in a related criminal prosecution. The commissioner must be represented by the county attorney.

(b) The hearing must be held at the earliest practicable date and in any event no later than 60 days following the filing of the petition for review.

(c) The scope of the hearing must be limited to the issue of whether there is probable cause to believe that the person had unlawfully taken, possessed, or transported wild animals with a restitution value over \$500.

(d) The court shall order that the license seizure be either sustained or rescinded. Within 14 days following the hearing, the court shall forward a copy of the order to the commissioner.

(e) Any party aggrieved by the decision of the reviewing court may appeal the decision as provided in the Rules of Civil Appellate Procedure.

Subd. 5. Temporary release of commercial licenses. At any time during the period that a game or fish license is seized under subdivision 1, a person possessing a commercial license issued under the game and fish laws may make a written request to the commissioner to temporarily release the commercial license. If the commissioner determines that the public welfare will not be injured, the commissioner may temporarily reinstate the commercial license upon payment of a temporary reinstatement fee of \$1,000 cash or bond in favor of the state for each commercial license to be released. An additional fee is not required for vehicles licensed under section 97A.475, subdivision 26, clause (2) or (4). If the license is returned under subdivision 6, paragraph (a), the temporary reinstatement fee shall be returned to the licensee. If the license is revoked under subdivision 6, paragraph (b), the temporary reinstatement fee shall be deposited in the game and fish fund and is not refundable.

Subd. 6. Return or revocation of licenses upon dismissal or conviction.

(a) Upon acquittal, dismissal, or determination not to charge a person for a violation, the license seizure under subdivision 1 is immediately rescinded and any license seized in connection with the incident must be returned to the licensee.

(b) Upon conviction of a violation when the restitution value of the wild animals exceeds \$500, revocation of licenses and license privileges must be imposed as provided under section 97A.421, subdivision 2a.

97A.421 VALIDITY AND ISSUANCE OF LICENSES AFTER CONVICTION.

Subdivision 1. General. (a) The annual license of a person convicted of a violation of the game and fish laws relating to the license or wild animals covered by the license is void when:

(1) a second conviction occurs within three years under a license to take small game or to take fish by angling or spearing;

(2) a third conviction occurs within one year under a minnow dealer's license;

(3) a second conviction occurs within three years for violations of section 97A.425 that do not involve falsifications or intentional omissions of

information required to be recorded, or attempts to conceal unlawful acts within the records;

(4) two or more misdemeanor convictions occur within a three-year period under a private fish hatchery license;

(5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for a violation of section 97A.425 not described in clause (3); or

(6) the conviction is related to assisting a person in the illegal taking, transportation, or possession of wild animals, when acting as a hunting or angling guide.

(b) Except for big game licenses and as otherwise provided in this section, for one year after the conviction the person may not obtain the kind of license or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish law violation.

Subd. 2. Issuance of license after conviction for buying and selling wild animals. A person may not obtain a license to take any wild animal or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, for a period of three years after being convicted of buying or selling game fish, big game, or small game, and the total amount of the sale is \$300 or more.

Subd. 2a. License revocation after conviction. (a) A person may not obtain a license to take a wild animal and is prohibited from taking wild animals for a period of five years after the date of conviction of:

(1) a violation when the restitution value of the wild animals is \$5,000 or more; or

(2) a violation when the restitution value of the wild animals exceeds \$500 and the violation occurs within ten years of one or more previous license revocations under this subdivision.

(b) A person may not obtain a license to take the type of wild animals involved in a violation when the restitution value of the wild animals exceeds \$500 and is prohibited from taking the type of wild animals involved in the violation for a period of three years after the date of conviction of a violation.

(c) The time period of multiple revocations under paragraph (a), clause (2), shall be consecutive and no wild animals of any kind may be taken during the entire period.

(d) The court may not stay or reduce the imposition of license revocation provisions under this subdivision.

Subd. 3. Issuance of a big game license after conviction. A person may not obtain any big game license or take big game under a lifetime license, issued under section 97A.473, for three years after the person is convicted of:

(1) a gross misdemeanor violation under the game and fish laws relating to big game;

(2) doing an act without a required big game license; or

(3) the second violation within three years under the game and fish laws relating to big game.

Subd. 4. Issuance after intoxication or narcotics conviction. A person convicted of a violation under section 97B.065, relating to hunting while intoxicated or using narcotics, may not obtain a license to hunt with a firearm or by archery or hunt with a firearm or by archery under a lifetime license, issued under section 97A.473 or 97A.474, for five years after conviction.

Subd. 4a. Suspension for failure to appear in court or pay a fine or surcharge. When a court reports to the commissioner that a person (1) has failed to appear in court under the summons issued for a violation of the game

and fish laws or (2) has been convicted of violating a provision of the game and fish laws, has been sentenced to the payment of a fine or had a surcharge levied against them, and refused or failed to comply with that sentence or to pay the fine or surcharge, the commissioner shall suspend the game and fish license and permit privileges of the person until notified by the court that the person has appeared in court under clause (1) or that any fine or surcharge due the court has been paid under clause (2).

Subd. 5. Commissioner may reinstate certain licenses after conviction.

If the commissioner determines that the public welfare will not be injured, the commissioner may reinstate licenses voided under subdivision 1 and issue licenses to persons ineligible under subdivision 2 or 2a. The commissioner's authority applies only to licenses to:

- (1) maintain and operate fur or game farms, aquatic farms, or private fish hatcheries;
- (2) take fish by commercial netting;
- (3) buy fish from commercial netting licensees; and
- (4) sell or export turtles or live minnows.

Subd. 6. Applicability to moose or elk licenses. In this section the term "license" includes an application for a license to take either moose or elk.

Subd. 7. Taking wild animals while privileges are suspended. A person who takes a protected wild animal during the time the person is prohibited from obtaining a license to take that animal under this section is guilty of a misdemeanor.

97A.425 RECORD AND REPORTING REQUIREMENTS FOR DEALERS, TANNERS, AND TAXIDERMISTS.

Subdivision 1. License and record requirements. (a) A person must have the required license under the game and fish laws to buy or sell wild animals, to tan animal hides or dress raw furs, or to mount specimens of wild animals and must keep complete records of all transactions and activities covered by the license and submit reports to the commissioner.

(b) A person is not required to be licensed to tan animal hides or dress raw furs or to mount specimens of wild animals if the person is not compensated for the service.

Subd. 2. Records. (a) The records must show:

- (1) the names and addresses of persons from whom wild animals were obtained and to whom they were transferred;
- (2) the dates of receipt, shipment, and sale of wild animals;
- (3) detailed descriptions of the number and type of wild animals purchased, sold, and shipped;
- (4) serial numbers of seals, tags, or permits required to be attached to the wild animals; and
- (5) trapping license numbers for protected fur-bearing animals, unless the trapper is exempt from the license requirement, which must be noted.

(b) A licensed fur dealer, buying for one employer at the employer's place of business, is not required to keep separate records if the employer notifies the commissioner in writing that the employer will account for the fur dealer.

(c) The records required under this section must be available for inspection by the commissioner, the director, or their agents at all reasonable times. The records must be preserved and available for two years after the expiration of a license that required them.

(d) Records required of persons licensed to buy or sell wild animals, or to tan or dress raw furs, must be kept in a book supplied by the commissioner.

Subd. 3. Reports. Except for persons licensed to mount specimens of wild animals, an annual report covering the preceding license year must be submitted to the commissioner by March 15. The commissioner may require other reports for statistical purposes. The reports must be on forms supplied by the commissioner.

Subd. 4. Rules. The commissioner may adopt rules, not inconsistent with subdivisions 1 to 3, governing record keeping, reporting, and marking of specimens by taxidermists.

97A.431 MOOSE LICENSES.

Subdivision 1. Number of licenses; party size. The commissioner shall include in a rule setting the dates for a moose season:

- (1) the number of licenses to be issued; and
- (2) the size of a moose hunting party, not to exceed six persons.

Subd. 2. Eligibility. Persons eligible for a moose license shall be determined under this section and commissioner's rule. A person is eligible for a moose license only if the person:

- (1) is a resident;
- (2) is at least age 16 before the season opens; and
- (3) has not been issued a moose license for any of the last five seasons or after January 1, 1991.

Subd. 3. Application for license. An application for a moose license must be on a form provided by the commissioner and accompanied by a \$3 nonrefundable application fee per person. A person may not make more than one application for each season. If a person makes more than one application, the person is ineligible for a license for that season after determination by the commissioner, without a hearing.

Subd. 4. Separate selection; eligibility. (a) The commissioner may conduct a separate selection for up to 20 percent of the moose licenses to be issued for an area. Only owners of, and tenants living on, at least 160 acres of agricultural or grazing land in the area, and their family members, are eligible for the separate selection under this paragraph.

(b) The commissioner must conduct a separate selection for 20 percent of the moose licenses to be issued each year. Only individuals who have applied at least ten times for a moose license and who have never received a license are eligible for this separate selection.

(c) The commissioner may by rule establish criteria for:

- (1) determining eligible family members under paragraph (a); and
- (2) verifying that an individual has made at least ten unsuccessful applications for the purposes of paragraph (b).

(d) A person who is unsuccessful in a separate selection under this subdivision must be included in the selection for the remaining licenses.

97A.433 ELK LICENSES.

Subdivision 1. Number of licenses; party size. The commissioner shall include in a rule setting the dates for an elk season:

- (1) the number of licenses to be issued; and
- (2) the size of an elk hunting party, not to exceed two persons.

Subd. 2. Eligibility. Persons eligible for an elk license shall be determined under this section and commissioner's rule. A person is eligible for an elk license only if the person:

- (1) is a resident;
- (2) is at least age 16 before the season opens; and
- (3) has never been issued an elk license.

Subd. 3. Application for license. An application for an elk license must be on a form provided by the commissioner and accompanied by a \$10 nonrefundable application fee per person. A person may not make more than one application for each season. If a person makes more than one application, the person is ineligible for a license for that season after determination by the commissioner, without a hearing.

Subd. 4. Separate selection; eligibility. (a) The commissioner may conduct a separate selection for up to 20 percent of the elk licenses to be issued for an area. Only owners of, and tenants living on, at least 160 acres of agricultural or grazing land in the area, and their family members, are eligible for the separate selection. Persons that are unsuccessful in a separate selection must be included in the selection for the remaining licenses. Persons who obtain an elk license in a separate selection must allow public elk hunting on their land during the elk season for which the license is valid.

(b) The commissioner may by rule establish criteria for determining eligible family members under this subdivision.

97A.434 PRAIRIE CHICKEN LICENSES.

Subdivision 1. Number of licenses to be issued. If the commissioner establishes an open season for prairie chickens under section 97B.711, the commissioner shall also determine, by rule, the number of licenses to be issued.

Subd. 2. Eligibility. Eligibility for a prairie chicken license shall be determined by this section and by rule adopted by the commissioner. A person is eligible for a prairie chicken license only if the person:

- (1) is a resident; and
- (2) was born before January 1, 1980, or possesses a firearms safety certificate.

Subd. 3. Application for license. An application for a prairie chicken license must be made in a manner provided by the commissioner and accompanied by a \$4 application fee. The \$4 application fee is appropriated as prescribed in section 84.027, subdivision 15, paragraph (c), to pay for costs associated with conducting the prairie chicken license drawing. A person may not make more than one application for each season. If a person makes more than one application, the person is ineligible for a license for that season after determination by the

Subd. 4. Separate selection of eligible licensees. (a) The commissioner may conduct a separate selection for up to 20 percent of the prairie chicken licenses to be issued for any area. Only persons who are owners or tenants of at least 40 acres of prairie or grassland in the area, and their family members, are eligible applicants for prairie chicken licenses for the separate selection. The qualifying prairie or grassland may be noncontiguous. Persons who are unsuccessful in a separate selection must be included in the selection for the remaining licenses. Persons who obtain a license in a separate selection must allow public prairie chicken hunting on their land during that prairie chicken season.

97A.435 Turkey licenses; application and eligibility.

(b) The commissioner may by rule establish criteria for determining eligible family members under this subdivision

97A.435 TURKEY LICENSES; APPLICATION AND ELIGIBILITY.

Subdivision 1. Number of licenses to be issued. The commissioner shall include in a rule setting the dates for a turkey season the number of licenses to be issued.

Subd. 2. Eligibility. Persons eligible for a turkey license shall be determined by this section and commissioner's rule. A person is eligible for a turkey license only if the person is at least age 16 before the season opens, possesses a firearms safety certificate, or, if under age 12, is accompanied by a parent or guardian.

Subd. 3. Application for license. An application for a turkey license must be on a form provided by the commissioner and accompanied by a \$3 application fee. A person may not make more than one application for each season. If a person makes more than one application the person is ineligible for a license for that season after determination by the commissioner, without a hearing.

Subd. 4. Separate selection of eligible licensees. (a) The commissioner may conduct a separate selection for up to 20 percent of the turkey licenses to be issued for any area. Only persons who are owners or tenants of and who live on at least 40 acres of land in the area, and their family members, are eligible applicants for turkey licenses for the separate selection. The qualifying land may be noncontiguous. Persons who are unsuccessful in a separate selection must be included in the selection for the remaining licenses. Persons who obtain a license in a separate selection must allow public turkey hunting on their land during that turkey season. A license issued under this subdivision is restricted to the permit area where the qualifying land is located.

(b) The commissioner may by rule establish criteria for determining eligible family members under this subdivision.

Subd. 5. Spring season. (a) A person who has not applied for a turkey license through the lottery or applied for a license and was unsuccessful in the lottery, may purchase a turkey hunting license to hunt by archery for the spring turkey season during a combined seventh and eighth time period. A turkey hunting license under this subdivision is separate from the normal lottery process and is effective for hunting only in a wild turkey permit area in the state where 50 or more licenses are issued during an established time period.

(b) Turkey lottery preference points shall not be reduced for a person purchasing a license under this subdivision.

(c) A person may take only one bearded turkey in a spring turkey season regardless of whether the hunter purchased a license through the lottery system or as provided in this subdivision.

97A.438 RELEASE OF WILD TURKEYS; PERMIT REQUIRED.

A person may not release a wild turkey or wild turkey hybrid without a permit from the commissioner.

97A.441 LICENSES TO BE ISSUED WITHOUT A FEE.

Subdivision 1. Angling and spearing; disabled residents. Licenses to take fish by angling or spearing shall be issued without a fee to a resident who is:

- (1) blind;

(2) a recipient of supplemental security income for the aged, blind, and disabled;

(3) a recipient of Social Security aid to the disabled under United States Code, title 42, section 416, paragraph (i)(I) or section 423(d);

(4) a recipient of workers' compensation based on a finding of total and permanent disability; or

(5) 65 years of age or older and was qualified under clause (2) or (3) at the age of 64.

Subd. 2. Angling; foreign exchange students. A license to take fish by angling shall be issued without a fee to a citizen of a foreign country that is attending school in this state as an exchange student.

Subd. 3. Angling; residents of state institutions. The commissioner may issue a license, without a fee, to take fish by angling to a person that is a ward of the commissioner of human services and a resident of a state institution upon application by the commissioner of human services.

Subd. 4. Angling; developmentally disabled residents. A person authorized to issue licenses must issue, without a fee, a permanent license to take fish by angling to a resident at least 16 years old that is developmentally disabled upon being furnished satisfactory evidence of the disability.

Subd. 5. Angling; disabled veterans. A person authorized to issue licenses must issue, without a fee, a permanent license to take fish by angling to a resident who is a veteran, as defined in section 197.447, and that has a 100 percent service connected disability as defined by the United States Veterans Administration upon being furnished satisfactory evidence.

Subd. 6. Taking deer; disabled veterans. A person authorized to issue licenses must issue, without a fee, a license to take deer with firearms or by archery to a resident that is a veteran, as defined in section 197.447, and that has a 100 percent service connected disability as defined by the United States Veterans Administration upon being furnished satisfactory evidence.

Subd. 6a. Taking small game; disabled veterans. A person authorized to issue licenses must issue, without a fee, a license to take small game to a resident who is a veteran, as defined in section 197.447, and who has a 100 percent service connected disability as defined by the United States Veterans Administration upon being furnished satisfactory evidence.

Subd. 7. Owners or tenants of agricultural land. (a) The commissioner may issue, without a fee, a license to take an antlerless deer to a person who is an owner or tenant of at least 80 acres of agricultural land, as defined in section 97B.001, in deer permit areas that have deer archery licenses to take additional deer under section 97B.301, subdivision 4. A person may receive only one license per year under this subdivision. For properties with co-owners or cotenants, only one co-owner or cotenant may receive a license under this subdivision per year. The license issued under this subdivision is restricted to land leased for agricultural purposes or owned by the holder of the license within the permit area where the qualifying land is located. The holder of the license may transfer the license to the holder's spouse or dependent. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision 2, the holder of the license may purchase an additional license for taking deer and may take an additional deer under that license.

(b) A person who obtains a license under paragraph (a) must allow public deer hunting on their land during that deer hunting season, with the exception of the first Saturday and Sunday during the deer hunting season applicable to the license issued under section 97A.475, subdivision 2, clauses (4) and (13).

Subd. 8. Duplicate licenses. There is no fee for a duplicate license if the original license was issued without a fee.

Subd. 9. Angling assistance to disabled residents. An individual who is providing angling assistance to a disabled resident licensed under subdivision 1, 4, or 5, is not required to possess a license to take fish by angling provided that no lines in addition to those permitted for an individual under section 97C.315 are in the water.

Subd. 10. Taking wild animals for wildlife disease prevention and control. The commissioner may issue, without a fee, licenses to take wild animals for the purposes of wildlife disease prevention and control.

97A.445 EXEMPTIONS FROM LICENSE REQUIREMENT.

Subdivision 1. Angling; Take a Kid Fishing Weekends. A resident over age 18 may take fish by angling without an angling or fish house license during one three-day consecutive period of the open water angling season and one three-day consecutive period of the ice angling season designated by rule of the commissioner if accompanied by a child who is under age 16. The commissioner shall publicize the three-day periods as "Take a Kid Fishing Weekend" for the open water angling season and "Take a Kid Ice Fishing Weekend" for the ice angling season.

Subd. 2. Angling; institutional residents. A license is not required to take fish by angling with the written consent of the superintendent or chief executive of the institution for the following persons:

- (1) a resident of a state hospital;
- (2) a patient of a United States Veterans Administration hospital;
- (3) an inmate of a state correctional facility;
- (4) a resident of a licensed nursing or boarding care home, a person who is enrolled in and regularly participates in an adult day care program or other similar organized activity sponsored by a licensed nursing or boarding care home, or a resident of a licensed board and lodging facility; and
- (5) a resident of a drug or alcohol residential treatment program under the age of 20.

Subd. 3. Angling and spearing; disabled railroad and postal retirees. A license is not required to take fish by angling or spearing for a resident that is:

- (1) receiving aid under the federal Railroad Retirement Act of 1974, United States Code, title 45, section 231a(a)(1)(v); or
- (2) a former employee of the United States Postal Service receiving disability pay under United States Code, title 5, section 8337.

Subd. 4. Angling; Take a Mom Fishing Weekend. Any mother who is a resident of Minnesota may take fish by angling without a license during the Saturday and Sunday of the angling season that coincides with Mother's Day. The commissioner shall publicize the Saturday and Sunday as "Take a Mom Fishing Weekend."

Subd. 5. Small game hunting; Take a Kid Hunting Weekend. A resident over age 18 may take small game by hunting without a license during one Saturday and Sunday of the small game hunting season designated by rule of the commissioner if accompanied by a child who is under age 16. The commissioner shall publicize the Saturday and Sunday as "Take a Kid Hunting Weekend."

97A.451 LICENSE REQUIREMENTS AND EXEMPTIONS RELATING TO AGE.

Subdivision 1. Repealed, 1988

Subd. 2. Residents under age 16; fishing. A resident under the age of 16 years may take fish without a license.

Subd. 3. Residents under age 16; small game. (a) A resident under age 16 may not obtain a small game license but may take small game by firearms or bow and arrow without a license if the resident is:

(1) age 14 or 15 and possesses a firearms safety certificate;

(2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or guardian;

(3) age 13, 14, or 15, possesses an apprentice hunter validation, and is accompanied by a parent or guardian who possesses a small game license that was not obtained using an apprentice hunter validation; or

(4) age 12 or under and is accompanied by a parent or guardian.

(b) A resident under age 16 may take small game by trapping without a small game license, but a resident 13 years of age or older must have a trapping license. A resident under age 13 may trap without a trapping license, but may not register fisher, otter, bobcat, or pine marten unless the resident is at least age five. Any fisher, otter, bobcat, or pine marten taken by a resident under age five must be included in the limit of the accompanying parent or guardian.

(c) A resident under age 12 may apply for a turkey license and may take a turkey without a firearms safety certificate if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.

Subd. 3a. Nonresidents under age 18; small game. (a) A nonresident under age 18 may obtain a small game license at the resident fee under section 97A.475, subdivision 2, clause (2), if the nonresident:

(1) possesses a firearms safety certificate; or

(2) if age 13 or under, is accompanied by a parent or guardian when purchasing the license.

(b) A nonresident age 13 or under must be accompanied by a parent or guardian to take small game. A nonresident age 12 or under is not required to possess a firearms safety certificate under section 97B.020 to take small game.

Subd. 4. Persons under age 16; big game. A person under the age of 16 may not obtain a license to take big game unless the person possesses a firearms safety certificate. A person under the age of 14 must be accompanied by a parent or guardian to hunt big game.

Subd. 5. Nonresidents under age 16. (a) A nonresident under the age of 16 may take fish by angling without a license if a parent or guardian has a fishing license. Fish taken by a nonresident under the age of 16 without a license must be included in the limit of the parent or guardian.

(b) A nonresident under age 16 may purchase a fishing license at the resident fee or be included under a nonresident family license, take fish by angling, and possess a limit of fish.

Subd. 6. Nonresidents under age 16 attending camps; fishing. A nonresident under the age of 16 that is attending a camp conducted by a nonprofit organization may take fish by angling in adjacent and connected public waters without a license. The organization must have a certificate from the commissioner that describes the public waters where the fishing is allowed. The nonresident must possess a document, prescribed by the

97A.455 Nonresident students; fishing, small game, and big game.

commissioner, for identification of the nonresident and the authorized fishing waters. The document must be signed and dated within the current calendar year by the person in charge of the camp.

Subd. 7. Residents over age 65; spearing. A resident age 65 or over may take fish by spearing without a spearing license if the resident has an angling license.

97A.455 NONRESIDENT STUDENTS; FISHING, SMALL GAME, AND BIG GAME.

(a) A nonresident that is a full-time student at an educational institution in the state and resides in the state during the school year may obtain a resident license to take fish, small game, or big game, except moose, by providing proof of student status and residence as prescribed by the commissioner.

(b) A nonresident that is a full-time foreign exchange student at a high school in the state and resides with persons in the state may obtain a resident license to take big game, except moose, by providing proof of foreign exchange student status as prescribed by the commissioner.

97A.461 NONRESIDENT LICENSES FOR BOUNDARY WATER HUNTING OR FISHING.

Licenses to take fish or small game in or on boundary waters may be granted to nonresidents upon the same terms and conditions as licenses granted by the adjacent state or province to nonresidents of the adjacent state or province for those boundary waters. The fees for a license granted by this state may not be less than the fees for a corresponding resident license.

97A.465 MILITARY PERSONNEL; FISHING AND HUNTING.

Subdivision 1. Residents on leave. A resident that is in the armed forces of the United States, stationed outside of the state, and in the state on leave, may hunt and fish without a license if the resident possesses official military leave papers. The resident must obtain the seals, tags, and coupons required of a licensee, which must be furnished without charge. This subdivision does not apply to the taking of moose or elk.

Subd. 1a. Spouses of residents on active military duty. Notwithstanding section 97A.405, subdivision 5, the spouse of a resident who is on active military duty may obtain resident hunting and fishing licenses.

Subd. 1b. Residents discharged from active service. (a) A resident who has served at any time during the preceding 24 months in federal active service, as defined in section 190.05, subdivision 5c, outside the United States as a member of the National Guard, or as a reserve component or active duty member of the United States armed forces and has been discharged from active service may take small game and fish without a license if the resident possesses official military discharge papers. The resident must obtain the seals, tags, and coupons required of a licensee, which must be furnished without charge.

(b) The commissioner shall issue, without fee, a deer license to a resident who has served at any time during the preceding 24 months in federal active service, as defined in section 190.05, subdivision 5c, outside the United States as a member of the National Guard, or as a reserve component or active duty member of the United States armed forces and has been discharged from active service. Eligibility under this paragraph is limited to one license per resident.

Subd. 2. Camp Ripley personnel. A nonresident who is in the military and in training at Camp Ripley may obtain a resident license to take fish.

Subd. 3. Nonresidents stationed in the state. The commissioner may issue a resident license to take fish or game to a person in the armed forces of the United States that is stationed in the state. This subdivision does not apply to the taking of moose or elk.

Subd. 4. Discharged resident; obtaining deer license during season. A resident who is discharged from the United States armed forces during, or within ten days before, the firearms deer season may, upon showing the official discharge paper, obtain a firearm deer license during the season that is valid immediately upon issuance.

Subd. 5. Preference to service members. (a) For purposes of this subdivision:

(1) "qualified service member or veteran" means a Minnesota resident who is currently serving, or has served at any time during the past 24 months, in active service as a member of the United States armed forces, including the National Guard or other military reserves; and

(2) "active service" means service defined under section 190.05, subdivision 5b or 5c.

(b) Notwithstanding any other provision of this chapter, chapter 97B or 97C, or administrative rules, the commissioner may give first preference to qualified service members or veterans in any drawing or lottery involving the selection of applicants for hunting or fishing licenses, permits, and special permits. This subdivision does not apply to licenses or permits for taking moose, elk, or prairie chickens. Actions of the commissioner under this subdivision are not rules under the Administrative Procedure Act and section 14.386 does not apply.

Subd. 6. Special hunts for military personnel. The commissioner may by rule establish criteria, special seasons, and limits for military personnel and veterans to take big game and small game by firearms or archery in designated areas or times. A person hunting under this subdivision must be participating in a hunt sponsored and administered by the Minnesota Department of Military Affairs or the Minnesota Department of Veterans Affairs.

97A.471 NONRESIDENT COURTESY LICENSES.

Subdivision 1. Game and fish officers of other jurisdictions. The commissioner may issue a courtesy nonresident license to take game or fish without charge to a game and fish or conservation employee of another state or of the United States that is in the state to assist or cooperate with the commissioner.

Subd. 2. Guests of the governor or commissioner. The commissioner may issue a nonresident courtesy license to take game or fish without charge to an official of another state, the United States, or foreign country and to a representative of a conservation organization or publication that is in the state as a guest of the governor or commissioner.

Subd. 3. Nonapplicability to moose or elk hunting. This section does not apply to taking moose or elk.

97A.472 PLACE OF SALE OF NONRESIDENT LICENSES; RESTRICTION.

The commissioner shall not sell or issue in any place outside this state a nonresident license to take fish in this state.

97A.473 RESIDENT LIFETIME LICENSES.

Subdivision 1. Resident lifetime licenses authorized. (a) The commissioner may issue a lifetime angling license, a lifetime small game hunting license, a lifetime firearm or archery deer hunting license, or a lifetime sporting license to a person who is a resident of the state for at least one year or who is under age 21 and the child of a person who is a resident of the state for at least one year. The license fees paid for a lifetime license are nonrefundable.

(b) The commissioner may require the holder of a lifetime license issued under this section to notify the department each year that the license is used, by:

- (1) telephone or Internet notification, as specified by the commissioner;
- (2) the purchase of stamps for the license; or
- (3) registration and tag issuance, in the case of the resident lifetime deer license.

Subd. 2. Lifetime angling license; fee. (a) A resident lifetime angling license authorizes a person to take fish by angling in the state. The license authorizes those activities authorized by the annual resident angling license. The license does not include a trout and salmon stamp validation or other stamps required by law.

(b) The fees for a resident lifetime angling license are:

- (1) age 3 and under, \$227;
- (2) age 4 to age 15, \$300;
- (3) age 16 to age 50, \$383; and
- (4) age 51 and over, \$203.

Subd. 3. Lifetime small game hunting license; fee. (a) A resident lifetime small game hunting license authorizes a person to hunt and trap small game in the state. The license authorizes those hunting and trapping activities authorized by the annual resident small game hunting and trapping licenses. The license does not include a turkey stamp validation or any other hunting stamps required by law.

(b) The fees for a resident lifetime small game hunting license are:

- (1) age 3 and under, \$217;
- (2) age 4 to age 15, \$290;
- (3) age 16 to age 50, \$363; and
- (4) age 51 and over, \$213.

Subd. 4. Lifetime deer hunting license; fee. (a) A resident lifetime deer hunting license authorizes a person to take deer with firearms or by archery in the state. The license authorizes those activities authorized by the annual resident firearm deer hunting license or the annual resident archery deer hunting license. The licensee must register and receive tags each year that the license is used. The tags shall be issued at no charge to the licensee.

(b) The fees for a resident lifetime firearm or archery deer hunting license are:

- (1) age 3 and under, \$337;
- (2) age 4 to age 15, \$450;
- (3) age 16 to age 50, \$573; and
- (4) age 51 and over, \$383.

Subd. 5. Lifetime sporting license; fee. (a) A resident lifetime sporting license authorizes a person to take fish by angling and hunt and trap small game in the state. The license authorizes those activities authorized by the annual resident angling, resident small game hunting, and resident trapping

licenses. The license does not include a trout and salmon stamp validation, a turkey stamp validation, or any other hunting stamps required by law.

(b) The fees for a resident lifetime sporting license are:

- (1) age 3 and under, \$357;
- (2) age 4 to age 15, \$480;
- (3) age 16 to age 50, \$613; and
- (4) age 51 and over, \$413.

97A.474 NONRESIDENT LIFETIME LICENSES.

Subdivision 1. Nonresident lifetime licenses authorized. (a) The commissioner may issue a lifetime angling license or a lifetime small game hunting license to a nonresident. The license fees paid for a lifetime license are nonrefundable.

(b) The commissioner may require the holder of a lifetime license issued under this section to notify the department each year that the license is used, by:

- (1) telephone or Internet notification, as specified by the commissioner; or
- (2) the purchase of stamps for the license.

Subd. 2. Nonresident lifetime angling license; fee. (a) A nonresident lifetime angling license authorizes a person to take fish by angling in the state. The license authorizes those activities authorized by the annual nonresident angling license. The license does not include a trout and salmon stamp validation or other stamps required by law.

(b) The fees for a nonresident lifetime angling license are:

- (1) age 3 and under, \$447;
- (2) age 4 to age 15, \$600;
- (3) age 16 to age 50, \$773; and
- (4) age 51 and over, \$513.

Subd. 3. Nonresident lifetime small game hunting license; fee. (a) A nonresident lifetime small game hunting license authorizes a person to hunt small game in the state. The license authorizes those hunting activities authorized by the annual nonresident small game hunting license. The license does not include a turkey stamp validation or any other hunting stamps required by law.

(b) The fees for a nonresident lifetime small game hunting license are:

- (1) age 3 and under, \$947;
- (2) age 4 to age 15, \$1,280;
- (3) age 16 to age 50, \$1,633; and
- (4) age 51 and over, \$1,083.

97A.4742 LIFETIME FISH AND WILDLIFE TRUST FUND.

Subdivision 1. Establishment; purpose. The lifetime fish and wildlife trust fund is established as a fund in the state treasury. All money received from the issuance of lifetime angling, small game hunting, deer hunting, and sporting licenses and earnings on the fund shall be credited to the lifetime fish and wildlife trust fund.

Subd. 2. Investment of fund; use of income from fund. Money in the lifetime fish and wildlife trust fund shall be invested by the State Investment Board to secure the maximum return consistent with the maintenance of the perpetuity of the fund. The income received and accruing from investments of the fund shall be deposited in the lifetime fish and wildlife trust fund. Each year the commissioner of finance shall transfer from the lifetime fish and

wildlife trust fund to the game and fish fund an amount equal to the amount that would otherwise have been collected from annual license fees for each lifetime license. Surcharge amounts shall be transferred based on sections 97A.071, subdivision 2, and 97A.075, subdivision 1.

Subd. 3. Lifetime license fees. By October 15 of each even-numbered year, the commissioner shall report on the adequacy of lifetime license fees and make specific requests for fee adjustments for the lifetime licenses to the legislative committees with jurisdiction over environment and natural resources finance and the commissioner of finance. The commissioner of finance shall review the fee report and make recommendations to the governor and legislature for each fee category under sections 97A.473 and 97A.474, as part of the biennial budget, under sections 16A.10 and 16A.11.

Subd. 4. Annual report. By December 15 each year, the commissioner shall submit a report to the legislative committees having jurisdiction over environment and natural resources appropriations and environment and natural resources policy. The report shall state the amount of revenue received in and expenditures made from revenue transferred from the lifetime fish and wildlife trust fund to the game and fish fund. The report may be included in the game and fish fund report required by section 97A.055, subdivision 4. The commissioner shall make the annual report available to the public.

97A.475 LICENSE FEES.

Subdivision 1. Requirements for issuance. A license shall be issued when the requirements of the law are met and the license fee specified in this section is paid.

Subd. 2. Resident hunting. Fees for the following licenses, to be issued to residents only, are:

- (1) for persons age 18 or over and under age 65 to take small game, \$12.50;
- (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;
- (3) to take turkey, \$18;
- (4) for persons age 18 or over to take deer with firearms, \$26;
- (5) for persons age 18 or over to take deer by archery, \$26;
- (6) to take moose, for a party of not more than six persons, \$310;
- (7) to take bear, \$38;
- (8) to take elk, for a party of not more than two persons, \$250;
- (9) multizone license to take antlered deer in more than one zone, \$52;
- (10) to take Canada geese during a special season, \$4;
- (11) all season license to take three deer throughout the state in any open deer season, except as restricted under section 97B.305, \$78;
- (12) to take prairie chickens, \$20;
- (13) for persons at least age 12 and under age 18 to take deer with firearms during the regular firearms season in any open zone or time period, \$13; and
- (14) for persons at least age 12 and under age 18 to take deer by archery, \$13.

Subd. 3. Nonresident hunting. (a) Fees for the following licenses, to be issued to nonresidents, are:

- (1) for persons age 18 and older to take small game, \$73;
- (2) for persons age 18 and older to take deer with firearms, \$135;
- (3) for persons age 18 and older to take deer by archery, \$135;
- (4) to take bear, \$195;

- (5) to take turkey, \$73;
- (6) to take raccoon or bobcat, \$155;
- (7) multizone license to take antlered deer in more than one zone, \$270;
- (8) to take Canada geese during a special season, \$4;
- (9) for persons at least age 12 and under age 18 to take deer with firearms during the regular firearms season in any open zone or time period, \$13; and
- (10) for persons at least age 12 and under age 18 to take deer by archery, \$13.

(b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph (a), clauses (1) to (7). An additional commission may not be assessed on this surcharge.

Subd. 3a. Deer license surcharge. A person may agree to add a donation of \$1, \$3, or \$5 to the fees for annual resident and nonresident licenses to take deer by firearms or archery established under subdivisions 2, clauses (4), (5), (9), and (11), and 3, clauses (2), (3), and (7). Beginning March 1, 2008, fees for bonus licenses to take deer by firearms or archery established under section 97B.301, subdivision 4, must be increased by a surcharge of \$1. An additional commission may not be assessed on the donation or surcharge and the following statement must be included in the annual deer hunting regulations: "The deer license donations and surcharges are being paid by hunters for deer management, including assisting with the costs of processing deer donated for charitable purposes."

Subd. 4. Small game surcharge. Fees for annual licenses to take small game must be increased by a surcharge of \$6.50. An additional commission may not be assessed on the surcharge and the following statement must be included in the annual small game hunting regulations: "This \$6.50 surcharge is being paid by hunters for the acquisition and development of wildlife lands."

Subd. 5. Hunting stamps. Fees for the following stamps and stamp validations are:

- (1) migratory waterfowl stamp, \$7.50;
- (2) pheasant stamp, \$7.50; and
- (3) turkey stamp validation, \$5.

Subd. 6. Resident fishing. Fees for the following licenses, to be issued to residents only, are:

- (1) to take fish by angling, \$17;
- (2) to take fish by angling, for a combined license for a married couple, \$25;
- (3) to take fish by spearing from a dark house, \$17; and
- (4) to take fish by angling for a 24-hour period selected by the licensee, \$8.50.

Subd. 7. Nonresident fishing (a) Fees for the following licenses, to be issued to nonresidents, are:

- (1) to take fish by angling, \$37.50;
- (2) to take fish by angling limited to seven consecutive days selected by the licensee, \$26.50;
- (3) to take fish by angling for a 72-hour period selected by the licensee, \$22;
- (4) to take fish by angling for a combined license for a family for one or both parents and dependent children under the age of 16, \$50.50;
- (5) to take fish by angling for a 24-hour period selected by the licensee, \$8.50; and

(6) to take fish by angling for a combined license for a married couple, limited to 14 consecutive days selected by one of the licensees, \$38.50.

(b) A \$2 surcharge shall be added to all nonresident fishing licenses, except licenses issued under paragraph (a), clause (5). An additional commission may not be assessed on this surcharge.

Subd. 8. Minnesota sporting. The commissioner shall issue Minnesota sporting licenses to residents only. The licensee may take fish by angling and small game. The fee for the license is:

(1) for an individual, \$23; and

(2) for a combined license for a married couple to take fish and for one spouse to take small game, \$32.

Subd. 9. Repealed, 1994

Subd. 10. Trout and salmon stamp validation. The fee for a trout and salmon stamp validation is \$10.

Subd. 11. Fish houses and dark houses; residents. Fees for the following licenses are:

(1) annual for a fish house or dark house that is not rented, \$11.50;

(2) annual for a fish house or dark house that is rented, \$26;

(3) three-year for a fish house or dark house that is not rented, \$34.50; and

(4) three-year for a fish house or dark house that is rented, \$78.

Subd. 12. Fish houses; nonresident. Fees for fish house licenses for a nonresident are:

(1) annual, \$33;

(2) seven consecutive days, \$19; and

(3) three-year, \$99.

Subd. 13. Netting whitefish and ciscoes for personal consumption. The fee for a license to net whitefish and ciscoes in inland lakes and international waters for personal consumption is, for each net, \$10.

Subd. 14. Repealed, 1997

Subd. 15. Fishing guides. The fee for a license to operate a charter boat and guide anglers on Lake Superior or the St. Louis River Estuary is:

(1) for a resident, \$125;

(2) for a nonresident, \$400; or

(3) if another state charges a Minnesota resident a fee greater than \$440 for a Lake Superior or St. Louis River Estuary fishing guide license in that state, the nonresident fee for a resident of that state is that greater fee.

Subd. 16. Resident hunting guides. The fee for a resident license to guide bear hunters is \$82.50 and is available only to a Minnesota resident individual.

Subd. 17. Repealed, 1994

Subd. 18. Shooting preserves. The fee for a shooting preserve license is:

(1) for a private shooting preserve, \$100; and

(2) for a commercial shooting preserve, \$500.

Subd. 19. Taxidermists. The fee for a taxidermist license, to be issued for a three-year period to residents only, is:

(1) for persons age 18 and older, \$44; and

(2) for persons under age 18, \$27.50.

Subd. 20. Trapping license. The fee for a license to trap fur-bearing animals is:

(1) for residents over age 13 and under age 18, \$6;

(2) for residents age 18 or over and under age 65, \$20;

(3) for residents age 65 or over, \$10; and

(4) for nonresidents, \$73.

Subd. 21. Fur buying and selling; residents. (a) The fee for a license for a resident to buy and sell raw furs is \$110.

(b) The fee for a supplemental license to buy and sell furs is \$55.

Subd. 22. Fur buying and selling; nonresidents. The fee for a license for a nonresident to buy and sell raw furs is \$500.

Subd. 23. Raw fur tanning. The fee for a license to tan and dress raw furs to be issued to residents and nonresidents is \$16.50.

Subd. 24. Game and fur farms. The fee for a game and fur farm license is \$16.50.

Subd. 25. Muskrat farms. The fee for a muskrat farm license is \$11.

Subd. 26. Minnow dealers. The fees for the following licenses are:

- (1) minnow dealer, \$310;
- (2) minnow dealer's vehicle, \$15;
- (3) exporting minnow dealer for residents and nonresidents, \$700; and
- (4) exporting minnow dealer's vehicle for residents and nonresidents, \$15.

Subd. 27. Minnow retailers. The fees for the following licenses, to be issued to residents and nonresidents, are:

- (1) minnow retailer, \$47; and
- (2) minnow retailer's vehicle, \$15.

Subd. 28. Repealed, 2004

Subd. 29. Private fish hatcheries. The fees for the following licenses to be issued to residents and nonresidents are:

- (1) for a private fish hatchery, with annual sales under \$200, \$70;
- (2) for a private fish hatchery, with annual sales of \$200 or more, \$210; and
- (3) to take sucker eggs from public waters for a private fish hatchery, \$400, plus \$6 for each quart in excess of 100 quarts.

Subd. 29a. Repealed, 1992

Subd. 30. Commercial netting of fish. The fees to take commercial fish are:

- (1) commercial license fees:
 - (i) for residents and nonresidents seining and netting in inland waters, \$120;
 - (ii) for residents netting in Lake Superior, \$120;
 - (iii) for residents netting in Lake of the Woods, Rainy, Namakan, and Sand Point Lakes, \$120;
 - (iv) for residents seining in the Mississippi River from St. Anthony Falls to the St. Croix River junction, \$120;
 - (v) for residents seining, netting, and set lining in Wisconsin boundary waters from Lake St. Croix to the Iowa border, \$120; and
 - (vi) for a resident apprentice license, \$55; and
- (2) commercial gear fees:
 - (i) for each gill net in Lake Superior, Wisconsin boundary waters, and Namakan Lake, \$5 per 100 feet of net;
 - (ii) for each seine in inland waters, on the Mississippi River as described in section 97C.801, subdivision 2, and in Wisconsin boundary waters, \$9 per 100 feet;
 - (iii) for each commercial hoop net in inland waters, \$2;
 - (iv) for each submerged fyke, trap, and hoop net in Lake Superior, St. Louis Estuary, Lake of the Woods, and Rainy, Namakan, and Sand Point Lakes, and for each pound net in Lake Superior, \$20;

(v) for each stake and pound net in Lake of the Woods, \$90; and

(vi) for each set line in the Wisconsin boundary waters, \$45.

Subd. 31. Repealed, 1997

Subd. 32. Repealed, 1997

Subd. 33. Repealed, 1997

Subd. 34. Repealed, 1997

Subd. 35. Repealed, 1997

Subd. 36. Repealed, 1997

Subd. 37. Repealed, 1997

Subd. 38. Repealed, 2007

Subd. 39. Fish packer. The fee for a license to prepare dressed game fish for transportation or shipment is \$40.

Subd. 40. Fish vendors. The fee for a license to use a motor vehicle to sell fish is \$70.

Subd. 41. Turtle licenses. (a) The fee for a turtle seller's license to sell turtles and to take, transport, buy, and possess turtles for sale is \$250.

(b) The fee for a recreational turtle license to take, transport, and possess turtles for personal use is \$25.

(c) The fee for a turtle seller's apprentice license is \$100.

Subd. 42. Frog dealers. The fee for the licenses to deal in frogs that are to be used for purposes other than bait are:

(1) for a resident to purchase, possess, and transport frogs, \$220;

(2) for a nonresident to purchase, possess, and transport frogs, \$550; and

(3) for a resident to take, possess, transport, and sell frogs, \$35.

Subd. 43. Duplicate licenses. The fees for duplicate licenses are:

(1) for licenses to take big game, \$5; and

(2) for other licenses, \$2.

Subd. 44. Replacement licenses. The fee for a replacement firearms deer license is \$5.

Subd. 45. Camp Ripley archery deer hunt. The application fee for the Camp Ripley archery deer hunt is \$8.

97A.481 LICENSE APPLICATIONS; PENALTY.

All information required on a license application form must be furnished. The application must be made in writing and is subject to the penalty prescribed in section 97A.301, subdivision 1, clause (5).

97A.482 LICENSE APPLICATIONS; COLLECTION OF SOCIAL SECURITY NUMBERS.

(a) All applicants for individual noncommercial game and fish licenses under this chapter and chapters 97B and 97C must include the applicant's Social Security number on the license application. If an applicant does not have a Social Security number, the applicant must certify that the applicant does not have a Social Security number.

(b) The Social Security numbers collected by the commissioner on game and fish license applications are private data under section 13.355, subdivision 1, and must be provided by the commissioner to the commissioner of human services for child support enforcement purposes. Title IV-D of the Social Security Act, United States Code, title 42, section 666(a)(13), requires the collection of Social Security numbers on game and fish license applications for child support enforcement purposes.

(c) The commissioners of human services and natural resources shall request a waiver from the secretary of health and human services to exclude any applicant under the age of 16 from the requirement under this section and under cross-country ski licensing sections to provide the applicant's Social Security number. If a waiver is granted, this section will be so amended effective January 1, 2006, or upon the effective date of the waiver, whichever is later.

97A.485 ISSUANCE OF LICENSES.

Subdivision 1. Commissioner. The commissioner shall issue and sell licenses. The commissioner shall furnish licenses and applications to agents authorized to issue licenses.

Subd. 1a. Repealed, 1992

Subd. 2. Repealed, 2004

Subd. 2a. Licenses to take additional deer. The commissioner may appoint federal, state, or local government employees to be agents of the commissioner for the sale of licenses or permits to take additional deer under section 97B.301, subdivision 4. A bond is not required of a government employee appointed under this subdivision.

Subd. 3. Appointment of agents. The commissioner may appoint agents of the commissioner to issue and sell licenses. The appointment may be revoked by the commissioner at any time.

Subd. 4. Application to sell licenses by agent. To be an agent, a person must apply to the commissioner in writing and in a manner approved by the commissioner.

Subd. 5. Agents responsible for fees. An agent must promptly deposit and remit all money received from the sale of licenses, except issuing fees, to the commissioner.

Subd. 6. Licenses to be sold and issuing fees. (a) Persons authorized to sell licenses under this section must issue the following licenses for the license fee and the following issuing fees:

- (1) to take deer or bear with firearms and by archery, the issuing fee is \$1;
- (2) Minnesota sporting, the issuing fee is \$1; and
- (3) to take small game, to take fish by angling or by spearing, and to trap fur-bearing animals, the issuing fee is \$1;
- (4) for a stamp that is not issued simultaneously with a license, an issuing fee of 50 cents may be charged at the discretion of the authorized seller;
- (5) for stamps issued simultaneously with a license, there is no fee;
- (6) for licenses, seals, tags, or coupons issued without a fee under section 97A.441 or 97A.465, an issuing fee of 50 cents may be charged at the discretion of the authorized seller;
- (7) for lifetime licenses, there is no fee; and
- (8) for all other licenses, permits, renewals, or applications or any other transaction through the electronic licensing system under this chapter or any other chapter when an issuing fee is not specified, an issuing fee of 50 cents may be charged at the discretion of the authorized seller.

(b) An issuing fee may not be collected for issuance of a trout and salmon stamp if a stamp validation is issued simultaneously with the related angling or sporting license. Only one issuing fee may be collected when selling more than one trout and salmon stamp in the same transaction after the end of the season for which the stamp was issued.

(c) The agent shall keep the issuing fee as a commission for selling the licenses.

(d) The commissioner shall collect the issuing fee on licenses sold by the commissioner.

(e) A license, except stamps, must state the amount of the issuing fee and that the issuing fee is kept by the seller as a commission for selling the licenses.

(f) For duplicate licenses, including licenses issued without a fee, the issuing fees are:

(1) for licenses to take big game, 75 cents; and

(2) for other licenses, 50 cents.

(g) The commissioner may issue one-day angling licenses in books of ten licenses each to fishing guides operating charter boats upon receipt of payment of all license fees, excluding the issuing fee required under this section. Copies of sold and unsold licenses shall be returned to the commissioner. The commissioner shall refund the charter boat captain for the license fees of all unsold licenses. Copies of sold licenses shall be maintained by the commissioner for one year.

Subd. 7. Electronic licensing system commission. The commissioner shall retain for the operation of the electronic licensing system the commission established under section 84.027, subdivision 15, and issuing fees collected by the commissioner on all license fees collected, excluding:

(1) the small game surcharge; (2) the deer license surcharges or donations under section 97A.475, subdivisions 3, paragraph (b), and 3a; and

(3) \$2.50 of the license fee for the licenses in section 97A.475, subdivisions 6, clauses (1), (2), and (4), 7, 8, 12, and 13.

Subd. 8. Repealed, 2004

Subd. 9. Certain licenses not to be issued after season opens. A license to guide bear hunters may not be issued after the day before the opening of the related firearms season.

Subd. 10. Repealed, 2004

Subd. 11. Rules for accounting and procedures. The commissioner shall prescribe rules for the accounting and procedural requirements necessary to assure the efficient handling of licenses and license fees. The commissioner may, by rule, establish standards for the appointment and revocation of agents to assure the efficient distribution of licenses throughout the state.

Subd. 12. Youth deer license. The commissioner may, for a fee of \$5.50, issue to a resident under the age of 16 a license, without a tag, to take deer with firearms. A youth holding a license issued under this subdivision may hunt under the license only if accompanied by a licensed hunter who is at least 18 years of age and possesses a valid tag. A deer taken by a youth holding a license issued under this subdivision must be promptly tagged by the licensed hunter accompanying the youth. Section 97B.301, subdivision 6, does not apply to a youth holding a license issued under this subdivision.

Subd. 13. One-day paper fishing licenses. The commissioner must allow one-day paper fishing licenses to be sold by fishing guides operating charter boats.

POSSESSION AND TRANSPORTATION OF WILD ANIMALS

97A.501 WILD ANIMALS; GENERAL RESTRICTIONS.

Subdivision 1. General restrictions. A person may not take, buy, sell, transport, or possess a protected wild animal unless allowed by the game and fish laws. The ownership of all wild animals is in the state, unless the wild animal has been lawfully acquired under the game and fish laws. The ownership of a wild animal that is lawfully acquired reverts to the state if a law relating to sale, transportation, or possession of the wild animal is violated.

Subd. 2. Endangered species. A person may not take, import, transport, or sell an endangered species of wild animal, or sell, or possess with intent to sell an article made from the parts of a wild animal, except as provided in section 84.0895.

Subd. 3. Contraceptive chemicals. (a) A person may not administer contraceptive chemicals to noncaptive wild animals without a permit issued by the commissioner.

(b) The commissioner shall adopt rules establishing standards and guidelines for the administration of contraceptive chemicals to noncaptive wild animals. The rules may specify chemical delivery methods and devices and monitoring requirements.

97A.502 DEER KILLED BY MOTOR VEHICLES.

Deer killed by a motor vehicle on a public road must be removed by the road authority, as defined by section 160.02, subdivision 25. The commissioner of natural resources must provide to all road authorities standard forms for statistical purposes and the tracking of wild animals.

97A.505 POSSESSION OF WILD ANIMALS.

Subdivision 1. Repealed, 1987

Subd. 2. Possession of unlawful animals brought into the state prohibited. A person may not possess a wild animal that has been unlawfully taken, bought, sold, or possessed outside the state, or unlawfully shipped into the state.

Subd. 3. Repealed, 1987

Subd. 3a. Transportation of animals into state. Wild animals lawfully taken, bought, sold, or possessed outside the state may be brought or shipped into the state unless otherwise provided by law.

Subd. 3b. Wild animals taken on Red Lake Reservation lands within the Northwest Angle. Wild animals taken and tagged in accordance with the Red Lake Band's Conservation Code on the Red Lake Reservation lands in Minnesota north of the 49th parallel shall be considered lawfully taken and possessed under state law.

Subd. 4. Storage of protected wild animals. A person that stores protected wild animals for others must plainly mark the package, in ink, with the name and address of the owner, the license number of the person taking the animal, and the number and species in the package.

Subd. 5. License not required for animals acquired by gift. Lawfully taken protected wild animals may be transferred by gift. A person is not required to have a license to possess and transport protected wild animals acquired by gift.

Subd. 6. Repealed, 1987

Subd. 7. Exceptions to this section. This section does not apply to mounted specimens of wild animals, antlers, tanned hides, and dressed furs lawfully taken.

Subd. 8. Importation of hunter-harvested cervidae. Importation into Minnesota of hunter-harvested cervidae carcasses from known chronic wasting disease endemic areas, as determined by the Board of Animal Health, is prohibited except for cut and wrapped meat, quarters or other portions of meat with no part of the spinal column or head attached, antlers, hides, teeth, finished taxidermy mounts, and antlers attached to skull caps that are cleaned of all brain tissue. Hunter-harvested cervidae carcasses taken from chronic wasting disease endemic areas outside of Minnesota may be transported on a direct route through the state by nonresidents.

Subd. 9. Possession of live cervidae. A person may not possess live cervidae, except as authorized in sections 17.452, 35.153, and 35.155 or 97A.401.

97A.510 GAME FOR CONSUMPTION AT FUND-RAISING EVENTS.

(a) Nonprofit organizations may charge a fee for admission to fund-raising events when lawfully taken and possessed game, excluding migratory game birds, as defined in Code of Federal Regulations, title 50, section 20.11, that cannot be sold under federal law, is donated to the organization and is served for consumption on the premises where the fund-raising event is held.

(b) Game donated to the nonprofit organization must be marked as provided in section 97A.505, subdivision 4. The game donated to a nonprofit organization and stored by the organization is considered to be in the possession of the person making the donation, and is subject to inspection as provided in section 97A.215, subdivision 1. As provided in section 97A.505, subdivision 5, a license is not required for the nonprofit organization to possess or transport the donated game.

(c) The nonprofit organization must keep records of the game donated to the organization, and the records must be available for inspection for two years from the date of the fund-raising event. The records must show:

- (1) the names and addresses of persons donating the game;
- (2) the license number or possession permit number under which the game was lawfully taken or possessed; and
- (3) the date, location, and purpose of the fund-raising event that utilized the donation.

97A.511 FUR-BEARING ANIMALS.

The skins of fur-bearing animals and the flesh of beaver, muskrat, raccoon, rabbits and hares, legally taken and bearing the required seals or tags required by the game and fish laws, may be bought, sold, and transported at any time.

97A.512 SALE OF INEDIBLE PORTIONS OF BIG GAME ANIMALS, FUR-BEARING ANIMALS, FISH, AND GAME BIRDS OTHER THAN MIGRATORY WATERFOWL.

(a) Except as otherwise provided by the game and fish laws and as restricted in this section, a person may possess, transport, buy, or sell the following inedible portions of lawfully taken or acquired big game animals, fur-bearing animals, fish, and game birds other than migratory waterfowl: bones, including skulls; sinews; hides and skins; hooves; teeth; claws; and antlers.

(b) A person may not buy or sell bear paws, unless attached to the hide, or bear gallbladders.

97A.515 PELTS, SKINS, AND HIDES TAKEN ON INDIAN RESERVATIONS.

The pelts, skins, and hides of protected wild animals taken on an Indian reservation in this state, except the Fond du Lac Reservation, may be transported, sold, and disposed of as prescribed by the commissioner.

97A.521 TRANSPORTATION OF WILD ANIMALS; GENERALLY.

Subdivision 1. General authority; residents. A resident may transport wild animals to any place in the state if the resident and the animals are in the same vehicle.

Subd. 2. General authority; nonresidents. A nonresident may transport wild animals taken in the state if the nonresident and the animals are in the same vehicle.

Subd. 3. Wild animals in containers. A person that transports wild animals in a container must mark or identify the container as prescribed under the game and fish laws or by commissioner's rule.

Subd. 4. Animals that may be lawfully sold. During the open season a person may transport a protected wild animal within the state, and to a destination outside the state, if the animal may be lawfully sold and the transportation is not otherwise prohibited.

Subd. 5. Unlawful wild animals prohibited. A person may not transport wild animals taken, bought, sold, or possessed in violation of the game and fish laws.

97A.525 TRANSPORTATION OF WILD ANIMALS BY COMMON CARRIER.

Subdivision 1. Residents. A resident may transport wild animals within the state by common carrier without being in the vehicle if the resident has the license required to take the animals and they are shipped to the resident. The wild animals that may be transported by common carrier are:

- (1) deer, bear, elk, and moose;
- (2) undressed game birds; and
- (3) fish.

Subd. 2. Nonresidents. A nonresident may transport wild animals by common carrier without being in the vehicle if the nonresident has the license required to take the animals and they are shipped to the nonresident.

Subd. 3. Employee of carrier. An employee of a carrier may not transport wild animals as baggage while performing duties for the carrier.

Subd. 4. Statement required for protected wild animals. A person that transports protected wild animals by common carrier, including animals carried in baggage, must attach a statement to each shipment. The statement must include the name, address, and license number of the person shipping the animals, the number and species of the animals in the shipment, and the signature of the licensee.

Subd. 5. Carrier must be shown shipper's license. A common carrier may not accept a shipment of big or small game unless the carrier is shown the license of the shipper to take the game.

Subd. 6. Waybill must specify animals. The waybill or receipt issued by a common carrier to a shipper must specify the number and species of wild animals being shipped.

Subd. 7. Animals in possession of shipper. Wild animals that are transported by common carrier are considered to be in the possession of the shipper.

97A.531 SHIPMENT OF WILD ANIMALS TAKEN IN CANADA.

Subdivision 1. Shipping coupons. A person may ship, within or out of the state, wild animals lawfully taken and possessed in Canada and that have lawfully entered the state. The shipment must have the shipping coupons required for a shipment originating in the province where the animals were taken.

Subd. 2. Repealed, 1995

Subd. 3. Repealed, 1995

Subd. 4. Repealed, 1995

Subd. 5. Repealed, 1995

Subd. 6. Repealed, 1995

Subd. 7. Repealed, 1995

97A.535 POSSESSION AND TRANSPORTATION OF DEER, BEAR, ELK, AND MOOSE.

Subdivision 1. Tags required. (a) A person may not possess or transport deer, bear, elk, or moose taken in the state unless a tag is attached to the carcass in a manner prescribed by the commissioner. The commissioner must prescribe the type of tag that has the license number of the owner, the year of its issue, and other information prescribed by the commissioner.

(b) The tag and the license must be validated at the site of the kill as prescribed by the commissioner.

(c) Except as otherwise provided in this section, the tag must be attached to the deer, bear, elk, or moose at the site of the kill before the animal is removed from the site of the kill.

(d) The tag must remain attached to the animal until the animal is processed for storage.

(e) A person may move a lawfully taken deer, bear, elk, or moose from the site of the kill without attaching the validated tag to the animal only while in the act of manually or mechanically dragging, carrying, or carting the animal across the ground and while possessing the validated tag on their person. A motor vehicle may be used to drag the animal across the ground. At all other times, the validated tag must be attached to the deer, bear, elk, or moose:

(1) as otherwise provided in this section; and

(2) prior to the animal being placed onto and transported on a motor vehicle, being hung from a tree or other structure or device, or being brought into a camp or yard or other place of habitation.

Subd. 2. Registration required. Deer, bear, elk, and moose must be registered as prescribed by the commissioner, in addition to the tag required in subdivision 1.

Subd. 2a. Quartering of deer allowed. A deer that has been tagged as required in subdivision 1 may be quartered at the site of the kill. The animal's head must remain attached to one of the quarters. The quarters must be presented together for registration under subdivision 2 and must remain together until the deer is processed for storage.

Subd. 3. Transportation period restricted. A person may transport deer, bear, one elk, or moose during the open season and the two days following the season, and afterwards as prescribed by the commissioner.

Subd. 4. Transportation by person other than licensee. A person other than the licensee may transport deer, bear, elk, or moose that the licensee has registered as prescribed by the commissioner. A tag must be attached to

the animal and marked in ink with the address, license number, signature of the licensee, and the locations from which and to which the animal is being transported.

Subd. 5. Heads, hides, and claws. A resident that has a license to take deer, bear, elk, or moose may transport the head or hide of the animal within or out of the state for mounting or tanning. The hides of deer, bear, elk, and moose, and the claws of bear legally taken and with the tags that are required by this section, may be bought, sold, and transported at any time.

97A.541 REPEALED, 1993

97A.545 TRANSPORTATION OF GAME BIRDS.

Subdivision 1. Residents shipping by common carrier. A resident that ships game birds to the resident by common carrier without being in the vehicle may not make more than three shipments during a license year. A shipment may not contain more than the resident's daily limit.

Subd. 2. Nonresidents shipping by common carrier. A nonresident that ships game birds to the nonresident by common carrier without being in the vehicle must obtain a shipping permit from the commissioner. The commissioner shall issue the permit upon request, without a fee. The carrier receiving the shipment must cancel the permit as prescribed by the commissioner.

Subd. 3. Shipping to other persons. A person must obtain a permit from the commissioner to ship game birds to another person within or out of the state. The person must have the licenses required to take the game birds.

Subd. 4. Game birds taken outside of this state. (a) A person may transport into the state game birds that are lawfully taken and possessed outside of this state.

(b) A resident may ship the game birds by common carrier within the state. A nonresident may ship the game birds out of the state by common carrier. Each shipment must be tagged or sealed by a conservation officer as prescribed by the commissioner.

Subd. 5. Birds must be in undressed condition; exceptions. (a) Except as provided in paragraph (b), a person may ship or otherwise transport game birds in an undressed condition only.

(b) Paragraph (a) does not apply if the birds being shipped or otherwise transported:

(1) were taken on a shooting preserve and are marked or identified in accordance with section 97A.121, subdivision 5;

(2) were taken, dressed, and lawfully shipped or otherwise transported in another state; or

(3) are migratory game birds that were lawfully tagged and packed by a federally permitted migratory bird preservation facility.

97A.551 POSSESSION AND TRANSPORTATION OF FISH.

Subdivision 1. Repealed, 1987

Subd. 2. Fish transported through state. A person may not transport game fish taken in another state or country through the state during the closed season or in excess of the possession limit unless the fish are:

(1) transported by common carrier; or

(2) tagged, sealed, or marked as prescribed by the commissioner.

Subd. 3. Shipping fish. A person that has a license to take fish may make three shipments of fish in a license year to any person within or out of the state after obtaining a permit for each shipment from the commissioner. A shipment may not contain more than a possession limit of one species of fish per licensee.

Subd. 4. Walleye; northern pike. Walleye and northern pike may be possessed, transported, or shipped in a dressed or undressed condition.

Subd. 5. Preparation and packing of fish for transportation. The commissioner may adopt rules for the preparation and packing of fish for transportation.

Subd. 6. Tagging and registration. The commissioner may, by rule, require persons taking, possessing, and transporting certain species of fish to tag the fish with a special fish management tag and may require registration of tagged fish. A person may not possess or transport a fish species taken in the state for which a special fish management tag is required unless a tag is attached to the fish in a manner prescribed by the commissioner. The commissioner shall prescribe the manner of issuance and the type of tag as authorized under section 97C.087. The tag must be attached to the fish as prescribed by the commissioner immediately upon reducing the fish to possession and must remain attached to the fish until the fish is processed or consumed. Species for which a special fish management tag is required must be transported undressed, except as otherwise prescribed by the commissioner.

97A.552 FISHING REGULATIONS; EXECUTIVE ORDER.

Subdivision 1. Order authorized. (a) The governor may by executive order:

(1) require that fish that are lawfully taken by angling and possessed in Canada be brought into the state in-the-round;

(2) authorize fish lawfully taken by angling in Canada to be transported within the state or out of the state by a nonresident;

(3) require that a Minnesota resident transporting in Minnesota fish that have been taken by angling in Canada possess a Minnesota angling license; and

(4) require that any advertisement of fishing resorts or facilities in Canada in printed or broadcast form originating or distributed within the state must contain a summary of the requirement of clause (1) and penalty for noncompliance.

(b) An executive order issued under paragraph (a) is effective the day following the filing of a certified copy thereof in the Office of the Secretary of State, and remains in effect until rescinded by order of the governor.

Subd. 2. Penalty for noncompliance. A violation of an executive order imposing the requirement in subdivision 1, paragraph (a), clause (1), is a misdemeanor, and in addition to any criminal penalty imposed, fish brought into or transported within the state contrary to that executive order must be confiscated, and a penalty of \$10 for each fish must be imposed.

CHAPTER 97B HUNTING

HUNTING RESTRICTIONS AND REQUIREMENTS

97B.001 TRESPASS.

Subdivision 1. Agricultural land definition. For purposes of this section, "agricultural land" means land:

- (1) that is plowed or tilled;
- (2) that has standing crops or crop residues;
- (3) within a maintained fence for enclosing domestic livestock;
- (4) that is planted native or introduced grassland or hay land; or
- (5) that is planted to short rotation woody crops as defined in section

41B.048, subdivision 4.

Subd. 1a. Outdoor recreation definition. "Outdoor recreation" means any voluntary activity, including hunting, fishing, trapping, boating, hiking, camping, and engaging in winter sports, which is conducted primarily for the purposes of pleasure, rest, or relaxation and is dependent upon or derives its principal benefit from natural surroundings.

Subd. 2. Permission required to enter agricultural land for outdoor recreation purposes. Except as provided in subdivisions 5 and 6, a person may not enter agricultural land for outdoor recreation purposes, without first obtaining permission of the owner, occupant, or lessee.

Subd. 3. Remaining on land prohibited after notice. Except as provided in subdivision 6, a person may not remain on any land for outdoor recreation purposes after being orally told not to do so by the owner, occupant, or lessee.

Subd. 4. Entering posted land prohibited; signs. (a) Except as provided in subdivision 6, a person may not enter, for outdoor recreation purposes, any land that is posted under this subdivision without first obtaining permission of the owner, occupant, or lessee.

(b) The owner, occupant, or lessee of private land, or an authorized manager of public land may prohibit outdoor recreation on the land by posting signs once each year that:

- (1) state "no trespassing" or similar terms;
- (2) display letters at least two inches high;
- (3) either:
 - (i) are signed by the owner, occupant, lessee, or authorized manager; or
 - (ii) include the legible name and telephone number of the owner, occupant, lessee, or authorized manager; and
- (4) either:
 - (i) are at intervals of 1,000 feet or less along the boundary of the area, or in a wooded area where boundary lines are not clear, at intervals of 500 feet or less; or
 - (ii) mark the primary corners of each parcel of land and access roads and trails at the point of entrance to each parcel of land except that corners only accessible through agricultural land need not be posted.

(c) A person may not erect a sign that prohibits outdoor recreation or trespassing where the person does not have a property right, title, or interest to use the land.

Subd. 5. Retrieving wounded game. Except as provided in subdivision 3, a person on foot may, without permission of the owner, occupant, or lessee, enter land that is not posted under subdivision 4, to retrieve a wounded animal that was lawfully shot. The hunter must leave the land immediately after retrieving the wounded game.

Subd. 6. Retrieving hunting dogs. A person on foot may, without permission of the owner, occupant, or lessee, enter private land without a firearm to retrieve a hunting dog. After retrieving the dog, the person must immediately leave the premises.

Subd. 7. Taking with firearms in certain areas. (a) A person may not take a wild animal with a firearm within 500 feet of a building occupied by a human or livestock without the written permission of the owner, occupant, or lessee:

(1) on another person's private land; or

(2) on a public right-of-way.

(b) A person may not take a wild animal with a firearm without the permission of the owner, occupant, or lessee, within 500 feet of a stockade or corral containing livestock.

(c) A person may not take a wild animal on any land where the person is prohibited from entering by this section.

Subd. 8. Destruction of property; gate closing. A person may not:

(1) wound or kill another person's domestic animal;

(2) destroy, cut, or tear down another person's fence, building, grain, crops, live tree, or sign erected under subdivision 4; or

(3) pass through another person's closed gate without returning the gate to its original position.

97B.002 CIVIL TRESPASS.

Subdivision 1. Authority to issue. Conservation officers, sheriffs, and deputies may issue citations to a person who trespasses in violation of section 84.90 or 97B.001 or removes a sign posted to prevent trespass without permission of the owner of the property.

Subd. 2. Penalty amount. The citation must impose the following penalty amounts:

(1) \$50 for the first violation;

(2) \$200 for the second violation in a three-year period;

(3) for a third or subsequent violation in a three-year period, the penalty shall be \$500 and loss of every license or registration being used; and

(4) \$50 for removal of a sign posted pursuant to this section.

Subd. 3. Appeals. Citations may be appealed under the procedures in section 116.072, subdivision 6, if the person requests a hearing by notifying the commissioner in writing within 15 days after receipt of the citation. If a hearing is not requested within the 15-day period, the citation becomes a final order not subject to further review.

Subd. 4. Enforcement of field citations. Field citations may be enforced under section 116.072, subdivisions 9 and 10.

Subd. 5. Cumulative remedy. The authority to issue field citations is in addition to other remedies available under statutory or common law, except that the state may not seek penalties under any other provision of law for the incident subject to the citation.

Subd. 6. Payment of penalty. Penalty amounts shall be remitted within 30 days of issuance of the penalty citation to the issuer.

Subd. 7. Allocation of penalty amounts. Penalty amounts are deposited to the county or the commissioner for deposit in the game and fish fund depending upon who issues the citation.

97B.005 TRAINING DOGS.

Subdivision 1. Field training. A person may not train hunting dogs afield on public lands administered by the commissioner from April 16 to July 14 except as specifically authorized by permit or rule.

Subd. 2. Restriction on ammunition while training. A person training a dog afield and carrying a firearm may only have blank cartridges and shells in personal possession when the season is not open for any game bird, except as provided in subdivision 3.

Subd. 3. Permits for organizations and individuals to use game birds and firearms. (a) The commissioner may issue special permits, without a fee, to use firearms and live ammunition on domesticated birds or banded game birds from game farms.

(b) Permits for holding field trials may be issued to organizations. The permit shall specify the dates and locations of the field trial. The commissioner may limit the number of dates approved for any organization.

(c) Permits for training hunting dogs may be issued to an individual.

(d) Domesticated birds, other than pigeons, and game farm birds used for trials or training under this section must be clearly marked with dye or a streamer attached to a leg in a manner that makes them visually identifiable prior to being taken.

Subd. 4. Repealed, 2005

97B.011 DOGS PURSUING BIG GAME.

A person who observes a dog wounding, killing, or pursuing in a manner that endangers big game may kill the dog:

(1) at any time, if the person is a peace officer or conservation officer; or

(2) between January 1 and July 14, if the person is not a peace officer or conservation officer and the discharge of firearms is allowed. The officer or person is not liable for damages for killing the dog.

97B.015 FIREARMS SAFETY AND WILDLIFE IDENTIFICATION COURSE.

Subdivision 1. Establishment. The commissioner shall establish a statewide course in the safe use of firearms and identification of wild mammals and birds. A course may be held in a school district. The courses must be conducted by the commissioner in cooperation with other organizations. The courses must instruct youths in commonly accepted principles of safety in hunting and handling common hunting firearms and identification of various species of wild mammals and birds by sight and other unique characteristics.

Subd. 2. Administration, supervision, and enforcement. (a) The commissioner shall appoint a qualified person from the Enforcement Division under civil service rules as supervisor of hunting safety and prescribe the duties and responsibilities of the position. The commissioner shall determine and provide the Enforcement Division with the necessary personnel for this section.

(b) The Enforcement Division may appoint instructors necessary for this section. Instructors shall serve on a voluntary basis without compensation. The Enforcement Division must supply the materials necessary for the course.

School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training.

Subd. 3. Liability insurance. The commissioner shall obtain insurance to cover all liability incurred by the county directors and instructors for bodily injury, death, and property damage in the performance of their duties under this section.

Subd. 4. Student fee. To defray the expense of the course, the Enforcement Division shall collect a fee from each person that takes the firearm safety course. The commissioner shall establish a fee that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the services. The fee is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The fees shall be deposited in the game and fish fund and the amount thereof is appropriated annually to the Enforcement Division of the Department of Natural Resources for the administration of the program. In addition to the fee established by the commissioner, instructors may charge each person up to the established fee amount for class materials and expenses.

Subd. 5. Firearms safety certificate. The commissioner shall issue a firearms safety certificate to a person that satisfactorily completes the required course of instruction. A person must be at least age 11 to take the firearms safety course and may receive a firearms safety certificate, but the certificate is not valid for hunting until the person reaches age 12. A person who is age 11 and has a firearms safety certificate may purchase a deer, bear, turkey, or prairie chicken license that will become valid when the person reaches age 12. A firearms safety certificate issued to a person under age 12 by another state as provided in section 97B.020 is not valid for hunting in Minnesota until the person reaches age 12. The form and content of the firearms safety certificate shall be prescribed by the commissioner.

Subd. 5a. Exemption for military personnel. Notwithstanding subdivision 5, a person who has successfully completed basic training in the United States armed forces is exempt from the range and shooting exercise portion of the required course of instruction for the firearms safety certificate. The commissioner may require written proof of the person's military training, as deemed appropriate for implementing this subdivision. The commissioner shall publicly announce this exemption from the range and shooting exercise requirement and the availability of the department's online, remote study option for adults seeking firearms safety certification. Military personnel are not exempt from any other requirement of this section for obtaining a firearms safety certificate.

Subd. 6. Provisional certificate for persons with developmental disability. Upon the recommendation of a course instructor, the commissioner may issue a provisional firearms safety certificate to a person who satisfactorily completes the classroom portion of the firearms safety course but is unable to pass the written or an alternate format exam portion of the course because of developmental disability as defined in section 97B.1055, subdivision 1. The certificate is valid only when used according to section 97B.1055.

Subd. 7. Fee for duplicate certificate. The commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing a duplicate firearms safety certificate. The commissioner shall establish a fee that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the service. The fee is not subject to the rulemaking

provisions of chapter 14 and section 14.386 does not apply. The commissioner may establish the fee notwithstanding section 16A.1283. The duplicate certificate fees, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the game and fish fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, and issuing fees collected by the commissioner, are appropriated annually to the Enforcement Division of the Department of Natural Resources for the administration of the firearm safety course program.

97B.020 FIREARMS SAFETY CERTIFICATE REQUIRED.

(a) Except as provided in this section and section 97A.451, subdivision 3a, a person born after December 31, 1979, may not obtain an annual license to take wild animals by firearms unless the person has:

- (1) a firearms safety certificate or equivalent certificate;
 - (2) a driver's license or identification card with a valid firearms safety qualification indicator issued under section 171.07, subdivision 13;
 - (3) a previous hunting license with a valid firearms safety qualification indicator;
 - (4) an apprentice hunter validation issued under section 97B.022;
- or

(5) other evidence indicating that the person has completed in this state or in another state a hunter safety course recognized by the department under a reciprocity agreement or certified by the department as substantially similar.

(b) A person who is on active duty and has successfully completed basic training in the United States armed forces, reserve component, or National Guard may obtain a hunting license or approval authorizing hunting regardless of whether the person is issued a firearms safety certificate.

(c) A person born after December 31, 1979, may not use a lifetime license to take wild animals by firearms, unless the person meets the requirements for obtaining an annual license under paragraph (a) or (b).

97B.021 POSSESSION OF FIREARMS BY PERSONS UNDER AGE 16.

Subdivision 1. Restrictions. (a) Except as provided in this subdivision, a person under the age of 16 may not possess a firearm, unless accompanied by a parent or guardian.

(b) A person under age 16 may possess a firearm without being accompanied by a parent or guardian:

- (1) on land owned by, or occupied as the principal residence of, the person or the person's parent or guardian;
- (2) while participating in an organized target shooting program with adult supervision;
- (3) while the person is participating in a firearms safety program or traveling to and from class; or
- (4) if the person is age 14 or 15 and has a firearms safety certificate.

Subd. 1a. Parent or guardian duties. A parent or guardian may not knowingly direct, allow, or permit a person under the age of 16 to possess a firearm in violation of this section.

Subd. 2. Seizure of unlawfully possessed firearms. A law enforcement officer shall seize a firearm used in violation of this section. The officer must tag the seized firearm with the name and address of the person from whom it was taken and give the person a receipt. The firearm shall be placed in the

custody of the conservation officer in charge of the area where the seizure was made.

Subd. 3. Return or forfeiture of seized firearms. A firearm seized under this section must be returned to the person from whom it was seized when the person presents a firearms safety certificate to the conservation officer. The person must present the certificate within 90 days after the beginning of the first firearms training course in the county after the firearm was seized. If the person does not present a certificate, the firearm is contraband and forfeited to the state, and shall be disposed of as prescribed by the commissioner.

97B.022 APPRENTICE HUNTER VALIDATION.

Subdivision 1. Definition. For the purpose of this section, "accompanied" means to stay within a distance of another person that permits uninterrupted visual contact and unaided verbal communication.

Subd. 2. Apprentice hunter validation requirements. A resident born after December 31, 1979, who is age 12 or older and who does not possess a firearms safety certificate may be issued an apprentice hunter validation. An apprentice hunter validation is valid for only one license year in a lifetime. An individual in possession of an apprentice hunter validation may hunt small game and deer only when accompanied by an adult licensed to hunt in Minnesota whose license was not obtained using an apprentice hunter validation. An apprentice hunter validation holder must obtain all required licenses and stamps.

97B.025 HUNTER AND TRAPPER EDUCATION.

(a) The commissioner may establish education courses for hunters. The commissioner shall collect a fee from each person attending a course. A fee, to include a \$1 issuing fee for licensing agents, shall be collected for issuing a duplicate certificate. The commissioner shall establish the fees in a manner that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the services. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The commissioner may establish the fees notwithstanding section 16A.1283. The fees, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the game and fish fund and the amount thereof, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, is appropriated annually to the Enforcement Division of the Department of Natural Resources for the administration of the program. In addition to the fee established by the commissioner for each course, instructors may charge each person up to the established fee amount for class materials and expenses. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training.

(b) The commissioner shall enter into an agreement with a statewide nonprofit trappers association to conduct a trapper education program. At a minimum, the program must include at least six hours of classroom, electronic, or correspondence instruction and in the field training. The program must include a review of state trapping laws and regulations, trapping ethics, the setting and tending of traps and snares, tagging and registration requirements, and the preparation of pelts. The association shall issue a certificate to persons who complete the program. The association shall be

responsible for all costs of conducting the education program, and shall not charge any fee for attending the course.

97B.026 TRAPPER EDUCATION CERTIFICATE REQUIREMENT.

A person born after December 31, 1989, and who has not been issued a trapping license in a previous license year, may not obtain a trapping license unless the person has been issued a trapper education certificate under section 97B.025, paragraph (b).

97B.031 USE AND POSSESSION OF FIREARMS.

Subdivision 1. Firearms and ammunition that may be used to take big game. (a) A person may take big game with a firearm only if:

- (1) the rifle, shotgun, and handgun used is a caliber of at least .23 inches;
- (2) the firearm is loaded only with single projectile ammunition;
- (3) a projectile used is a caliber of at least .23 inches and has a soft point or is an expanding bullet type;
- (4) the ammunition has a case length of at least 1.285 inches;
- (5) the muzzle-loader used is incapable of being loaded at the breech;
- (6) the smooth-bore muzzle-loader used is a caliber of at least .45 inches; and
- (7) the rifled muzzle-loader used is a caliber of at least .40 inches.

(b) Notwithstanding paragraph (a), clause (4), a person may take big game with a ten millimeter cartridge that is at least 0.95 inches in length, a .45 Winchester Magnum cartridge, a .50 A. E. (Action Express) handgun cartridge, or a 56-46 Spencer, 56-50 Spencer, or 56-56 Spencer cartridge.

Subd. 2. Handguns for small game. A person may take small game with a handgun of any caliber in a manner prescribed by the commissioner.

Subd. 3. Firearms larger than ten gauge prohibited. A person may not use a firearm with a bore larger than a ten gauge to take a protected wild animal.

Subd. 4. Silencers prohibited. Except as provided in section 609.66, subdivision 1h, a person may not own or possess a silencer for a firearm or a firearm equipped to have a silencer attached.

Subd. 5. Scopes; visually impaired hunters. (a) Notwithstanding any other law to the contrary, the commissioner may issue a special permit, without a fee, to use a muzzleloader with a scope to take deer during the muzzleloader season to a person who obtains the required licenses and who has a visual impairment. The scope may not have magnification capabilities.

(b) The visual impairment must be to the extent that the applicant is unable to identify targets and the rifle sights at the same time without a scope. The visual impairment and specific conditions must be established by medical evidence verified in writing by a licensed physician, ophthalmologist, or optometrist. The commissioner may request additional information from the physician if needed to verify the applicant's eligibility for the permit.

(c) A permit issued under this subdivision may be valid for up to five years, based on the permanence of the visual impairment as determined by the licensed physician, ophthalmologist, or optometrist.

(d) The permit must be in the immediate possession of the permittee when hunting under the special permit.

(e) The commissioner may deny, modify, suspend, or revoke a permit issued under this subdivision for cause, including a violation of the game and fish laws or rules.

(f) A person who knowingly makes a false application or assists another in making a false application for a permit under this subdivision is guilty of a misdemeanor. A physician, ophthalmologist, or optometrist who fraudulently certifies to the commissioner that a person is visually impaired as described in this subdivision is guilty of a misdemeanor.

97B.035 RESTRICTIONS ON ARCHERY EQUIPMENT.

Subdivision 1. Hunting with bows released by mechanical devices. (a) A person may not hunt with a bow drawn, held, or released by a mechanical device, except with a disabled hunter permit issued under section 97B.106 or as provided in paragraph (b).

(b) A person may use a mechanical device attached to the bowstring if the person's own strength draws, holds, and releases the bowstring.

Subd. 1a. Minimum draw weight. A bow used to take big game must have a pull that meets or exceeds 30 pounds at or before full draw.

Subd. 2. Possession of crossbows. A person may not possess a crossbow outdoors or in a motor vehicle during the open season for any game, unless the crossbow is unstrung, and in a case or in a closed trunk of a motor vehicle.

Subd. 3. Poisoned and explosive arrows. A person may not hunt with an arrow that is poisoned or has an explosive tip.

Subd. 4. Authority of commissioner. The commissioner may not impose restrictions on the possession, transportation, or use of archery equipment except as specifically authorized by law.

97B.036 COSSBOW HUNTING DURING FIREARMS DEER SEASON.

Notwithstanding section 97B.035, subdivisions 1 and 2, a person may take deer by crossbow during the regular firearms deer season. The transportation requirements of section 97B.051 apply to crossbows during the regular firearms deer season. Crossbows must meet the requirements of section 97B.106, subdivision 2. A person taking deer by crossbow under this section must have a valid firearms deer license.

97B.041 POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED IN DEER ZONES.

A person may not possess a firearm or ammunition outdoors during the period beginning the fifth day before the open firearms season and ending the second day after the close of the season within an area where deer may be taken by a firearm, except:

(1) during the open season and in an area where big game may be taken, a firearm and ammunition authorized for taking big game in that area may be used to take big game in that area if the person has a valid big game license in possession;

(2) an unloaded firearm that is in a case or in a closed trunk of a motor vehicle;

(3) a shotgun and shells containing No. 4 buckshot or smaller diameter lead shot or steel shot;

(4) a handgun or rifle and only short, long, and long rifle cartridges that are caliber of .22 inches;

(5) handguns possessed by a person authorized to carry a handgun under sections 624.714 and 624.715 for the purpose authorized; and

(6) on a target range operated under a permit from the commissioner. This section does not apply during an open firearms season in an area where deer

may be taken only by muzzleloader, except that muzzleloading firearms lawful for the taking of deer may be possessed only by persons with a valid license to take deer by muzzleloader during that season.

97B.045 TRANSPORTATION OF FIREARMS.

Subdivision 1. Restrictions. A person may not transport a firearm in a motor vehicle unless the firearm is:

- (1) unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the firearm exposed;
- (2) unloaded and in the closed trunk of a motor vehicle; or
- (3) a handgun carried in compliance with sections 624.714 and 624.715.

Subd. 2. Exception for disabled persons. The restrictions in subdivision 1 do not apply to a disabled person if:

- (1) the person possesses a permit under section 97B.055, subdivision 3;
- (2) the person is participating in a hunt sponsored by a nonprofit organization under a permit from the commissioner or is hunting on property owned or leased by the person; and
- (3) the firearm is not loaded in the chamber until the vehicle is stationary, or is a hinge action firearm with the action open until the vehicle is stationary.

97B.051 TRANSPORTATION OF ARCHERY BOWS.

Except as specified under section 97B.055, subdivision 2, a person may not transport an archery bow in a motor vehicle unless the bow is:

- (1) unstrung;
- (2) completely contained in a case; or
- (3) in the closed trunk or rear-most enclosed portion of a motor vehicle that is not accessible from the passenger compartment.

97B.055 DISCHARGING FIREARMS AND BOWS AND ARROWS.

Subdivision 1. Restrictions related to highways. (a) A person may not discharge a firearm or an arrow from a bow on, over, or across an improved public highway at a big game animal. A person may not discharge a firearm or bow and arrow within the right-of-way of an improved public highway at a big game animal. The commissioner may by rule extend the application of this subdivision to the taking of migratory waterfowl in designated locations.

(b) A person may not discharge a firearm or an arrow from a bow on, over, across, or within the right-of-way of an improved public highway at a decoy of a big game animal that has been set out by a licensed peace officer.

Subd. 2. Restrictions related to motor vehicles. A person may not take a wild animal with a firearm or by archery from a motor vehicle except as permitted in this section. Notwithstanding section 97B.091, a person may transport a bow uncased while in an electric motor-powered boat and may take rough fish while in the boat.

Subd. 3. Hunting from vehicle by disabled hunters. (a) The commissioner may issue a special permit, without a fee, to discharge a firearm or bow and arrow from a stationary motor vehicle to a person who obtains the required licenses and who has a permanent physical disability that is more substantial than discomfort from walking. The permit recipient must be:

- (1) unable to step from a vehicle without aid of a wheelchair, crutches, braces, or other mechanical support or prosthetic device; or

(2) unable to walk any distance because of a permanent lung, heart, or other internal disease that requires the person to use supplemental oxygen to assist breathing.

(b) The permanent physical disability must be established by medical evidence verified in writing by a licensed physician or chiropractor. The commissioner may request additional information from the physician or chiropractor if needed to verify the applicant's eligibility for the permit. Notwithstanding section 97A.418, the commissioner may, in consultation with appropriate advocacy groups, establish reasonable minimum standards for permits to be issued under this section. In addition to providing the medical evidence of a permanent disability, the applicant must possess a valid disability parking certificate authorized by section 169.345 or license plates issued under section 168.021.

(c) A person issued a special permit under this subdivision and hunting deer may take a deer of either sex, except in those antlerless permit areas and seasons where no antlerless permits are offered. This subdivision does not authorize another member of a party to take an antlerless deer under section 97B.301, subdivision 3.

(d) A permit issued under this subdivision is valid for five years.

(e) The commissioner may deny, modify, suspend, or revoke a permit issued under this section for cause, including a violation of the game and fish laws or rules.

(f) A person who knowingly makes a false application or assists another in making a false application for a permit under this section is guilty of a misdemeanor. A physician or chiropractor who fraudulently certifies to the commissioner that a person is permanently disabled as described in this section is guilty of a misdemeanor.

Subd. 4. Taking bounty animals from airplanes and snowmobiles. The commissioner may issue a special permit, without fee, to take animals that the state pays a bounty for, from an airplane or a snowmobile.

97B.061 REPORTS AND RECORDS.

The commissioner may request a person who has taken game to submit a report to the commissioner on a furnished form, stating the number or kind of each game animal taken during the preceding license year. There is no penalty for failure to comply with a request from the commissioner under this section, and information submitted to the commissioner under this section may not be used as evidence in a prosecution under this chapter, chapter 97A or 97C.

97B.065 HUNTING WHILE UNDER THE INFLUENCE OF ALCOHOL OR A CONTROLLED SUBSTANCE.

Subdivision 1. Acts prohibited. (a) A person may not take wild animals with a firearm or by archery:

(1) when the person is under the influence of alcohol;

(2) when the person is under the influence of a controlled substance, as defined in section 152.01, subdivision 4;

(3) when the person is under the influence of a combination of any two or more of the elements in clauses (1) and (2);

(4) when the person's alcohol concentration is 0.08 or more;

(5) when the person's alcohol concentration as measured within two hours of the time of taking is 0.08 or more; or

(6) when the person is knowingly under the influence of any chemical compound or combination of chemical compounds that is listed as a hazardous substance in rules adopted under section 182.655 and that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's ability to operate a firearm or bow and arrow.

(b) An owner or other person having charge or control of a firearm or bow may not authorize or permit an individual the person knows or has reason to believe is under the influence of alcohol or a controlled substance, as provided under paragraph (a), to possess the firearm or bow in this state or on a boundary water of this state.

(c) A person may not possess a loaded or uncased firearm or an uncased bow afield under any of the conditions in paragraph (a).

Subd. 2. Arrest. A peace officer may arrest a person for a violation under subdivision 1 without a warrant upon probable cause, without regard to whether the violation was committed in the officer's presence.

Subd. 3. Preliminary screening test. When an officer authorized under subdivision 2 to make arrests has reason to believe that the person may be violating or has violated subdivision 1, paragraph (a) or (c), the officer may require the person to provide a breath sample for a preliminary screening test using a device approved by the commissioner of public safety for this purpose. The results of the preliminary screening test must be used for the purpose of deciding whether an arrest should be made under this section and whether to require the chemical tests authorized in section 97B.066, but may not be used in any court action except: (1) to prove that a test was properly required of a person under section 97B.066, or (2) in a civil action arising out of the operation of a firearm or bow and arrow. Following the preliminary screening test, additional tests may be required of the person as provided under section 97B.066. A person who refuses a breath sample is subject to the provisions of section 97B.066 unless, in compliance with that section, the person submits to a blood, breath, or urine test to determine the presence of alcohol or a controlled substance.

Subd. 4. Evidence. In a prosecution for a violation of subdivision 1, paragraph (a) or (c), or an ordinance in conformity with it, the admission of evidence of the amount of alcohol or a controlled substance in the person's blood, breath, or urine is governed by section 169A.45.

Subd. 5. Penalties. (a) A person who violates a prohibition in subdivision 1, or an ordinance in conformity with it, is subject to the penalties provided in section 97A.331. (b) A person who hunts during the period the person is prohibited from hunting under subdivision 6 is guilty of a misdemeanor.

Subd. 6. Hunting privileges suspended. Upon conviction, and in addition to any penalty imposed under subdivision 5, the person is subject to the limitations on hunting provided in section 97A.421.

Subd. 7. Duties of commissioner. The court shall promptly forward to the commissioner copies of all convictions and criminal and civil penalties imposed under subdivision 5 and section 97B.066, subdivision 2. The commissioner shall notify the convicted person of the period during which the person is prohibited from hunting under subdivision 6 and section 97A.421. The commissioner shall also periodically circulate to appropriate law enforcement agencies a list of all persons who are prohibited from hunting under subdivision 6 and section 97A.421.

Subd. 8. Immunity from liability. The state or political subdivision that employs an officer who is authorized under subdivision 2 to make an arrest for

violations of subdivision 1 is immune from any liability, civil or criminal, for the care or custody of the hunting equipment in the physical control of the person arrested if the officer acts in good faith and exercises due care.

97B.066 CHEMICAL TESTING.

Subdivision 1. Mandatory chemical testing. A person who takes wild animals with a bow or firearm in this state or on a boundary water of this state is required, subject to the provisions of this section, to take or submit to a test of the person's blood, breath, or urine for the purpose of determining the presence and amount of alcohol or a controlled substance. The test shall be administered at the direction of an officer authorized to make arrests under section 97B.065, subdivision 2. Taking or submitting to the test is mandatory when requested by an officer who has probable cause to believe the person was hunting in violation of section 97B.065, subdivision 1, paragraph (a) or (c), and one of the following conditions exists:

(1) the person has been lawfully placed under arrest for violating section 97B.065, subdivision 1, paragraph (a) or (c);

(2) the person has been involved while hunting in an accident resulting in property damage, personal injury, or death;

(3) the person has refused to take the preliminary screening test provided for in section 97B.065, subdivision 3; or

(4) the screening test was administered and indicated an alcohol concentration of 0.08 or more.

Subd. 2. Penalties; refusal; revocation of hunting privilege. (a) If a person refuses to take a test required under subdivision 1, none must be given but the officer authorized to make arrests under section 97B.065, subdivision 2, shall report the refusal to the commissioner of natural resources and to the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the incident occurred that gave rise to the test demand and refusal.

On certification by the officer that probable cause existed to believe the person had been hunting while under the influence of alcohol or a controlled substance, and that the person refused to submit to testing, the commissioner shall impose a civil penalty of \$500 and shall prohibit the person from hunting for one year.

On behalf of the commissioner, an officer requiring a test or directing the administration of a test shall serve on a person who refused to permit a test immediate notice of intention to prohibit the person from hunting, and to impose the civil penalty set forth in this subdivision. If the officer fails to serve a notice of intent to suspend hunting privileges, the commissioner may notify the person by certified mail to the address on the license of the person. The notice must advise the person of the right to obtain administrative and judicial review as provided in this section. The prohibition imposed by the commissioner takes effect ten days after receipt of the notice. The civil penalty is imposed 30 days after receipt of the notice or upon return of the certified mail to the commissioner, and must be paid within 30 days of imposition.

(b) A person who hunts during the period the person is prohibited from hunting as provided under paragraph (a) is guilty of a misdemeanor.

Subd. 3. Rights and obligations. At the time a test is requested, the person must be informed that:

(1) Minnesota law requires a person to take a test to determine if the person is under the influence of alcohol or a controlled substance;

(2) if the person refuses to take the test, the person is subject to a civil penalty of \$500 and is prohibited for a one-year period from hunting, as provided under subdivision 2; and

(3) that the person has the right to consult with an attorney, but that this right is limited to the extent it cannot unreasonably delay administration of the test or the person will be deemed to have refused the test.

Subd. 4. Requirement of urine test. Notwithstanding subdivision 1, if there is probable cause to believe there is impairment by a controlled substance that is not subject to testing by a breath test, a blood or urine test may be required even after a breath test has been administered.

Subd. 5. Chemical tests. Chemical tests administered under this section are governed by section 169A.51.

Subd. 6. Repealed, 1997

Subd. 7. Administrative review. (a) At any time during the period of prohibition or revocation imposed under this section, the person may request in writing a review of the order imposing sanctions under this section. If the person makes a request for administrative review within 30 days following receipt of a notice and order imposing sanctions, the request shall stay imposition of the civil penalty. Upon receiving the request for review, the commissioner or the commissioner's designee shall review the order, the evidence upon which the order was based, and other material information brought to the attention of the commissioner and determine whether sufficient cause exists to sustain the order.

(b) Within 15 days after receiving the request, the commissioner shall issue a written report ordering that the prohibition, revocation, or civil penalty be either sustained or rescinded. The review provided in this subdivision is not subject to the contested case provisions of the Administrative Procedure Act under chapter 14. The availability of administrative review does not have an effect upon the availability of judicial review under this section.

Subd. 8. Judicial review. (a) Within 30 days following receipt of a notice and order imposing sanctions under this section, a person may petition the court for review. The petition must be filed with the district court administrator in the county where the incident occurred giving rise to the test demand and refusal, together with proof of service of a copy on the commissioner and the prosecuting authority for misdemeanor offenses for the jurisdiction in which the incident occurred. A responsive pleading is not required of the commissioner of natural resources, and court fees may not be charged for the appearance of the representative of the commissioner in the matter.

(b) The petition must be captioned in the name of the person making the petition as petitioner and the commissioner as respondent. The petition must state specifically the grounds upon which the petitioner seeks rescission of the order imposing sanctions.

(c) The filing of the petition does not stay the revocation or prohibition against hunting. However, the filing of a petition stays imposition of the civil penalty. The judicial review shall be conducted according to the Rules of Civil Procedure.

Subd. 9. Hearing. (a) A hearing under this section must be before a district court judge in the county where the incident occurred which gave rise to the test demand and refusal. The hearing must be to the court and may be conducted at the same time as hearings upon pretrial motions in the criminal prosecution under section 97B.065. The hearing must be recorded. The commissioner must be represented by the prosecuting authority for

misdemeanor offenses for the jurisdiction in which the incident occurred which gave rise to the test demand and refusal.

(b) The hearing must be held at the earliest practicable date and in any event no later than 60 days following the filing of the petition for review. The reviewing court may order a temporary stay of the balance of the prohibition or revocation if the hearing has not been conducted within 60 days after filing of the petition, upon the application of the petitioner and upon terms the court deems proper.

(c) The scope of the hearing must be limited to the issues of:

(1) whether the officer had probable cause to believe that the person violated section 97B.065;

(2) whether one of the conditions in subdivision 1 existed;

(3) whether the person was informed as prescribed in subdivision 3; and

(4) whether the person refused to submit to testing.

(d) It is an affirmative defense for the petitioner to prove that, at the time of the refusal, the petitioner's refusal to permit the test was based upon reasonable grounds.

(e) The court shall order that the prohibition or revocation be either sustained or rescinded and shall either sustain or rescind the civil penalty. The court shall forward a copy of the order to the commissioner.

Subd. 10. Payment of civil penalty. The civil penalty imposed under subdivision 2 must be paid to the political subdivision that represents the commissioner on the petition for judicial review or, in the event that a petition is not filed, to the political subdivision that would have represented the commissioner had a petition been filed. If a person does not pay the civil penalty, the prohibition against hunting is automatically extended until the political subdivision reports to the commissioner in writing that the penalty has been paid.

Subd. 11. Enforcement of civil penalty. (a) If a person does not pay the civil penalty imposed under subdivision 2 within 30 days of the date it was imposed, the prosecuting authority representing the commissioner may petition the district court in the county where the incident occurred to file the order imposing the civil penalty as an order of the court.

(b) Once entered, the order may be enforced in the same manner as a final judgment of the court. In addition to the penalty, attorney fees, costs, and interest may be assessed against any person who fails to pay the civil penalty.

97B.071 BLAZE ORANGE REQUIREMENTS.

(a) Except as provided in rules adopted under paragraph (c), a person may not hunt or trap during the open season where deer may be taken by firearms under applicable laws and ordinances, unless the visible portion of the person's cap and outer clothing above the waist, excluding sleeves and gloves, is blaze orange. Blaze orange includes a camouflage pattern of at least 50 percent blaze orange within each foot square. This section does not apply to migratory waterfowl hunters on waters of this state or in a stationary shooting location or to trappers on waters of this state.

(b) Except as provided in rules adopted under paragraph (c), and in addition to the requirement in paragraph (a), a person may not take small game other than turkey, migratory birds, raccoons, and predators, except when hunting with nontoxic shot or while trapping, unless a visible portion of at least one article of the person's clothing above the waist is blaze orange. This paragraph does not apply to a person hunting by falconry.

(c) The commissioner may, by rule, prescribe an alternative color in cases where paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public Law 103-141.

(d) A violation of paragraph (b) shall not result in a penalty, but is punishable only by a safety warning.

97B.075 HUNTING RESTRICTED BETWEEN EVENING AND MORNING.

(a) A person may not take protected wild animals, except raccoon and fox, with a firearm between the evening and morning times established by commissioner's rule, except as provided in this section.

(b) Big game may be taken from one-half hour before sunrise until one-half hour after sunset.

(c) Except as otherwise prescribed by the commissioner on or before the Saturday nearest October 8, waterfowl may be taken from one-half hour before sunrise until sunset during the entire season prescribed by the commissioner. On the opening day of the duck season, shooting hours for migratory game birds, except woodcock, begin at 9:00 a.m.

97B.081 USING ARTIFICIAL LIGHTS TO LOCATE ANIMALS.

Subdivision 1. With firearms and bows. (a) A person may not cast the rays of a spotlight, headlight, or other artificial light on a highway, or in a field, woodland, or forest, to spot, locate, or take a wild animal, except while taking raccoons in accordance with section 97B.621, subdivision 3, or tending traps in accordance with section 97B.931, while having in possession, either individually or as one of a group of persons, a firearm, bow, or other implement that could be used to kill big game.

(b) This subdivision does not apply to a firearm that is:

(1) unloaded;

(2) in a gun case expressly made to contain a firearm that fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the firearm exposed; and

(3) in the closed trunk of a motor vehicle.

(c) This subdivision does not apply to a bow that is:

(1) completely encased or unstrung; and

(2) in the closed trunk of a motor vehicle.

(d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or bow must be placed in the rearmost location of the vehicle.

(e) This subdivision does not apply to persons taking raccoons under section 97B.621, subdivision 3.

(f) This subdivision does not apply to a person hunting fox or coyote from January 1 to March 15 while using a hand-held artificial light, provided that the person:

(1) is on foot;

(2) is using a shotgun;

(3) is not within a public road right-of-way;

(4) is using a hand-held or electronic calling device; and

(5) is not within 200 feet of a motor vehicle.

Subd. 2. Without firearms. (a) Between the hours of 10:00 p.m. and 6:00 a.m. from September 1 to December 31, a person may not cast the rays of a spotlight, headlight, or other artificial light in a field, woodland, or forest to spot, locate, or take a wild animal except to take raccoons under section 97B.621, subdivision 3, or to tend traps under section 97B.931.

(b) Between one-half hour after sunset until sunrise, a person may not cast the rays of a spotlight, headlight, or other artificial light to spot, locate, or take a wild animal on fenced, agricultural land containing livestock, as defined in section 17A.03, subdivision 5, or poultry that is marked with signs prohibiting the shining of lights. The signs must:

(1) display reflectorized letters that are at least two inches in height and state "no shining" or similar terms; and

(2) be placed at intervals of 1,000 feet or less along the boundary of the area.

(c) It is not a violation of paragraph (a) or (b) for a person to carry out any agricultural, occupational, or recreational practice, including snowmobiling that is not related to spotting, locating, or taking a wild animal.

(d) Between the hours of 6:00 p.m. and 6:00 a.m., a person may not project a spotlight or hand-held light onto residential property or building sites from a moving motor vehicle being operated on land, except for the following purposes:

(1) safety;

(2) emergency response;

(3) normal vehicle operations; or

(4) performing an occupational duty.

97B.085 USE OF RADIOS TO TAKE ANIMALS.

Subdivision 1. Radio use in taking game prohibited. A person may not use radio equipment to take big game or small game.

Subd. 2. Taking unprotected wild animals; permit required. A person may not use radio equipment to take unprotected wild animals without a permit. The commissioner may issue a permit to take unprotected animals with radio equipment. The commissioner shall cancel the permit upon receiving a valid complaint of misconduct regarding the permittee's hunting activities.

Subd. 3. Communication excepted. This section does not prohibit the use of:

(1) one-way radio communication between a handler and a dog; or

(2) a remote-controlled animal noise caller for taking crows, fur-bearing animals, and unprotected animals.

97B.086 POSSESSION OF NIGHT VISION EQUIPMENT.

(a) A person may not possess night vision goggle equipment while taking wild animals or while having in possession, either individually or as one of a group of persons, a firearm, bow, or other implement that could be used to take wild animals.

(b) This section does not apply to a firearm that is:

(1) unloaded;

(2) in a gun case expressly made to contain a firearm that fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the firearm exposed; and

(3) in the closed trunk of a motor vehicle.

(c) This section does not apply to a bow that is:

(1) completely encased or unstrung; and

(2) in the closed trunk of a motor vehicle.

(d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or bow must be placed in the rearmost location of the vehicle.

(e) This section does not apply to night vision goggle equipment possessed by peace officers or military personnel while exercising their duties.

97B.091 USE OF MOTOR VEHICLES TO CHASE WILD ANIMALS PROHIBITED.

A person may not use a motor vehicle to intentionally drive, chase, run over, kill, or take a wild animal.

97B.095 DISTURBING BURROWS AND DENS.

A person may not disturb the burrow or den of a wild animal between November 1 and April 1 without a permit.

97B.101 HUNTING WITH FERRETS PROHIBITED.

A person may not take a protected wild animal with the aid of a ferret.

97B.105 HUNTING BY FALCONRY.

A person may take a protected wild animal by falconry under rules prescribed by the commissioner.

97B.1055 HUNTING BY PERSONS WITH DEVELOPMENTAL DISABILITY.

Subdivision 1. Definitions. For purposes of this section and section 97B.015, subdivision 6, "person with developmental disability" means a person who has been diagnosed as having substantial limitations in present functioning, manifested as significantly subaverage intellectual functioning, existing concurrently with demonstrated deficits in adaptive behavior, and who manifests these conditions before the person's 22nd birthday. A person with a related condition means a person who meets the diagnostic definition under section 252.27, subdivision 1a.

Subd. 2. Obtaining a license. (a) Notwithstanding section 97B.020, a person with developmental disability may obtain a firearms hunting license with a provisional firearms safety certificate issued under section 97B.015, subdivision 6. (b) Any person accompanying or assisting a person with developmental disability under this section must possess a valid firearms safety certificate issued by the commissioner.

Subd. 3. Assistance required. A person who obtains a firearms hunting license under subdivision 2 must be accompanied and assisted by a parent, guardian, or other adult person designated by a parent or guardian when hunting. A person who is not hunting but is solely accompanying and assisting a person with developmental disability need not obtain a hunting license.

Subd. 4. Prohibited activities. (a) This section does not entitle a person to possess a firearm if the person is otherwise prohibited from possessing a firearm under state or federal law or a court order.

(b) No person shall knowingly authorize or permit a person, who by reason of developmental disability is incapable of safely possessing a firearm, to possess a firearm to hunt in the state or on any boundary water of the state.

97B.106 CROSSBOW PERMITS FOR HUNTING AND FISHING.

Subdivision 1. Qualifications for crossbow permits. (a) The commissioner may issue a special permit, without a fee, to take big game, small game, or rough fish with a crossbow to a person that is unable to hunt or take rough fish by archery because of a permanent or temporary physical disability.

97B.111 Special firearm hunting seasons for physically disabled.

(b) To qualify for a crossbow permit under this section, a temporary disability must render the person unable to hunt or fish by archery for a minimum of two years after application for the permit is made. The permanent or temporary disability must be established by medical evidence, and the inability to hunt or fish by archery for the required period of time must be verified in writing by a licensed physician or chiropractor.

(c) The person must obtain the appropriate license.

Subd. 2. Crossbow equipment and requirements. (a) A crossbow used for hunting under the provisions of this section must:

- (1) be fired from the shoulder;
- (2) deliver at least 42 foot-pounds of energy at a distance of ten feet;
- (3) have a stock at least 30 inches long;
- (4) have a working safety; and
- (5) be used with arrows or bolts at least ten inches long.

(b) An arrow or bolt used to take big game or turkey under the provisions of this section must meet the legal arrowhead requirements in section 97B.211, subdivision 2.

(c) An arrow or bolt used to take rough fish with a crossbow under the provisions of this section must be tethered or controlled by an attached line.

97B.111 SPECIAL FIREARM HUNTING SEASONS FOR PHYSICALLY DISABLED.

Subdivision 1. Establishment; requirements. The commissioner may establish criteria, special seasons, and limits for persons who have a physical disability to take big game and small game with firearms and by archery in designated areas. A person hunting under this section who has a physical disability must have a verified statement of the disability by a licensed physician and must be participating in a program for physically disabled hunters sponsored by a nonprofit organization that is permitted under subdivision 2. A license is not required for a person to assist a physically disabled person hunting during a special season under this section.

Subd. 2. Permit for organization; laser sights. (a) The commissioner may issue a special permit without a fee to a nonprofit organization to provide an assisted hunting opportunity to physically disabled hunters. The assisted hunting opportunity may take place:

- (1) in areas designated by the commissioner under subdivision 1; or
- (2) on private property or a licensed shooting preserve.

(b) The sponsoring organization shall provide a physically capable person to assist each disabled hunter with safety-related aspects of hunting and, notwithstanding section 97B.081, a person with a physical disability who is totally blind may use laser sights.

(c) The commissioner may impose reasonable permit conditions.

97B.112 SPECIAL HUNTS FOR YOUTH.

The commissioner may by rule establish criteria, special seasons, and limits for youth hunters to take big game and small game by firearms or archery in designated areas or times. The criteria may also include provisions for an unlicensed adult to assist a youth hunter during a special season or special hunt established under this section.

97B.115 COMPUTER-ASSISTED REMOTE HUNTING PROHIBITIONS.

(a) No person shall operate, provide, sell, use or offer to operate, provide, sell or use any computer software or service that allows a person, not physically present at the site, to remotely control a weapon that could be used to take any wild animal by remote operation, including, but not limited to, weapons or devices set up to fire through the use of the Internet or through a remote control device.

(b) A person who violates this section is guilty of a misdemeanor.

BIG GAME

97B.201 NO OPEN SEASON FOR CARIBOU OR ANTELOPE.

There may not be an open season on caribou or antelope

97B.205 USE OF DOGS AND HORSES TO TAKE BIG GAME PROHIBITED.

A person may not use a dog or horse to take big game.

97B.211 HUNTING BIG GAME BY ARCHERY.

Subdivision 1. Possession of firearms prohibited. Except when hunting bear, a person may not take big game by archery while in possession of a firearm.

Subd. 2. Arrowhead requirements. Arrowheads used for taking big game must be sharp, have a minimum of two metal cutting edges, be of a barbed broadhead design, and must have a diameter of at least seven-eighths inch. The commissioner may allow retractable broadhead arrowheads that meet the other requirements of this subdivision.

97B.22 COLLECTING ANTLER SHEDS.

(a) A person may take and possess naturally shed antlers without a license.

(b) A person may not place, arrange, or set equipment in a manner that is likely to artificially pull, sever, or otherwise cause antlers of live deer, moose, elk, or caribou to be shed or removed.

DEER

97B.301 DEER LICENSES AND LIMITS.

Subdivision 1. Licenses required. A person may not take deer without a license. A person must have a firearms deer license to take deer with firearms and an archery deer license to take deer by archery except as provided in this section.

Subd. 2. Limit of one deer. Except as provided in subdivisions 3 and 4, a person may obtain one firearms deer license and one archery deer license in the same license year, but may take only one deer.

Subd. 3. Party hunting. If two or more persons with licenses to take deer by firearms, or two or more persons with licenses to take deer by archery, are hunting as a party, a member of the party may take more than one deer, but the total number of deer taken by the party may not exceed the number of persons licensed to take deer in the party.

Subd. 4. Taking more than one deer. (a) The commissioner may, by rule, allow a person to take more than one deer. The commissioner shall prescribe the conditions for taking the additional deer including:

(1) taking by firearm or archery;

97B.303 Venison donations.

- (2) obtaining additional licenses; and
- (3) payment of a fee not more than the fee for a firearms deer license; and
- (4) the total number of deer that an individual may take.

(b) In Kittson, Lake of the Woods, Marshall, Pennington, and Roseau Counties, a person may obtain one firearms deer license and one archery deer license in the same license year, and may take one deer under each license. The commissioner may limit the use of this provision in certain years to protect the deer population in the area.

Subd. 5. Repealed, 1995

Subd. 6. Residents under age 18 may take deer of either sex. A resident under the age of 18 may take a deer of either sex except in those antlerless permit areas and seasons where no antlerless permits are offered. In antlerless permit areas where no antlerless permits are offered, the commissioner may provide a limited number of youth either sex permits to residents under age 18, under the procedures provided in section 97B.305, and may give preference to residents under the age of 18 that have not previously been selected. This subdivision does not authorize the taking of an antlerless deer by another member of a party under subdivision 3.

Subd. 7. All season deer license. (a) a resident may obtain an all season deer license that authorizes the resident to hunt during the archery, regular firearms, and muzzle-loader seasons. the all season license is valid for taking three deer, no more than one of which may be a legal buck.

(b) The all season deer license is valid for taking antlerless deer as prescribed by the commissioner.

(c) The commissioner shall issue three tags when issuing a license under this subdivision.

97B.303 VENISON DONATIONS.

An individual who legally takes a deer may donate the deer, for distribution to charitable food assistance programs, to a meat processor that is licensed under chapter 28A. An individual donating a deer must supply the processor with the tag number under which the deer was taken.

97B.305 COMMISSIONER MAY LIMIT NUMBER OF DEER HUNTERS.

The commissioner may limit the number of persons that may hunt deer in an area if it is necessary to prevent an overharvest or improve the distribution of hunters. The commissioner may, by rule, establish a method, including a drawing, to impartially select the hunters for an area. The commissioner shall give preference to hunters that have previously applied and have not been selected.

97B.311 DEER SEASONS AND RESTRICTIONS.

(a) The commissioner may, by rule, prescribe restrictions and designate areas where deer may be taken, including hunter selection criteria for special hunts established under section 97A.401, subdivision 4. The commissioner may, by rule, prescribe the open seasons for deer within the following periods:

(1) taking with firearms, other than muzzle-loading firearms, between November 1 and December 15;

(2) taking with muzzle-loading firearms between September 1 and December 31; and

(3) taking by archery between September 1 and December 31.

(b) Notwithstanding paragraph (a), the commissioner may establish special seasons within designated areas at any time of year.

97B.312 REPEALED, 2000

97B.315 REPEALED, 1988

97B.318 ARMS USE AREAS AND RESTRICTIONS; REGULAR FIREARMS SEASON.

Subdivision 1. Shotgun use area. During the regular firearms season in the shotgun use area, only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading long guns, and legal handguns may be used for taking deer. Legal shotguns include those with rifled barrels. The shotgun use area is that portion of the state lying within the following described boundary: Beginning on the west boundary of the state at the northern boundary of Clay County; thence along the northern boundary of Clay County to State Trunk Highway (STH) 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to County State-Aid Highway (CSAH) 40, Douglas County; thence along CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22, Todd County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71 to STH 27; thence along STH 27 to the Mississippi River; thence along the east bank of the Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence along the east, south, and west boundaries of the state to the point of beginning.

Subd. 2. All legal firearms use area. The all legal firearms use area is that part of the state lying outside of the shotgun use area.

97B.321 SNARES, TRAPS, SET GUNS, AND SWIVEL GUNS PROHIBITED.

A person may not take deer with the aid of a snare, trap, set gun, or swivel gun.

97B.325 DEER STAND RESTRICTIONS.

A person may not take deer from a constructed platform or other structure that is located within the right-of-way of an improved public highway or is higher than 16 feet above the ground. The height restriction does not apply to a portable stand that is chained, belted, clamped, or tied with rope.

97B.326 STANDS AND BLINDS ON PUBLIC LANDS.

Any unoccupied permanent stand or blind on public land is public and not the property of the person who constructed it.

97B.327 REPORT; DEER OTHER THAN WHITE-TAILED OR MULE.

A hunter legally taking a deer that is not a white-tailed or mule deer must report the type of deer taken to the commissioner of natural resources within seven days of taking. Violation of this section shall not result in a penalty and is not subject to section 97A.301.

97B.328 Baiting prohibited.

97B.328 BAITING PROHIBITED.

- (a) A person may not hunt deer:
 - (1) with the aid or use of bait;
 - (2) in the vicinity of bait if the person knows or has reason to know that bait is present; or
 - (3) in the vicinity of where the person has placed bait or caused bait to be placed within the previous ten days.
- (b) This restriction does not apply to:
 - (1) food resulting from normal or accepted farming, forest management, wildlife food plantings, orchard management, or other similar land management activities; or
 - (2) a person hunting on the person's own property, when the person has not participated in, been involved with, or agreed to feeding wildlife on adjacent land owned by another person.

BEAR

97B.401 BEAR LICENSE REQUIRED.

A person may not take bear without a bear license except as provided in section 97B.415 to protect property.

97B.405 COMMISSIONER MAY LIMIT NUMBER OF BEAR HUNTERS.

The commissioner may limit the number of persons that may hunt bear in an area, if it is necessary to prevent an overharvest or improve the distribution of hunters. The commissioner may establish, by rule, a method, including a drawing, to impartially select the hunters for an area. The commissioner shall give preference to hunters that have previously applied and have not been selected.

97B.411 BEAR SEASON AND RESTRICTIONS.

The commissioner may, by rule, prescribe the open season and the areas and restrictions for the taking of bear.

97B.415 TAKING BEAR TO PROTECT PROPERTY.

A person may take a bear at any time to protect the person's property. The person must report the bear taken to a conservation officer within 48 hours. The bear may be disposed of as prescribed by the commissioner.

97B.421 PERMIT REQUIRED TO SNARE BEARS.

A person may not use a snare to take a bear except under a permit from the commissioner.

97B.425 BAITING BEARS.

Notwithstanding section 609.68, a person may place bait to take bear and must display a tag at each site where bait is placed and register the sites. The commissioner shall prescribe the method of tagging and registering the sites. To attract bear a person may not use a bait with:

- (1) a carcass from a mammal, if the carcass contains more than 25 percent of the intact carcass;
- (2) meat from mammals, if the meat contains bones;
- (3) bones of mammals;
- (4) solid waste containing bottles, cans, plastic, paper, or metal;

- (5) materials that are not readily biodegradable; or
- (6) any part of a swine, except cured pork.

97B.431 BEAR HUNTING GUIDES.

A person may not place bait for bear, or guide hunters to take bear, for compensation without a bear hunting guide license. A bear hunting guide is not required to have a license to take bear unless the guide is attempting to shoot a bear. The commissioner shall adopt rules for qualifications for issuance and administration of the licenses.

MOOSE

97B.501 MOOSE LICENSE REQUIRED.

A person may not take moose without a moose license.

97B.505 MOOSE SEASON AND RESTRICTIONS.

The commissioner may, by rule, prescribe the open season and the areas and conditions for the taking of moose.

97B.511 MOOSE STAND RESTRICTIONS.

A person may not take moose from a constructed platform or other structure higher than nine feet above the ground. The restriction does not apply to a portable stand that is chained, belted, clamped, or tied with rope.

ELK

97B.515 ELK; LICENSE REQUIRED, SEASONS, RESTRICTIONS.

Subdivision 1. License required. A person may not take an elk without an elk license.

Subd. 2. Season and restrictions. The commissioner may, by rule, prescribe the open season and the areas and conditions for the taking of elk when the precalving population exceeds 20 animals.

Subd. 3. Stand restrictions. A person may not take elk from a constructed platform or other structure higher than nine feet above the ground. The restriction does not apply to a portable stand that is chained, belted, clamped, or tied with rope.

97B.516 ELK MANAGEMENT PLAN.

The commissioner of natural resources must adopt an elk management plan that:

- (1) recognizes the value and uniqueness of elk;
- (2) provides for integrated management of an elk population in harmony with the environment;
- (3) affords optimum recreational opportunities; and
- (4) restricts elk to nonagricultural land in the state.

SMALL GAME

97B.601 SMALL GAME LICENSES.

Subdivision 1. Requirement. A person may not take small game without a small game license except as provided in subdivision 4.

Subd. 2. Trapping small game. A person may not take small game with traps without a trapping license and a small game license except as provided in subdivision 4.

Subd. 3. Nonresidents: raccoon or bobcat. A nonresident may not take raccoon or bobcat by firearms without a separate license to take that animal in addition to a small game license.

Subd. 3a. Nonresidents; trapping small game. A nonresident may take small game by trapping only on land owned by the nonresident, if the nonresident possesses a trapping license and a small game license.

Subd. 4. Exception to license requirements. (a) A resident under age 16 may take small game without a small game license, and a resident under age 13 may trap without a trapping license, as provided in section 97A.451, subdivision 3.

(b) A person may take small game without a small game license on land occupied by the person as a principal residence.

(c) An owner or occupant may take certain small game causing damage without a small game or trapping license as provided in section 97B.655.

(d) A person may use dogs to pursue and tree raccoons under section 97B.621, subdivision 2, during the closed season without a license.

(e) A person may take a turkey or a prairie chicken without a small game license.

97B.603 TAKING SMALL GAME AS A PARTY.

While two or more persons are taking small game as a party and maintaining unaided visual and vocal contact, a member of the party may take and possess more than one limit of small game, but the total number of small game taken and possessed by the party may not exceed the limit of the number of persons in the party that may take and possess small game. This section does not apply to the hunting of migratory game birds or turkeys, except that a licensed turkey hunter may assist another licensed turkey hunter for the same zone and time period as long as the hunter does not shoot or tag a turkey for the other hunter.

97B.605 COMMISSIONER MAY RESTRICT TAKING OF CERTAIN SMALL GAME ANIMALS.

The commissioner may prescribe restrictions on and designate areas where gray and fox squirrels, cottontail and jack rabbits, snowshoe hare, raccoon, bobcat, red fox and gray fox, fisher, pine marten, opossum, and badger may be taken and possessed.

97B.611 SQUIRRELS.

Subdivision 1. Seasons for gray and fox squirrels. The statewide open season for gray and fox squirrels may be prescribed by the commissioner between October 15 and December 31. The commissioner may prescribe areas with additional open seasons.

Subd. 2. Fire and smoke prohibited. A person may not set fire to a tree or use smoke to take squirrels.

97B.615 RABBIT AND HARE SEASON.

The statewide open season for cottontail, jack rabbits, and snowshoe hare may be prescribed by the commissioner between September 16 and March 1.

97B.621 RACCOONS.

Subdivision 1. Season. The statewide open season for raccoon may be set by the commissioner.

Subd. 2. Period for treeing raccoons. Notwithstanding subdivision 1 and section 97B.005, subdivision 1, a person may use dogs to pursue and tree raccoons without killing or capturing the raccoons during the closed season and a license is not required.

Subd. 3. Nighttime hunting restrictions. To take raccoons between sunset and sunrise, a person:

- (1) must be on foot;
- (2) may use an artificial light only if hunting with dogs;
- (3) may not use a rifle other than one of a .22 inch caliber with .22 short, long, or long rifle, rimfire ammunition; and
- (4) may not use shotgun shells with larger than No. 4 shot.

Subd. 4. Prohibited methods of taking. A person may not take a raccoon:

- (1) in a den or hollow tree;
- (2) by cutting down a tree occupied by raccoon; or
- (3) by setting fire to a tree or using smoke.

97B.625 BOBCAT.

Subdivision 1. Season. Based upon population estimates, the commissioner may set the open season for bobcat.

Subd. 2. Use of a snare. A person may use a snare to take bobcat, as prescribed by the commissioner, without a permit.

97B.631 FOX.

Subdivision 1. Restrictions on taking. A person may not remove a fox from a den or trap fox within 300 feet of a fox den from April 1 to August 31.

Subd. 2. Use of a snare. A person may use a snare to take fox, as prescribed by the commissioner, without a permit.

97B.635 FISHER; BADGER; OPOSSUM; AND PINE MARTEN.

Based upon population estimates, the commissioner may set the open season for fisher, badger, opossum, and pine marten.

97B.641 COUGAR, LYNX, AND WOLVERINE.

There is no open season for cougar, lynx, or wolverine.

97B.645 GRAY WOLVES.

Subdivision 1. Use of dogs and horses prohibited; use of guard animals. Except as provided in this subdivision, a person may not use a dog or horse to take a gray wolf. A person may use a guard animal to harass, repel, or destroy wolves to protect a person's livestock, domestic animals, or pets. A person whose guard animal destroys a gray wolf under this subdivision must protect all evidence and report the taking to a conservation officer as soon as practicable but no later than 48 hours after the gray wolf is destroyed.

Subd. 2. Permit required to snare. A person may not use a snare to take a wolf except under a permit from the commissioner.

Subd. 3. Destroying gray wolves in defense of human life. A person may, at any time and without a permit, take a gray wolf in defense of the person's own life or the life of another. A person who destroys a gray wolf under this subdivision must protect all evidence and report the taking to a

conservation officer as soon as practicable but no later than 48 hours after the gray wolf is destroyed.

Subd. 4. Harassment of gray wolves. To discourage gray wolves from contact or association with people and domestic animals, a person may, at any time and without a permit, harass a gray wolf that is within 500 yards of people, buildings, dogs, livestock, or other domestic pets and animals. A gray wolf may not be purposely attracted, tracked, or searched out for the purpose of harassment. Harassment that results in physical injury to a gray wolf is prohibited.

Subd. 5. Destroying gray wolves threatening livestock, guard animals, or domestic animals. An owner of livestock, guard animals, or domestic animals, and the owner's agents may, at any time and without a permit, shoot or destroy a gray wolf when the gray wolf is posing an immediate threat to livestock, a guard animal, or a domestic animal located on property owned, leased, or occupied by the owner of the livestock, guard animal, or domestic animal. A person who destroys a gray wolf under this subdivision must protect all evidence and report the taking to a conservation officer as soon as practicable but no later than 48 hours after the gray wolf is destroyed.

Subd. 6. Destroying gray wolves threatening domestic pets. An owner of a domestic pet may, at any time and without a permit, shoot or destroy a gray wolf when the gray wolf is posing an immediate threat to a domestic pet under the supervision of the owner. A person who destroys a gray wolf under this subdivision must protect all evidence and report the taking to a conservation officer as soon as practicable but no later than 48 hours after the gray wolf is destroyed.

Subd. 7. Investigation of reported gray wolf takings. (a) In response to a reported gray wolf taking under subdivision 3, 5, or 6, the commissioner shall:

(1) investigate the reported taking;

(2) collect appropriate written and photographic documentation of the circumstances and site of the taking, including, but not limited to, documentation of animal husbandry practices;

(3) confiscate salvageable remains of the gray wolf killed; and

(4) dispose of any salvageable gray wolf remains confiscated under this subdivision by sale or donation for educational purposes.

(b) The commissioner shall produce monthly reports of activities under this subdivision.

(c) In response to a reported gray wolf taking under subdivision 5, the commissioner must notify the county extension agent. The county extension agent must recommend what, if any, cost-conscious livestock best management practices and nonlethal wolf depredation controls are needed to prevent future wolf depredation. Any best management practices recommended by the county extension agent must be consistent with the best management practices developed by the commissioner of agriculture under section 3.737, subdivision 5.

Subd. 8. Shooting or trapping gray wolves to protect livestock, domestic animals, or pets in zone B. (a) Notwithstanding the provisions of subdivisions 1 and 4 to 7, and season and time of day restrictions in the game and fish laws, but subject to the remaining provisions of the game and fish laws, in zone B, a person may:

(1) shoot a gray wolf on land owned, leased, or managed by the person at any time to protect the person's livestock, domestic animals, or pets; or

(2) employ a predator controller certified under section 97B.671 to trap a gray wolf on land owned, leased, or managed by the person or on land within one mile of the land owned, leased, or managed by the person to protect the person's livestock, domestic animals, or pets.

(b) The person must report the gray wolf shot or trapped under this subdivision to a conservation officer as soon as practicable but no later than 48 hours after the gray wolf was shot or trapped. The gray wolf must be disposed of as prescribed by the commissioner.

Subd. 9. Open season. There shall be no open season for gray wolves for five years after the gray wolf is delisted under the federal Endangered Species Act of 1973. After that time, the commissioner may prescribe open seasons and restrictions for taking gray wolves but must provide opportunity for public comment.

Subd. 10. Release of wolf-dog hybrids and captive gray wolves. A person may not release a wolf-dog hybrid. A person may not release a captive gray wolf without a permit from the commissioner.

Subd. 11. Federal law. Notwithstanding the provisions of this section, a person may not take, harass, buy, sell, possess, transport, or ship gray wolves in violation of federal law.

Subd. 12. Definitions. (a) For purposes of this section, the terms used have the meanings given.

(b) "Guard animal" means a donkey, llama, dog, or other domestic animal specifically bred, trained, and used to protect livestock, domestic animals, or pets from gray wolf depredation.

(c) "Immediate threat" means the observed behavior of a gray wolf in the act of stalking, attacking, or killing livestock, a guard animal, or a domestic pet under the supervision of the owner. If a gray wolf is not observed stalking or attacking, the presence of a gray wolf feeding on an already dead animal whose death was not caused by gray wolves is not an immediate threat.

(d) "Zone B" means all that part of Minnesota south and west of a line beginning on state Trunk Highway No. 48 at the eastern boundary of the state; thence westerly along state Trunk Highway No. 48 to Interstate Highway No. 35; thence northerly on Interstate Highway No. 35 to state Highway No. 23; thence west one-half mile on state Highway No. 23 to state Trunk Highway No. 18; thence westerly along state Trunk Highway No. 18 to state Trunk Highway No. 65; thence northerly on state Trunk Highway No. 65 to state Trunk Highway No. 210; thence westerly along state Trunk Highway No. 210 to state Trunk Highway No. 6; thence northerly on state Trunk Highway No. 6 to Emily; thence westerly along County State-Aid Highway No. 1, Crow Wing County, to County State-Aid Highway No. 2, Cass County; thence westerly along County State-Aid Highway No. 2 to Pine River; thence northwesterly along state Trunk Highway No. 371 to Backus; thence westerly along state Trunk Highway No. 87 to U.S. Highway No. 71; thence northerly along U.S. Highway No. 71 to state Trunk Highway No. 200; thence northwesterly along state Trunk Highway No. 200 to County State-Aid Highway No. 2, Clearwater County; thence northerly along County State-Aid Highway No. 2 to Shevlin; thence along U.S. Highway No. 2 to Bagley; thence northerly along state Trunk Highway No. 92 to Gully; thence northerly along County State-Aid Highway No. 2, Polk County, to County State-Aid Highway No. 27, Pennington County; thence along County State-Aid Highway No. 27 to state Trunk Highway No. 1; thence easterly along state Trunk Highway No. 1 to County State-Aid Highway No. 28, Pennington County; thence northerly

along County State-Aid Highway No. 28 to County State-Aid Highway No. 54, Marshall County; thence northerly along County State-Aid Highway No. 54 to Grygla; thence west and northerly along state Highway No. 89 to Roseau; thence northerly along state Trunk Highway No. 310 to the Canadian border.

97B.646 GRAY WOLF MANAGEMENT PLAN.

The commissioner, in consultation with the commissioner of agriculture, shall adopt a gray wolf management plan that includes goals to ensure the long-term survival of the gray wolf in Minnesota, to reduce conflicts between gray wolves and humans, to minimize depredation of livestock and domestic pets, and to manage the ecological impact of wolves on prey species and other predators.

97B.651 UNPROTECTED MAMMALS AND BIRDS.

Mammals that are unprotected wild animals and unprotected birds may be taken at any time and in any manner, except with artificial lights, or by using a motor vehicle in violation of section 97B.091. Poison may not be used to take unprotected mammals or unprotected birds unless the safety of humans and domestic livestock is ensured. Unprotected mammals and unprotected birds may be possessed, bought, sold, or transported in any quantity.

97B.655 TAKING ANIMALS CAUSING DAMAGE.

Subdivision 1. Owners and occupants may take certain animals. A person may take mink, squirrel, rabbit, hare, raccoon, bobcat, fox, opossum, muskrat, or beaver on land owned or occupied by the person where the animal is causing damage. The person may take the animal without a license and in any manner except by poison, or artificial lights in the closed season. Raccoons may be taken under this subdivision with artificial lights during open season. A person that kills mink, raccoon, bobcat, fox, opossum, muskrat, or beaver under this subdivision must notify a conservation officer or employee of the Wildlife Division within 24 hours after the animal is killed.

Subd. 2. Special permit for taking protected wild animals. The commissioner may issue special permits under section 97A.401, subdivision 5, to take protected wild animals that are damaging property or to remove or destroy their dens, nests, houses, or dams.

97B.661 REMOVAL OF BEAVER FROM STATE LANDS.

The commissioner may remove beaver at state expense from state land if the county board where the land is located adopts a resolution requesting the removal.

97B.665 IMPAIRMENT OF DRAINAGE BY BEAVER DAMS.

Subdivision 1. Agreement by county board, landowner, and commissioner. (a) When a drainage watercourse is impaired by a beaver dam, the commissioner shall take action to remove the impairment, if:

- (1) the county board unanimously consents;
- (2) the landowner approves;
- (3) the commissioner agrees; and
- (4) the action is financially feasible.

(b) In a county with unanimous consent of the county board of commissioners and approval of the landowner, the department shall take action agreed to by unanimous consent of the county board, the

commissioner, and the landowner. The action may include destruction or alteration of beaver dams and removal of beaver. This subdivision does not apply to state parks, state game refuges, and federal game refuges.

Subd. 2. Petition to district court. If a beaver dam causes a threat to personal safety or a serious threat to damage property, and a person cannot obtain consent under subdivision 1, a person may petition the district court for relief. The court may order the commissioner to take action to reduce the threat.

97B.667 REMOVAL OF BEAVER DAMS AND LODGES BY ROAD AUTHORITIES.

When a drainage watercourse is impaired by a beaver dam and the water damages or threatens to damage a public road, the road authority, as defined in section 160.02, subdivision 25, may remove the impairment and any associated beaver lodge within 300 feet of the road.

97B.671 PREDATOR CONTROL PROGRAM.

Subdivision 1. Authorization to take predators. If the commissioner determines that predators are damaging domestic or wild animals and further damage can be prevented, the commissioner shall authorize the taking of the predators by predator controllers. The commissioner shall define the area where the predators may be taken, the objectives to be achieved, procedures for notifying predator controllers, payments to be made, the methods to be used, and when the predator control shall cease.

Subd. 2. Certification of predator controllers. (a) The commissioner shall certify a person as a predator controller if the person has not violated a provision of this section and meets qualifications of experience, ability, and reliability. The commissioner shall establish application procedures, prescribe forms, and maintain a list of predator controllers. The application procedures must include reports from conservation officers and other department field personnel as to the ability and reliability of the applicants.

(b) The commissioner may revoke a certification if the predator controller violates a provision of sections 97B.601 to 97B.671 or 97B.901 to 97B.945 or a rule of the commissioner relating to fur-bearing animals.

Subd. 3. Predator control payments. The commissioner shall pay a predator controller the amount the commissioner prescribes for each predator taken. The commissioner shall pay at least \$25 but not more than \$60 for each coyote taken. The commissioner may require the predator controller to submit proof of the taking and a signed statement concerning the predators taken.

Subd. 4. Gray wolf control. (a) The commissioner shall provide a gray wolf control training program for certified predator controllers participating in gray wolf control.

(b) After the gray wolf is delisted under the federal Endangered Species Act of 1973, in zone B, as defined under section 97B.645, subdivision 12, if the commissioner, after considering recommendations from an extension agent or conservation officer, has verified that livestock, domestic animals, or pets were destroyed by a gray wolf within the previous five years, and if the livestock, domestic animal, or pet owner requests gray wolf control, the commissioner shall open a predator control area for gray wolves.

(c) After the gray wolf is delisted under the federal Endangered Species Act of 1973, in zone A, as defined under paragraph (g), if the commissioner, after

considering recommendations from an extension agent or conservation officer, verifies that livestock, domestic animals, or pets were destroyed by a gray wolf, and if the livestock, domestic animal, or pet owner requests gray wolf control, the commissioner shall open a predator control area for gray wolves for up to 60 days.

(d) A predator control area opened for gray wolves may not exceed a one-mile radius surrounding the damage site.

(e) The commissioner shall pay a certified gray wolf predator controller \$150 for each wolf taken. The certified gray wolf predator controller must dispose of unsalvageable remains as directed by the commissioner. All salvageable gray wolf remains must be surrendered to the commissioner.

(f) The commissioner may, in consultation with the commissioner of agriculture, develop a cooperative agreement for gray wolf control activities with the United States Department of Agriculture. The cooperative agreement activities may include, but not be limited to, gray wolf control, training for state predator controllers, and control monitoring and record keeping.

(g) For the purposes of this subdivision, "zone A" means that portion of the state lying outside of zone B, as defined under section 97B.645, subdivision 12.

BIRDS

97B.701 PROTECTED BIRDS.

Subdivision 1. Taking of birds, nests, and eggs must be authorized.

Protected birds, their nests, and their eggs may be taken only as authorized under the game and fish laws.

Subd. 2. Prohibited methods of taking. A person may not take protected birds:

- (1) with a trap, net, or snare;
- (2) using bird lime;
- (3) with a swivel or set gun;
- (4) by dragging a rope, wire, or other device across a field; or
- (5) by using fire.

Subd. 3. Recapture of released bob-white quail. Released bob-white quail may be recaptured without a license. In Houston, Fillmore, and Winona Counties, this subdivision applies only to birds that are banded or otherwise marked.

Subd. 4. Great horned owl. A person who is authorized to take a great horned owl under a federal permit does not need a state permit to take a great horned owl.

97B.705 RESTRICTIONS ON TRAPPING BIRDS.

(a) Except as provided in this section, a person may not take a bird with a steel jaw leg-hold trap mounted on a pole, post, tree stump, or other perch more than three feet above the ground.

(b) A person that has a permit to take great horned owls issued under United States Code, title 16, section 704, may trap great horned owls from April 1 to October 15 if the person has a game farm license or is the owner or operator of a poultry farm. The trap must be a padded jaw trap mounted at a height so that the trapped owl may rest on the ground. The trap must be tended at least twice daily. Uninjured birds shall be released alive and injured birds shall receive appropriate veterinary treatment.

97B.711 GAME BIRDS.

Subdivision 1. Seasons for certain upland game birds. (a) The commissioner may, by rule, prescribe an open season in designated areas between September 16 and January 3 for:

- (1) pheasant;
- (2) ruffed grouse;
- (3) sharp tailed grouse;
- (4) Canada spruce grouse;
- (5) prairie chicken;
- (6) gray partridge;
- (7) bob-white quail; and
- (8) turkey.

(b) The commissioner may by rule prescribe an open season for turkey in the spring.

Subd. 2. Daily and possession limits for certain upland game birds. (a) A person may not take more than five in one day or possess more than ten of each of the following:

- (1) pheasant;
- (2) ruffed grouse;
- (3) sharp tailed grouse;
- (4) Canada spruce grouse;
- (5) prairie chicken; and
- (6) gray partridge.

(b) A person may not take more than ten in one day or possess more than 15 bob-white quail.

(c) The commissioner may, by rule, reduce the daily and possession limits established in this subdivision.

Subd. 3. Restrictions. The commissioner may by rule prescribe methods and other restrictions for the taking of game birds.

97B.715 PHEASANTS.

Subdivision 1. Stamp required. (a) Except as provided in paragraph (b) or section 97A.405, subdivision 2, a person required to possess a small game license may not hunt pheasants without

a pheasant stamp validation .

(b) The following persons are exempt from this subdivision:

- (1) residents under age 18 or over age 65;
- (2) persons hunting on licensed commercial shooting preserves; and
- (3) resident disabled veterans with a license issued under section 97A.441,

subdivision 6a.

Subd. 2. Daily and possession hen pheasant limits. A person may not take more than one hen pheasant in one day or possess more than two hen pheasants.

Subd. 3. Hunting hours. A person may not take pheasants between the evening time that the commissioner establishes by rule and 9:00 a.m.

97B.716 PRAIRIE CHICKENS.

Subdivision 1. License required. A person may not take a prairie chicken without a prairie chicken license.

Subd. 2. Tagging and registration. The commissioner may by rule prescribe requirements for the tagging and registration of prairie chickens.

97B.721 License and stamp validation required to take turkey; tagging and registration requirements.

Subd. 3. Limited number of prairie chicken hunters. The commissioner may establish a method, including a drawing, to impartially select persons eligible to take prairie chickens in an area. Preference must be given to persons who have previously applied in the general selection but have not been selected.

97B.721 LICENSE AND STAMP VALIDATION REQUIRED TO TAKE TURKEY; TAGGING AND REGISTRATION REQUIREMENTS.

(a) Except as provided in paragraph (b) or section 97A.405, subdivision 2, a person may not take a turkey without possessing a turkey license and a turkey stamp validation.

(b) The requirement in paragraph (a) to have a turkey stamp validation does not apply to persons under age 18. An unlicensed adult age 18 or older may assist a licensed wild turkey hunter. The unlicensed adult may not shoot or possess a firearm or bow while assisting a hunter under this paragraph and may not charge a fee for the assistance.

(c) The commissioner may by rule prescribe requirements for the tagging and registration of turkeys.

97B.723 COMMISSIONER MAY LIMIT NUMBER OF TURKEY HUNTERS.

The commissioner may establish a method, including a drawing, to impartially select persons eligible to take turkeys in an area. Preference must be given to persons that have previously applied in the general selection but have not been selected.

97B.725 GUIDING HUNTERS.

A person may not guide turkey hunters for compensation.

97B.731 MIGRATORY BIRDS.

Subdivision 1. Migratory game birds. (a) Migratory game birds may be taken and possessed. A person may not take, buy, sell, possess, transport, or ship migratory game birds in violation of federal law.

(b) The commissioner shall prescribe seasons and limits for migratory birds in accordance with federal law.

Subd. 2. Repealed, 2004

Subd. 3. Crow season. The commissioner shall prescribe a 124-day open season and restrictions for taking crows. The open season may not be shorter than the maximum season allowed under federal law. The remainder of the year crows may be taken as allowed by federal law.

MIGRATORY WATERFOWL

97B.801 MINNESOTA MIGRATORY WATERFOWL STAMP REQUIRED.

(a) Except as provided in this section or section 97A.405, subdivision 2, a person required to possess a small game license may not take migratory waterfowl without a migratory waterfowl stamp validation.

(b) Residents under age 18 or over age 65; resident disabled veterans with a license issued under section 97A.441, subdivision 6a; and persons hunting on their own property are not required to possess a stamp validation under this section.

97B.802 SPECIAL CANADA GOOSE SEASON LICENSE REQUIRED.

Except as provided in this section, a person required to possess a small game license may not take Canada geese during a special season without a valid special season Canada goose license in possession. Residents under age 18 or over age 65 and persons hunting on their own property are not required to possess the license.

97B.803 MIGRATORY WATERFOWL SEASONS AND LIMITS.

(a) The commissioner shall prescribe seasons, limits, and areas for taking migratory waterfowl in accordance with federal law.

(b) The regular duck season may not open before the Saturday closest to October 1.

97B.805 RESTRICTIONS ON METHOD OF TAKING WATERFOWL ON WATER.

Subdivision 1. Hunter must be concealed. (a) A person may not take migratory waterfowl, coots, or rails in open water unless the person is:

(1) within a natural growth of vegetation sufficient to partially conceal the person or boat;

(2) on a river or stream that is not more than 100 yards in width; or

(3) pursuing or shooting wounded birds.

(b) A person may not take migratory waterfowl, coots, or rails in public waters from a permanent artificial blind or sink box.

Subd. 2. Restrictions on watercraft. (a) A person using watercraft to take migratory waterfowl must comply with subdivision 1.

(b) Migratory waterfowl may be taken from a watercraft propelled by motor or sails only if the watercraft has stopped and the motor is shut off and the sails are furled.

(c) Migratory waterfowl may be taken from a floating watercraft if the craft is drifting, beached, moored, resting at anchor, or is being propelled by paddle, oars, or pole.

Subd. 3. Unattended boats. During the open season for waterfowl, a person may not leave an unattended boat used for hunting waterfowl in public waters between sunset and one hour before sunrise, unless the boat is adjacent to private land under the control of the person and the water does not contain a natural growth of vegetation sufficient to partially conceal a hunter or a boat.

97B.811 DECOYS AND BLINDS ON PUBLIC LANDS AND WATERS.

Subdivision 1. Blinds and decoys prohibited before season. A person may not erect a blind or place decoys in public waters or on public land more than one hour before the open season for waterfowl.

Subd. 2. Hours for placing decoys. Except as provided in subdivisions 3 and 4, a person may not place decoys in public waters or on public lands more than one hour before lawful shooting hours for waterfowl.

Subd. 3. Restrictions on leaving decoys unattended. During the open season for waterfowl, a person may not leave decoys in public waters between sunset and one hour before lawful shooting hours or leave decoys unattended during other times for more than four consecutive hours unless:

(1) the decoys are in waters adjacent to private land under the control of the hunter; and

(2) there is not natural vegetation growing in water sufficient to partially conceal a hunter.

Subd. 4. Decoys that are navigational hazard prohibited. A person may not leave decoys in public waters between sunset and one hour before lawful shooting hours if the decoys constitute a navigational hazard.

Subd. 4a. Restrictions on certain motorized decoys. From the opening day of the duck season through the Saturday nearest October 8, a person may not use a motorized decoy, or other motorized device designed to attract migratory waterfowl. During the remainder of the duck season, the commissioner may, by rule, designate all or any portion of a wetland or lake closed to the use of motorized decoys or motorized devices designed to attract migratory waterfowl. On water bodies and lands fully contained within wildlife management area boundaries, a person may not use motorized decoys or motorized devices designed to attract migratory waterfowl at any time during the duck season.

Subd. 5. Rules governing blinds. The commissioner may adopt rules for the use of blinds on public lands and public waters.

FUR-BEARING ANIMALS, TRAPPING

97B.901 REGISTRATION AND TAGGING OF FUR-BEARING ANIMALS.

(a) The commissioner may, by rule, require persons taking, possessing, and transporting fur-bearing animals to tag the animals. The commissioner shall prescribe the manner of issuance and the type of tag, which must show the year of issuance. The commissioner shall issue the tag, without a fee, upon request.

(b) The pelt of each bobcat, fisher, pine marten, and otter must be presented, by the person taking it, to a state wildlife manager designee for registration before the pelt is sold and before the pelt is transported out of the state, but in no event more than 48 hours after the season closes for the species.

97B.905 FUR DEALER'S LICENSES.

Subdivision 1. License requirement. (a) A person may not buy or sell raw furs without a fur buying and selling license, except:

(1) a taxidermist licensed under section 97A.475, subdivision 19, and a fur manufacturer are not required to have a license to buy raw furs from a person with fur buying and selling licenses; and

(2) a person lawfully entitled to take fur-bearing animals is not required to have a license to sell raw furs to a person with a fur buying and selling license.

(b) An employee, partner, or officer buying or selling only for a raw fur dealer licensee at an established place of business licensed under section 97A.475, subdivision 21, clause (a), may obtain a supplemental license under section 97A.475, subdivision 21, clause (b).

Subd. 2. Nonresident license. A nonresident must obtain a license under section 97A.475, subdivision 22, to buy or sell raw furs within the state, except a license is not required to buy from a person licensed under section 97A.475, subdivision 21.

Subd. 3. Bond required for fur buyer license applicants. Applicants for a raw fur dealer's license must, at the time of application for the license, furnish a corporate surety bond in favor of the state for \$1,000 payable upon violation of the game and fish laws.

97B.911 MUSKRAT SEASONS.

The commissioner may establish open seasons and restrictions for taking muskrat.

97B.915 MINK SEASONS.

The commissioner may establish open seasons and restrictions for taking mink.

97B.921 OTTER SEASONS.

The commissioner may establish open seasons and restrictions for taking otter.

97B.925 BEAVER SEASONS.

The commissioner may establish open seasons and restrictions for taking beaver.

97B.926 PINE MARTEN AND FISHER ZONE.

Where a combined pine marten and fisher trapping zone exists, the commissioner must provide an option of a combined limit of fisher and marten.

97B.928 IDENTIFICATION OF TRAPS AND SNARES.

Subdivision 1. Information required. (a) A person may not set or place a trap or snare, other than on property owned or occupied by the person, unless the following information is affixed to the trap or snare in a manner that ensures that the information remains legible while the trap or snare is on the lands or waters:

- (1) the number and state of the person's driver's license;
- (2) the person's Minnesota identification card number;
- (3) the person's name and mailing address; or
- (4) the license identification number issued by the Department of Natural Resources.

(b) The commissioner may not prescribe additional requirements for identification of traps or snares.

(c) Until March 1, 2013, the driver's license number under paragraph (a), clause (1), may be the person's previously issued Minnesota driver's license number.

Subd. 2. Provisions not to apply. From April 1 to August 31, the trap identification provisions of subdivision 1 do not apply to traps set for the taking of unprotected wild animals.

Subd. 3. Penalty. A person who violates subdivision 1, paragraph (a), is guilty of a petty misdemeanor.

97B.931 TENDING TRAPS.

Subdivision 1. Restrictions. A person may not tend a trap set for wild animals between 10:00 p.m. and 5:00 a.m. Between 5:00 a.m. and 10:00 p.m. a person on foot may use a portable artificial light to tend traps. While using a light in the field, the person may not possess or use a firearm other than a handgun of .22 caliber.

Subd. 2. Body-gripping traps. A body-gripping, conibear-type trap need not be tended more frequently than once every third calendar day.

97B.935 Repealed, 2005.

97B.935 REPEALED, 2005.

97B.941 TAMPERING WITH TRAPS.

A person may not remove or tamper with a trap legally set to take furbearing animals or unprotected wild animals without authorization. Authorized persons include the commissioner and the owner or lessee of the land where the trap is located.

97B.945 SETTING OF TRAPS NEAR WATER RESTRICTED.

A person may not set a trap within 50 feet of any water other than temporary surface water within 30 days before the open season for mink and muskrat without a special permit by the commissioner.

97B.951 USE OF SNARES TO TAKE UNPROTECTED MAMMALS.

A snare set for an unprotected mammal may not be left in place after March 31 except as authorized by the commissioner for the predator control program under section 97B.671.

CHAPTER 97C FISHING

FISHING HABITAT

97C.001 EXPERIMENTAL WATERS.

Subdivision 1. Definition; designation. (a) Experimental waters are lakes and streams where special regulations are used and evaluated to meet a specific fisheries objective.

(b) The commissioner may designate any waters of the state having free access to the public as experimental waters. The designated experimental waters may not exceed 200 lakes and 50 streams at one time. For all experimental waters, the commissioner shall develop an evaluation plan and specify a termination date. On the termination date, the commissioner shall vacate or extend the experimental waters designation, or designate the experimental waters as special management waters under section 97C.005. The commissioner shall by rule establish methods and criteria for public initiation of experimental waters designation and for public participation in the evaluation of the waters designated.

(c) Designation of experimental waters under this section is not subject to chapter 14.

Subd. 2. Public notice and meeting. (a) Before the commissioner designates, or vacates or extends the designation of, experimental waters, a public meeting must be held in the county where the largest portion of the waters is located.

(b) At least 90 days before the public meeting and during the open angling season for fish the taking of which is, or is proposed to be, regulated under subdivision 3 on the waters under consideration, notice of the proposed designation, vacation, or extension must be posted at publicly maintained access points on the water.

(c) Before the public meeting, notice of the meeting must be published in a news release issued by the commissioner and in a newspaper of general circulation in the area where the proposed experimental waters are located. The notice must be published at least once between 30 and 60 days before the meeting, and at least once between seven and 30 days before the meeting.

(d) The notices required in this subdivision must summarize the proposed action, invite public comment, and specify a deadline for the receipt of public comments. The commissioner shall mail a copy of each required notice to persons who have registered their names with the commissioner for this purpose. The commissioner shall consider any public comments received in making a final decision.

(e) If a water to be designated is a lake with a water area of more than 1,500 acres, or is a stream or river with a reach of more than six miles, a public meeting must also be held in the seven-county metropolitan area.

Subd. 3. Seasons, limits, and other requirements. The commissioner may, in accordance with the procedures in subdivision 2 or by rule under chapter 14, establish open seasons, limits, methods, and other requirements for taking fish on experimental waters.

97C.003 REPEALED, 2002

97C.005 SPECIAL MANAGEMENT WATERS.

Subdivision 1. Definition; designation. (a) Special management waters are waters that:

(1) have been subject to special regulations that have been evaluated and proven effective under an experimental waters designation under section 97C.001; or

(2) are classified by the commissioner for primary use as trophy lakes, family fishing lakes, designated trout lakes, designated trout streams, special species management lakes, and other designated uses.

(b) The commissioner may designate any waters of the state, including experimental waters, as special management waters. The commissioner shall by rule establish methods and criteria for public participation in the evaluation and designation of waters as special management waters.

(c) Designation of special management waters under this section is not subject to chapter 14.

Subd. 2. Public notice and meeting. (a) Before the commissioner designates special management waters, public comment must be received and, for waters other than those proposed to be designated as trout streams or trout lakes, a public meeting must be held in the county where the largest portion of the waters is located.

(b) For waters previously designated as experimental waters, a proposed change in status to special management waters must be announced before the public meeting by notice published in a news release issued by the commissioner and in a newspaper of general circulation in the area where the waters are located. The notice must be published at least once between 30 and 60 days before the public meeting, and at least once between seven and 30 days before the meeting. If a water proposed to be designated is a lake with a water area of more than 1,500 acres, or is a stream or river with a reach of more than six miles, a public meeting must also be held in the seven-county metropolitan area.

(c) For proposed special management waters, other than designated trout lakes and designated trout streams, that were not previously designated as experimental waters, notice of the proposed designation must be given as provided in this paragraph. The notice must be posted at publicly maintained access points at least 90 days before the public meeting and during the open angling season for fish the taking of which on the waters is proposed to be regulated under subdivision 3. Before the public meeting, notice of the meeting must be published in a news release issued by the commissioner and in a newspaper of general circulation in the area where the proposed special management waters are located. The notice must be published at least once between 30 and 60 days before the meeting, and at least once between seven and 30 days before the meeting. If a water to be designated is a lake with a water area of more than 1,500 acres, or is a stream or river with a reach of more than six miles, a public meeting must also be held in the seven-county metropolitan area.

(d) For waters proposed to be designated as trout streams or trout lakes, notice of the proposed designation must be published at least 90 days before the effective date of the designation in a news release issued by the commissioner and in a newspaper of general circulation in the area where the waters are located. In addition, all riparian owners along the waters must be notified at least 90 days before the effective date of the designation.

(e) The notices required in this subdivision must summarize the proposed action, invite public comment, and specify a deadline for the receipt of public comments. The commissioner shall mail a copy of each required notice to persons who have registered their names with the commissioner for this purpose. The commissioner shall consider any public comments received in making a final decision.

Subd. 3. Seasons, limits, and other rules. The commissioner may, in accordance with the procedures in subdivision 2, paragraphs (c) and (e), or by rule under chapter 14, establish open seasons, limits, methods, and other requirements for taking fish on special management waters.

97C.011 MUSKELLUNGE LAKES.

(a) The commissioner may, after preparing a statement of need and reasonableness and holding a public meeting, designate waters with muskellunge as muskellunge waters.

(b) The commissioner may prescribe rules for each designated muskellunge waters that:

- (1) restrict spearing from a dark house;
 - (2) restrict angling from a dark house;
 - (3) limit the open season to take fish;
 - (4) limit the size of fish that may be kept; and
- (5) limit the number of each species of fish that may be kept.

(c) The commissioner must give notice and hold a hearing before adopting rules under this subdivision. The rules must have a termination date and may only be extended upon a showing by the commissioner, at a hearing, that the muskellunge population in the designated waters has been enhanced.

(d) The provisions of section 97C.385, subdivision 1, requiring the angling season on a lake to be closed in proportion to the spearing season do not apply to designated muskellunge lakes.

(e) The commissioner, in designating a muskellunge water on lakes wholly or partially within an Indian reservation, may not designate a whole lake larger than 29,775 acres in surface area, except that sensitive areas of lakes larger than 29,775 acres may be designated if clause (a) is complied with.

97C.015 REPEALED, 2005

97C.020 ACQUISITION OF CRITICAL AQUATIC HABITAT.

The commissioner shall acquire lands that are critical for fish and other aquatic life and that meet criteria described for aquatic management areas in section 86A.05, subdivision 14. The lands that are acquired may be developed to manage lakes, rivers, streams, and adjacent wetlands and lands for aquatic life, water quality, intrinsic biological value, public fishing, and other compatible outdoor recreational uses. The land may be acquired by gift, lease, easement, or purchase. The commissioner shall designate land acquired under this subdivision as aquatic management areas for the purposes of the outdoor recreation system.

97C.021 ANGLING RESTRICTED IN TROUT STREAMS.

A person may only take fish from a designated trout stream during the open season for trout in the stream.

97C.025 FISHING AND MOTORBOATS RESTRICTED IN CERTAIN AREAS.

(a) The commissioner may prohibit or restrict the taking of fish or the operation of motorboats by posting waters that:

(1) are designated as spawning beds or fish preserves;

(2) are being used by the commissioner for fisheries research or management activities; or

(3) are licensed by the commissioner as a private fish hatchery or aquatic farm under section 17.4984, subdivision 1, or 97C.211, subdivision 1. An area may be posted under this paragraph if necessary to prevent excessive depletion of fish or interference with fisheries research or management activities or private fish hatchery or aquatic farm operations.

(b) The commissioner will consider the following criteria in determining if waters licensed under a private fish hatchery or aquatic farm should be posted under paragraph (a):

(1) the waters contain game fish brood stock that are vital to the private fish hatchery or aquatic farm operation;

(2) game fish are present in the licensed waters only as a result of aquaculture activities by the licensee; and

(3) no public access to the waters existed when the waters were first licensed.

(c) A private fish hatchery or aquatic farm licensee may not take fish or authorize others to take fish in licensed waters that are posted under paragraph (a), except as provided in section 17.4983, subdivision 3, and except that if waters are posted to allow the taking of fish under special restrictions, licensees and others who can legally access the waters may take fish under those special restrictions.

(d) Before March 1, 2003, riparian landowners adjacent to licensed waters on April 30, 2002, and riparian landowners who own land adjacent to waters licensed after April 30, 2002, on the date the waters become licensed waters, plus their children and grandchildren, may take two daily limits of fish per month under an angling license subject to the other limits and conditions in the game and fish laws.

(e) Except as provided in paragraphs (c), (d), and (f), a person may not take fish or operate a motorboat if prohibited by posting under paragraph (a).

(f) An owner of riparian land adjacent to an area posted under paragraph (a) may operate a motorboat through the area by the shortest direct route at a speed of not more than five miles per hour.

(g) Postings for water bodies designated under paragraph (a), clause (1), or being used for fisheries research or management under paragraph (a), clause (2), are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

97C.031 LAKES WITH UNBALANCED FISH POPULATIONS.

The commissioner may establish and amend a list of lakes and rivers that have been found by the fisheries director to contain an unbalanced fish population, or to contain species of fish that have become stunted from overpopulation. The list may not include more than 100 lakes and rivers, or more than six in a county. The commissioner may, by rule, establish open seasons, limits, and methods of taking fish from lakes and rivers on the list. The rule must be published in each county containing the lake or river.

97C.035 ENDANGERED FISH POPULATIONS.

Subdivision 1. Conditions. If the commissioner determines that fish are in danger of dying, or if waters will be restored with the use of piscicides, the commissioner may rescue the fish under subdivision 2 or allow taking of the fish under subdivision 3.

Subd. 2. Rescue of fish. If the commissioner rescues fish endangered by lack of oxygen in the winter, the fish may be transferred to other waters, sold, or otherwise disposed of.

Subd. 3. Taking of fish. (a) The commissioner may authorize residents to take fish:

- (1) in any quantity;
- (2) in any manner, except by use of seines, hoop nets, fyke nets, and explosives; and
- (3) for personal use only, except rough fish may be sold.

(b) The commissioner may authorize the taking of fish by posting notice conspicuously along the shore of the waters and publishing a news release in a newspaper of general circulation in the area where the waters are located.

97C.041 COMMISSIONER MAY REMOVE ROUGH FISH AND CATFISH.

The commissioner may take rough fish, lake whitefish, and rainbow smelt with seines, nets, and other devices. The commissioner may also take catfish with seines, nets, and other devices on the Minnesota-Wisconsin boundary waters. The commissioner may hire or contract persons, or issue permits, to take the fish. The commissioner shall prescribe the manner of taking and disposal. The commissioner may award a contract under this section without competitive bidding. Before establishing the contractor's compensation, the commissioner must consider the qualifications of the contractor, including the contractor's equipment, knowledge of the waters, and ability to perform the work.

97C.045 REMOVAL OF ROUGH FISH FROM BOUNDARY WATERS.

The commissioner may enter into agreements with North Dakota, South Dakota, Wisconsin, and Iowa, relating to the removal of rough fish in boundary waters. The agreements may include:

- (1) contracting to remove rough fish;
- (2) inspection of the work;
- (3) the division of proceeds; and
- (4) regulating the taking of rough fish.

97C.051 SPECIAL PERMITS TO USE PISCICIDES.

Subdivision 1. Permit. (a) The commissioner may issue a special permit, without a fee, to apply piscicides to restore waters at the permittee's expense. The commissioner may by rule prescribe insurance requirements for permit applicants.

(b) A permit under this section may be issued to an individual, a group of riparian owners, or a lake improvement association. The permit may only be issued if all riparian owners have consented in writing.

Subd. 2. Taking of fish. The commissioner may set special open seasons, limits, and methods to take fish before the piscicides are applied. The commissioner must post the special provisions at or near the waters.

97C.055 DEAD FISH REMOVAL.

The commissioner shall remove and dispose of dead fish that accumulate in or upon the shores of public waters in quantities that are a public nuisance or are detrimental to game fish.

97C.061 DRAGGING A WEIGHT OR AN ANCHOR THROUGH VEGETATION.

A person may not use a motorboat to drag an anchor or other weight through aquatic vegetation, except by commissioner's rule.

97C.065 POLLUTANTS IN WATERS.

A person may not dispose of any substance in state waters, or allow any substance to enter state waters, in quantities that injure or are detrimental to the propagation of wild animals or taint the flesh of wild animals. Each day of violation is a separate offense. An occurring or continuous violation is a public nuisance. An action may be brought by the attorney general to enjoin and abate nuisance upon request of the commissioner. This section does not apply to chemicals used for pest control for the general welfare of the public.

97C.071 PERMIT REQUIRED FOR STRUCTURE IN PUBLIC WATERS.

A person may not construct or maintain a dam or other obstruction, except a boat pier, in or over public waters without a permit from the commissioner. The commissioner may establish permit conditions for the construction or modification of a fishway around or over a dam or obstruction.

97C.075 FISH SCREENS IN FLOWING WATERS.

97C.077 FISH SCREENS IN LAKES.

Subdivision 1. Lake in one county. If all or a major part of a navigable lake is located within a single county and has been stocked with fish by the United States government, the county board, in order to maintain fish in the lake and prevent their escape from the lake, may erect and maintain screens at the inlets and outlets of the lake. The county board may appropriate from the county treasury money for the erection and maintenance of the screens.

Subd. 2. Lake in more than one county. If a lake is located in more than one county, the county boards of the affected counties may jointly provide for the erection and maintenance of screens. The expense of the screens and maintenance must be paid equally between the counties, and the county boards must appropriate money from the county treasury of their respective counties to pay the expenses of the screens and maintenance.

97C.081 FISHING CONTESTS.

Subdivision 1. Restrictions. A person may not conduct a fishing contest on waters except as provided in this section.

Subd. 2. Contests without a permit. A person may conduct a fishing contest without a permit from the commissioner provided:

(1) the following criteria are met:

(i) there are 30 participants or less for open water contests and 150 participants or less for ice fishing contests;

(ii) the entry fee is \$25 per person or less;

(iii) the total prize value is \$25,000 or less; and

(iv) the contest is not limited to trout species only;

(2) the following criteria are met:

- (i) the contest is not limited to specifically named waters; and
- (ii) the contest is not limited to trout species only; or

(3) all the contest participants are age 18 years or under.

Subd. 3. Contests requiring a permit. (a) A person must have a permit from the commissioner to conduct a fishing contest that does not meet the criteria in subdivision 2. The commissioner shall charge a fee for the permit that recovers the costs of issuing the permit and of monitoring the activities allowed by the permit. The commissioner may waive the fee under this subdivision for a charitable organization. Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish contest permit fees. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

(b) If entry fees are over \$25 per person, or total prizes are valued at more than \$25,000, and if the applicant has either:

(1) not previously conducted a fishing contest requiring a permit under this subdivision; or

(2) ever failed to make required prize awards in a fishing contest conducted by the applicant, the commissioner may require the applicant to furnish the commissioner evidence of financial responsibility in the form of a surety bond or bank letter of credit in the amount of \$25,000.

(c) The permit fee for any individual contest may not exceed the following amounts:

(1) \$120 for an open water contest not exceeding 100 participants and without off-site weigh-in;

(2) \$400 for an open water contest with more than 100 participants and without off-site weigh-in;

(3) \$500 for an open water contest not exceeding 100 participants with off-site weigh-in;

(4) \$1,000 for an open water contest with more than 100 participants with off-site weigh-in; or

(5) \$120 for an ice fishing contest with more than 150 participants.

Subd. 4. Restrictions. The commissioner may by rule establish restrictions on fishing contests to protect fish and fish habitat, to restrict activities during high use periods, to restrict activities that affect research or management work, to restrict the number of boats, and for the safety of contest participants.

Subd. 5. Ice fishing contest in conjunction with raffle. An organization that is permitted under this section and licensed by the lawful Gambling Control Board to conduct raffles may conduct a raffle in conjunction with an ice fishing contest. The organization may sell a combined ticket for a single price for the ice fishing contest and raffle, provided that the combined ticket states in at least eight-point type the amount of the price that applies to the ice fishing contest and the amount that applies to the raffle. All other provisions of sections 349.11 to 349.23 apply to the raffle.

Subd. 6. Permit application process. (a) Beginning August 1 each year, the commissioner shall accept permit applications for fishing contests to be held in the following year.

(b) If the number of permit applications received by the commissioner from August 1 through the last Friday in September exceeds the limits specified in subdivisions 7 and 8, the commissioner shall notify the affected applicants that their requested locations and time period are subject to a drawing. After

notification, the commissioner shall allow the affected applicants a minimum of seven days to change the location or time period requested on their applications, provided that the change is not to a location or time period for which applications are already at or above the limits specified in subdivisions 7 and 8.

(c) After the applicants have been given at least seven days to change their applications, the commissioner shall conduct a drawing for all locations and time periods for which applications exceed limits. First preference in the drawings shall be given to applicants for established or traditional fishing contests, and second preference to applicants for contests that are not established as traditional fishing contests based on the number of times they have been unsuccessful in previous drawings. Except for applicants of established or traditional fishing contests, an applicant who is successful in a drawing loses all accumulated preference. "Established or traditional fishing contest" means a fishing contest that was issued permits in 1999 and 2000 or was issued permits four out of five years from 1996 to 2000 for the same lake and time period. Beginning with 2001, established or traditional fishing contests must continue to be conducted at least four out of five years for the same lake and time period to remain established or traditional.

(d) The commissioner has until November 7 to approve or deny permit applications that are submitted by 4:30 p.m. on the last Friday in September. The commissioner may approve a permit application that is received after 4:30 p.m. on the last Friday in September if approving the application would not result in exceeding the limits in subdivisions 7 and 8.

Subd. 7. Weekend limitations. (a) On all waters 55,000 acres or less, the commissioner may ensure that each of the state's waters has at least two weekends per month with no permitted fishing contests.

(b) Unless otherwise authorized by the commissioner, permitted fishing contests that are conducted for more than one day may not include more than one weekend day from Memorial Day weekend through Labor Day weekend.

(c) The commissioner may not approve permits for fishing contests on a weekend with a fishing season opener if the contest targets a species for which the season is opening.

Subd. 8. Limits on number of fishing contests. The number of permitted fishing contests allowed each month on a water body shall not exceed the following limits:

(1) Lakes:

Size/acres	Maximum number of permitted fishing contests	Maximum number of large permitted fishing contests	Maximum number of permitted fishing contest days
less than 2,000	2	0	4
2,000-4,999	3	1	6
5,000-14,999	4	2	8
15,000- 55,000	5	3	10
more than 55,000	no limit	no limit	no limit

For boundary water lakes, the limits on the number of permitted fishing contests shall be determined based on the Minnesota acreage.

(2) Rivers:

Maximum number of permitted fishing contests	Maximum number of large permitted fishing contests	Maximum number of permitted fishing contest days	
Mississippi River:	4 (each pool)	2 (each pool)	8 (each pool)
Pool 1, 2, 3, 5, 5A, 6, 7, 8, 9			
Pool 4	5	3	10
St. Croix River	2	1	4
Lake St. Croix	4	2	8

Contest waters identified in the permit for Mississippi River pools are limited to no more than one lockage upstream and one lockage downstream from the pool where the contest access and weigh-in is located. Contest waters for Lake St. Croix are bounded by the U.S. Highway 10 bridge at Prescott upstream to the Arcola Bar. Contest waters for the St. Croix River are bounded by the Arcola Bar upstream to the Wisconsin state line. For all other rivers, no more than two contest permits, not to exceed four days combined, may be issued for any continuous segment of a river per month. Of the two contests permitted, only one shall be a large permitted fishing contest. Permits issued by the commissioner shall not exceed 60 continuous river miles.

Subd. 8a. Additional fishing contest permits. Notwithstanding the limits in subdivision 8, the commissioner may allow up to five additional permits each year for fishing contests on bodies of water that are 5,000 acres or more in size. No more than one additional contest may be permitted on one body of water in a single year. For additional fishing contests permitted under this subdivision, the fishing contest permit applicant must demonstrate to the commissioner that the contest will:

- (1) provide economic benefits to the local area;
- (2) promote public awareness of fishing and the state's resources; and
- (3) conform to best management practices for the lake.

Subd. 9. Permit restrictions. (a) The commissioner may require fishing contest permittees to limit prefishing to week days only as a condition of a fishing contest permit. The commissioner may require proof from permittees that prefishing restrictions on the permit are communicated to fishing contest participants and enforced.

(b) The commissioner may require permit restrictions on the hours that a permitted fishing contest is conducted, including, but not limited to, starting and ending times.

(c) The commissioner may require permit restrictions on the number of parking spaces that may be used on a state-owned public water access site. The commissioner may require proof from permittees that parking restrictions on the permit are communicated to fishing contest participants and enforced.

(d) To prevent undue mortality of released fish, the commissioner may require restrictions for off-site weigh-ins and live releases on a fishing contest permit or may deny permits requesting an off-site weigh-in or live release.

(e) A person may not transfer a fishing contest permit to another person.

(f) Failure to comply with fishing contest permit restrictions may be considered grounds for denial of future permit applications.

Subd. 10. Definitions. For purposes of this section, the following terms have the meanings given:

(a) "Permitted fishing contest" means an open water fishing contest or ice fishing contest that requires a permit from the commissioner under subdivision 3.

(b) "Large permitted fishing contest" means an open water fishing contest with more than 50 boats or more than 100 participants that requires a permit from the commissioner under subdivision 3.

(c) "Participant" means a person who is taking part in a fishing contest.

(d) "Permitted fishing contest day" means a day on a water body where a permitted fishing contest is held. Two permitted fishing contests that are held on the same water body on the same day count as two permitted fishing contest days.

(e) "Off-site weigh-in" means a weigh-in of fish from a fishing contest at a location that is not adjacent to the waters listed on the fishing contest permit.

(f) "Prefishing" means fishing by participants of a permitted fishing contest prior to the scheduled dates of the contest on waters listed on the fishing contest permit.

97C.085 PERMIT REQUIRED FOR TAGGING FISH.

A person may not tag or otherwise mark a live fish for identification without a permit from the commissioner, except for special fish management tags as authorized under section 97A.551.

97C.087 SPECIAL FISH MANAGEMENT TAGS

Subdivision 1. Tags to be issued. If the commissioner determines it is necessary to require that a species of fish be tagged with a special fish management tag, the commissioner shall prescribe, by rule, the species to be tagged, tagging procedures, and eligibility requirements.

Subd. 2. Application for tag. Application for special fish management tags must be accompanied by a \$5, nonrefundable application fee for each tag. A person may not make more than one tag application each year. If a person makes more than one application, the person is ineligible for a special fish management tag for that season after determination by the commissioner, without a hearing.

PROPAGATION

97C.201 STATE FISH STOCKING PROHIBITED WITHOUT PUBLIC ACCESS.

The commissioner and state agencies may only stock fish in waters where there is public access. The commissioner may stock fish in any stream within privately owned lands where the public is granted free access to and use of the stream for fishing purposes.

97C.203 DISPOSAL OF STATE HATCHERY PRODUCTS.

The commissioner shall dispose of fish hatchery products according to the following order of priorities:

(1) distribution of fish eggs and fry to state hatcheries to hatch fry or raise fingerlings for stocking waters of the state for recreational fishing;

(2) transfer to other government agencies in exchange for fish or wildlife resources of equal value or private fish hatcheries in exchange for fish to be stocked in waters of the state for recreational fishing;

(3) sale to private fish hatcheries or licensed aquatic farms at a price not less than the fair wholesale market value, established as the average price charged at the state's private hatcheries and contiguous states per volume raised;

(4) transfer to other government agencies, colleges, or universities for cooperative fish management and research purposes; and

(5) sale of not more than \$25 fair market value to any school, museum, or commercial enterprise for curriculum implementation, educational programs, public exhibition, or cooperative displays.

97C.205 TRANSPORTING AND STOCKING FISH.

(a) Except on the water body where taken, a person may not transport a live fish in a quantity of water sufficient to keep the fish alive, unless the fish:

(1) is being transported under an aquaculture license as authorized under sections 17.4985 and 17.4986;

(2) is being transported for a fishing contest weigh-in under section 97C.081;

(3) is a minnow being transported under section 97C.505 or 97C.515;

(4) is being transported by a commercial fishing license holder under section 97C.821; or

(5) is being transported as otherwise authorized in this section.

(b) The commissioner may adopt rules to allow and regulate:

(1) the transportation of fish and fish eggs; and

(2) the stocking of waters with fish or fish eggs.

(c) The commissioner shall prescribe rules designed to encourage local sporting organizations to propagate game fish by using rearing ponds. The rules must:

(1) prescribe methods to acquire brood stock for the ponds by seining public waters;

(2) allow the sporting organizations to own and use seines and other necessary equipment; and

(3) prescribe methods for stocking the fish in public waters that give priority to the needs of the community where the fish are reared and the desires of the organization operating the rearing pond.

(d) A person age 16 or under may, for purposes of display in a home aquarium, transport largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie, white crappie, bluegill pumpkinseed, green sunfish, orange spotted sunfish, and black, yellow, and brown bullheads taken by angling. No more than four of each species may be transported at any one time, and any individual fish can be no longer than ten inches in total length.

97C.209 REPEALED, 1992

97C.211 PRIVATE FISH HATCHERIES.

Subdivision 1. License required. A person may not operate a private fish hatchery without a private fish hatchery license. A private fish hatchery is a facility for raising fish, including minnows, for sale, stocking waters, angling, or processing. A private fish hatchery license is valid for five years but must be renewed annually.

Subd. 2. Rules for operation. The commissioner shall prescribe rules that allow a person to maintain and operate a private fish hatchery to raise and dispose of fish. The commissioner shall establish and assess a fee to cover the cost of inspection and disease certification of private hatcheries.

Subd. 2a. Acquisition of fish. (a) A private fish hatchery may not obtain fish outside of the state unless the fish or the source of the fish are approved by the commissioner. The commissioner may apply more stringent requirements to fish or a source of fish from outside the state than are applied to fish and sources of fish from within the state. The commissioner must either approve or deny the acquisition within 30 days after receiving a written request for approval. Minnows acquired must be processed and not released into public waters, except as provided in section 97C.515, subdivision 4. A request may be for annual acquisition.

(b) If the commissioner denies approval, a written notice must be submitted to the applicant stating the reasons for the denial and the commissioner must:

- (1) designate approved sources to obtain the desired fish or fish eggs; or
- (2) sell the fish or fish eggs from state fish hatcheries at fair market value.

Subd. 3. Fishing license not required for persons to take fish. A person may take fish by angling without a fishing license at a licensed private fish hatchery or an artificial pool containing only fish purchased from a private fish hatchery, if the operator of the hatchery or pool furnishes each person catching fish a certificate prescribed by the commissioner. The certificate must state the number and species of the fish caught and other information as prescribed by the commissioner. A person without a fishing license may possess, ship, and transport within the state the fish caught in the same manner as fish taken by a resident with a fishing license.

Subd. 4. License required to take sucker eggs. A person may not take sucker eggs from public waters for a private fish hatchery without a license to do so.

Subd. 5. Price of walleye fry. The commissioner may not sell walleye fry for less than fair market value, defined as the average price charged by private walleye fry wholesalers located in Minnesota.

Subd. 6. Nonpublic records. Information on production, harvest, and sales of aquatic life by a private fish hatchery is nonpublic information.

97C.215 SPECIAL PERMITS FOR UNITED STATES AGENTS.

The commissioner may issue a special permit, without a fee, to an authorized agent of the United States to conduct fish culture operations, rescue work, and related fishery operations.

FISHING METHODS

97C.301 LICENSE REQUIRED TO TAKE FISH.

Subdivision 1. Requirement. Unless exempted under section 97A.445, 97A.451, or 97A.465, subdivision 1, a person must have a license to take fish as provided in this section.

Subd. 2. Angling. A person may not take fish without an angling license.

Subd. 3. Spearing. A person may not take fish by spearing from a dark house without a dark house spearing license and an angling license.

Subd. 4. Netting. A person may not take fish by netting without the required license to net fish and an angling license.

Subd. 5. Aquatic farms. An aquatic farm licensee may take aquatic life under the aquatic farm license and its endorsements as authorized without additional licenses under the game and fish laws.

97C.305 TROUT AND SALMON STAMP VALIDATION.

Subdivision 1. Requirement. Except as provided in subdivision 2 or section 97A.405, subdivision 2, a person over age 16 and under age 65 required to possess an angling license must have a trout and salmon stamp validation to:

- (1) take fish by angling in:
 - (i) a stream designated by the commissioner as a trout stream;
 - (ii) a lake designated by the commissioner as a trout lake; or
 - (iii) Lake Superior; or
- (2) possess trout or salmon taken in the state by angling.

Subd. 2. Exception. A trout and salmon stamp validation is not required to take fish by angling or to possess trout and salmon if:

- (1) the person:
 - (i) possesses a license to take fish by angling for a period of 24 hours from the time of issuance under section 97A.475, subdivision 6, clause (5), or subdivision 7, clause (5), and
 - (ii) is taking fish by angling, or the trout or salmon were taken by the person, during the period the license is valid;
- (2) the person is taking fish, or the trout or salmon were taken by the person, as authorized under section 97C.035; or
- (3) the person has a valid license issued under section 97A.441, subdivision 1, 2, 3, 4, or 5.

97C.311 LAKE SUPERIOR FISHING GUIDE LICENSE.

Subdivision 1. License required. A person may not operate a charter boat and guide anglers on Lake Superior or the St. Louis River Estuary for compensation without a fishing guide license. For purposes of this subdivision and section 97A.475, subdivision 15, "St. Louis River Estuary" means the United States Coast Guard navigable waters of the lower St. Louis River to the Minnesota State Highway No. 23 bridge.

Subd. 2. Rules. The commissioner shall adopt rules for:

- (1) issuance of the licenses, including qualifications for licensees; and
- (2) record keeping and reporting by licensees.

Subd. 3. Federal requirements. A person may not use a watercraft for activities authorized under this section unless the watercraft complies with all applicable licensing and safety requirements of the United States Coast Guard.

97C.315 ANGLING LINES AND HOOKS.

Subdivision 1. Lines. An angler may not use more than one line except:

- (1) two lines may be used to take fish through the ice; and
- (2) the commissioner may, by rule, authorize the use of two lines in areas designated by the commissioner in Lake Superior.

Subd. 2. Hooks. An angler may not have more than one hook on a line, except:

- (1) three artificial flies may be on a line used to take largemouth bass, smallmouth bass, trout, crappies, sunfish, and rock bass;
- (2) a single artificial bait may contain more than one hook; and
- (3) as otherwise prescribed by the commissioner.

97C.317 FISHING AS A PARTY.

While two or more persons are taking fish by angling as a party, the total number of fish taken and the total number of fish possessed by the party may not exceed the limit of the number of persons in the party that may take and possess fish by angling. For the purpose of this section, a party means:

- (1) for persons who are not on the water, the persons are maintaining unaided visual and vocal contact;
- (2) for persons who are on frozen water surfaces, the persons are maintaining unaided visual and vocal contact; and
- (3) for persons who are on open water surfaces, the persons are angling from a single watercraft.

97C.321 RESTRICTIONS ON UNATTENDED LINES.

Subdivision 1. General prohibition. A person may not take fish by angling with a set line or an unattended line except as provided in this section and rules adopted under the game and fish laws.

Subd. 2. Ice fishing. A person may use an unattended line to take fish through the ice if:

- (1) the person is within sight of the line; or
- (2) a tip-up is attached to the line and the person is within 200 feet of the tip-up.

97C.325 RESTRICTIONS ON TAKING FISH.

- (a) Except as specifically authorized, a person may not take fish with:
 - (1) explosives, chemicals, drugs, poisons, lime, medicated bait, fish berries, or other similar substances;
 - (2) substances or devices that kill, stun, or affect the nervous system of fish;
 - (3) nets, traps, trot lines, or snares; or
 - (4) spring devices that impale, hook, or capture fish.
- (b) If a person possesses a substance or device listed in paragraph (a) on waters, shores, or islands, it is presumptive evidence that the person is in violation of this section.
- (c) The commissioner may, by rule, allow the use of a nonmotorized device with a recoil mechanism to take fish through the ice.
- (d) To protect water quality or improve habitat for fish or wildlife, the commissioner may prescribe restrictions on fishing seasons, limits, or methods on specific bodies of water.

97C.327 MEASUREMENT OF FISH LENGTH.

For the purpose of determining compliance with size limits for fish in this chapter or in rules of the commissioner, the length of a fish must be measured from the tip of the nose or jaw, whichever is longer, to the farthest tip of the tail when fully extended.

97C.331 SNAGGING FISH PROHIBITED.

Subdivision 1. General prohibition. A person may not:

- (1) intentionally take fish by snagging; or
- (2) use a snagline, snagpole, snaghook, or cluster of fish hooks, designed to be placed in or drawn through the water to hook the body of a fish.

Subd. 2. Prohibition on Lake Superior tributaries. On tributaries to Lake Superior below the posted boundaries, and on tributaries to Lake Superior with

no posted boundaries, a fish that is hooked in any part of the body except in the mouth must be immediately unhooked and returned to the water.

97C.335 USE OF ARTIFICIAL LIGHTS TO TAKE FISH PROHIBITED.

A person may not use artificial lights to lure or attract fish or to see fish in the water while spearing, except that while angling or spearing, a person may:

(1) affix a lighted artificial bait with hooks attached to the end of a fishing line; or

(2) use a lighted decoy for spearing.

Any battery that is used in lighted fishing lures cannot contain any intentionally introduced mercury.

97C.341 CERTAIN FISH PROHIBITED FOR BAIT.

A person may not use live minnows imported from outside of the state, game fish, goldfish, or carp for bait.

97C.345 RESTRICTIONS ON USE AND POSSESSION OF NETS AND SPEARS.

Subdivision 1. Period when use prohibited. Except as specifically authorized, a person may not take fish from the third Monday in February to April 30 with a spear, fish trap, net, dip net, seine, or other device capable of taking fish.

Subd. 2. Possession. (a) Except as specifically authorized, a person may not possess a spear, fish trap, net, dip net, seine, or other device capable of taking fish on or near any waters. Possession includes personal possession and in a vehicle.

(b) A person may possess spears, dip nets, bows and arrows, and spear guns allowed under section 97C.381 on or near waters between sunrise and sunset from May 1 to the last Sunday in February, or as otherwise prescribed by the commissioner.

Subd. 3. Dip nets. A person may possess and use a dip net between one hour before sunrise and one hour after sunset from May 1 to the third Sunday in February.

Subd. 4. Exceptions. Subdivisions 1 to 3 do not apply to:

(1) nets used to take rainbow smelt during the open season;

(2) nets used to land game fish taken by angling;

(3) seines or traps used for the taking of minnows for bait;

(4) nets, seines, or traps possessed and used under an aquatic farm license; and

(5) angling equipment.

Subd. 5. Rules. The commissioner may adopt rules to regulate the use of nets to take fish.

97C.347 REPEALED, 1988

97C.351 FISH NETS MUST HAVE TAG ATTACHED.

A person may not possess a fish net unless specifically authorized or a tag is attached bearing the name and address of the owner when the net is not in use and the name and address of the operator when the net is in use, as prescribed by the commissioner. This section does not apply to minnow nets, landing nets, dip nets, and nets in stock for sale by dealers.

97C.355 SHELTERS ON ICE, DARK HOUSES AND FISH HOUSES.

Subdivision 1. Identification required. All shelters on the ice of state waters, including dark houses and fish houses, must have: (1) the owner's name and address, (2) the owner's driver's license number, or (3) the "MDNR#" license identification number issued to the owner legibly displayed on the exterior with characters at least two inches high.

Subd. 2. License required. A person may not take fish from a dark house or fish house that is left unattended on the ice overnight unless the house is licensed and has a license tag attached to the exterior in a readily visible location, except as provided in this subdivision. The commissioner must issue a tag with a dark house or fish house license, marked with a number to correspond with the license and the year of issue. A dark house or fish house license is not required of a resident on boundary waters where the adjacent state does not charge a fee for the same activity.

Subd. 3. Door must open from outside. A person may not use a dark house or fish house unless the door is constructed so that it can be opened from the outside when it is in use.

Subd. 4. Distance between houses. A person may not erect a dark house or fish house within ten feet of an existing dark house or fish house.

Subd. 5. Burning of structures. A person may not burn a structure on the ice of state waters without permission of the commissioner. The commissioner may allow burning only after determining that the structure cannot be removed from the ice by another reasonable manner. The owner must remove the remains of the burned structure from the ice.

Subd. 6. Repealed, 2006

Subd. 7. Dates and times houses may remain on ice. (a) Except as provided in paragraph (d), a shelter, including a fish house or dark house, may not be on the ice between 12:00 a.m. and one hour before sunrise after the following dates:

(1) the last day of February, for state waters south of a line starting at the Minnesota-North Dakota border and formed by rights-of-way of U.S. Route No. 10, then east along U.S. Route No. 10 to Trunk Highway No. 34, then east along Trunk Highway No. 34 to Trunk Highway No. 200, then east along Trunk Highway No. 200 to U.S. Route No. 2, then east along U.S. Route No. 2 to the Minnesota-Wisconsin border; and

(2) March 15, for other state waters. A shelter, including a fish house or dark house, on the ice in violation of this subdivision is subject to the enforcement provisions of paragraph (b). The commissioner may, by rule, change the dates in this paragraph for any part of state waters. Copies of the rule must be conspicuously posted on the shores of the waters as prescribed by the commissioner.

(b) A conservation officer must confiscate a fish house, dark house, or shelter in violation of paragraph (a). The officer may remove, burn, or destroy the house or shelter. The officer shall seize the contents of the house or shelter and hold them for 60 days. If the seized articles have not been claimed by the owner, they may be retained for the use of the division or sold at the highest price obtainable in a manner prescribed by the commissioner.

(c) When the last day of February, under paragraph (a), clause (1), or March 15, under paragraph (a), clause (2), falls on a Saturday, a shelter, including a fish house or dark house, may be on the ice between 12:00 a.m. and one hour before sunrise until 12:00 a.m. the following Monday.

97C.361 Restrictions on fish houses and dark houses in the Boundary Waters Canoe Area.

(d) A person may have a shelter, including a fish house or dark house, on the ice between 12:00 a.m. and one hour before sunrise on waters within the area prescribed in paragraph (a), clause (2), but the house or shelter may not be unattended during those hours.

Subd. 7a. Houses left overnight. A fish house or dark house left on the ice overnight must be marked with reflective material on each side of the house. The reflective material must measure a total area of no less than two square inches on each side of the house. Violation of this subdivision is not subject to subdivision 8 or section 97A.301.

Subd. 8. Confiscation of unlawful structures. (a) Structures on the ice in violation of this section may be confiscated and disposed of, retained by the division, or sold at the highest price obtainable, in a manner prescribed by the commissioner.

(b) In addition to other penalties provided by law, the owner of a structure left on the ice in violation of this section is subject to a civil penalty under section 115A.99.

97C.361 RESTRICTIONS ON FISH HOUSES AND DARK HOUSES IN THE BOUNDARY WATERS CANOE AREA.

A person may only use a portable fish house or dark house within the Boundary Waters Canoe Area. The house must be removed from the waters and collapsed or disassembled each night. The house may not remain in the Boundary Waters Canoe Area if the person leaves the Boundary Waters Canoe Area.

97C.365 REPEALED, 2007

97C.371 SPEARING FISH.

Subdivision 1. Species allowed. Only rough fish, catfish, lake whitefish, and northern pike may be taken by spearing.

Subd. 2. Dark houses required for certain species. Catfish, lake whitefish, and northern pike may be speared only from dark houses.

Subd. 3. Restrictions while spearing from dark house. A person may not take fish by angling or the use of tip-ups while spearing fish in a dark house, except that a person may take fish by angling if only one angling line is in use and any fish caught by angling is immediately released to the water or placed on the ice.

Subd. 4. Open season. The open season for spearing through the ice is December 1 to the last Sunday in February.

97C.375 TAKING ROUGH FISH BY SPEARING OR ARCHERY.

A resident or nonresident may take rough fish by spearing or archery during the times, in waters, and in the manner prescribed by the commissioner.

97C.381 HARPOONING ROUGH FISH.

A resident or nonresident may use a rubber powered gun, spring gun, or compressed air gun to take rough fish by harpooning. The harpoon must be fastened to a line not more than 20 feet long. The commissioner may prescribe the times, the waters, and the manner for harpooning rough fish.

97C.385 COMMISSIONER'S AUTHORITY TO REGULATE WINTER FISHING.

Subdivision 1. Summer angling season to be closed in same proportion. If the commissioner closes the statutory open season for the spearing of a game fish species in any waters, the commissioner must, in the same rule, close the following statutory open season for angling for the same species in the waters in the same proportion.

Subd. 2. Summer angling limits must be same as spearing. If the commissioner reduces the limit of a species of game fish taken by spearing in any waters under section 97A.045, subdivision 2, the commissioner must reduce the limit for taking of the species by angling in the waters during the following open season for angling.

Subd. 3. Closing lakes and streams in a county. The commissioner may not close the open season for taking game fish through the ice on more than 50 percent of the named lakes or streams of a county under section 97A.045, subdivision 2.

97C.391 BUYING AND SELLING FISH.

Subdivision 1. General restrictions. A person may not buy or sell fish taken from the waters of this state, except:

- (1) minnows;
- (2) rough fish excluding ciscoes;
- (3) smelt taken from Lake Superior and rivers and streams that flow into Lake Superior;
- (4) fish taken under licensed commercial fishing operations;
- (5) fish that are private aquatic life; and
- (6) fish lawfully taken and subject to sale from other states and countries.

Subd. 2. Restrictions on certain game fish. Largemouth bass, smallmouth bass, rock bass, muskellunge, and sunfish may be bought or sold by a private hatchery or aquatic farm, or as prescribed by the commissioner.

97C.395 OPEN SEASONS FOR ANGLING.

Subdivision 1. Dates for certain species. (a) The open seasons to take fish by angling are as follows:

(1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February;

(2) for lake trout, from January 1 to October 31;

(3) for brown trout, brook trout, rainbow trout, and splake, between January 1 to October 31 as prescribed by the commissioner by rule except as provided in section 97C.415, subdivision 2; and

(4) for salmon, as prescribed by the commissioner by rule.

(b) The commissioner shall close the season in areas of the state where fish are spawning and closing the season will protect the resource.

Subd. 2. Continuous season for certain species. For sunfish, white crappie, black crappie, yellow perch, catfish, rock bass, white bass, lake whitefish, and rough fish, the open season is continuous.

97C.401 LIMITS.

Subdivision 1. Commissioner authorized to prescribe limits. Unless otherwise provided in this chapter, the commissioner shall, by rule, prescribe

the limits on the number of each species of fish that may be taken in one day and the number that may be possessed.

Subd. 2. Walleye; northern pike. (a) Except as provided in paragraph (b), a person may take no more than one walleye larger than 20 inches and one northern pike larger than 30 inches daily.

(b) The restrictions in paragraph (a) do not apply to boundary waters.

97C.402 REPEALED, 1988

97C.403 REPEALED, 2005

97C.405 MUSKELLUNGE SIZE LIMITS.

(a) Except as allowed under paragraph (b), if a person catches a muskellunge less than 40 inches long, the person must immediately release the fish into the waters. (b) The commissioner may designate lakes north of Trunk Highway No. 210 where muskellunge less than 40 inches, but not less than 30 inches long, may be retained.

97C.411 STURGEON AND PADDLEFISH.

Lake sturgeon, shovelnose sturgeon, and paddlefish may not be taken, bought, sold, transported or possessed except as provided by rule of the commissioner. The commissioner may only allow the taking of these fish in waters that the state boundary passes through and in tributaries to the St. Croix River.

97C.415 TROUT AND SALMON.

Subdivision 1. Hours for taking trout restricted. A person may not take trout, except lake trout, between 11:00 p.m. and one hour before sunrise.

Subd. 2. Lake Superior streams. The commissioner may prescribe the open season and conditions for taking brook trout, brown trout, rainbow trout, steelhead trout, and salmon in any portion of a stream that flows into Lake Superior.

Subd. 3. Salmon. The commissioner may prescribe, by rule, the method of taking and possessing salmon.

97C.417 REPORTING ASIAN CARP.

A person who takes any of the following Asian carp species must report the type of carp taken to the commissioner within seven days of taking:

- (1) grass carp (*Ctenopharyngodon idella*);
- (2) bighead carp (*Hypophthalmichthys nobilis*); or
- (3) silver carp (*Hypophthalmichthys molitrix*).

MINNOWS

97C.501 MINNOW LICENSES REQUIRED.

Subdivision 1. Minnow retailers. (a) A person may not be a minnow retailer without a minnow retailer license except as provided in subdivisions 2, paragraph (d), and 3. A person must purchase a minnow retailer license for each minnow retail outlet operated, except as provided by subdivision 2, paragraph (d).

(b) A minnow retailer must obtain a minnow retailer's vehicle license for each motor vehicle used by the minnow retailer to transport more than 12

dozen minnows to the minnow retailer's place of business, except as provided in subdivision 3. A minnow retailer is not required to obtain a minnow retailer's vehicle license if minnows are being transported by common carrier and information is provided that allows the commissioner to find out the location of the shipment in the state.

Subd. 2. Minnow dealers. (a) A person may not be a minnow dealer without a minnow dealer license except as provided in subdivision 3.

(b) A minnow dealer must obtain a minnow dealer's vehicle license for each motor vehicle used to transport minnows. The serial number, motor vehicle license number, make, and model must be on the license. The license must be conspicuously displayed in the vehicle.

(c) A minnow dealer may not transport minnows out of the state without an exporting minnow dealer license. A minnow dealer must obtain an exporting minnow dealer's vehicle license for each motor vehicle used to transport minnows out of the state. The serial number, motor vehicle license number, make, and model must be on the license. The license must be conspicuously displayed in the vehicle.

(d) A person with a minnow dealer's license may sell minnows at one retail outlet. A minnow dealer must obtain a minnow retailer license for each additional retail outlet operated. A minnow dealer operating a retail outlet under a minnow dealer's license must list the following information for the retail outlet: name of the business; city; state; zip code; and legal description or fire number. The retail outlet name and location may be changed by making application to the commissioner.

Subd. 3. License exemption for minors selling leeches. A resident under age 18 may take leeches, sell leeches at retail, and transport leeches without a minnow retailer or dealer license.

Subd. 4. Nonresident exporting minnow dealers. (a) A nonresident must obtain an exporting minnow dealer's vehicle license for the motor vehicle used to transport minnows. The serial number, motor vehicle license number, make, and model must be on the license. The license must be conspicuously displayed in the vehicle.

(b) Only one nonresident exporting minnow dealer vehicle license may be issued to a nonresident exporting minnow dealer.

97C.505 MINNOWS.

Subdivision 1. Authority to take, possess, buy, and sell. (a) Minnows may be taken, possessed, bought, and sold, subject to the restrictions in this chapter and in rules adopted by the commissioner under paragraph (b). A person may not take, possess, or sell minnows except for use as bait or for ornamental or aquacultural purposes.

(b) The commissioner may adopt rules for the taking, possession, purchase, sale, and transportation of minnows.

Subd. 2. Continuous open season. The open season for taking minnows is continuous, except as provided in subdivisions 3 and 4.

Subd. 3. Closing waters. The commissioner may close any state waters for commercially taking minnows if a survey is conducted and the commissioner determines it is necessary to close the waters to prevent depletion or extinction of the minnows.

Subd. 4. Repealed, 1995

Subd. 5. Restrictions on taking from trout waters. A person may not take minnows from designated trout lakes or trout streams without a special permit issued by the commissioner.

Subd. 6. Approved equipment required. A person must use equipment approved by the commissioner to possess or transport minnows for sale. This subdivision does not apply to licensed aquatic farms.

Subd. 7. Interference prohibited. A person may not knowingly damage, disturb, or interfere with legal commercial minnow harvest operations.

Subd. 8. Possession for minnow dealers. When nets and traps are lawfully set and tended, minnows and incidentally taken game fish under four inches in length are not considered to be in possession until the minnows or game fish are placed on a motor vehicle or trailer for transport on land.

97C.511 MINNOW SEINES.

Subdivision 1. Size restrictions. Except as provided in subdivision 2, a person may not take minnows with a seine longer than 25 feet, and deeper than:

- (1) 148 meshes of 1/4 inch bar measure;
- (2) 197 meshes of 3/16 inch bar measure; or
- (3) four feet of material of less than 3/16 inch bar measure.

Subd. 2. Licensed minnow dealers. A minnow dealer may take minnows with a seine that is not longer than 50 feet, and not deeper than:

- (1) 222 meshes of 1/4 inch bar measure;
- (2) 296 meshes of 3/16 inch bar measure; or
- (3) six feet of material of less than 3/16 inch bar measure.

97C.515 IMPORTED MINNOWS.

Subdivision 1. General prohibition. A person may not bring live minnows into the state except as provided in this section.

Subd. 2. Permit for transportation. A person may transport minnows through the state with a permit from the commissioner. The permit must state the name and address of the person, the number and species of minnows, the point of entry into the state, the destination, and the route through the state. The permit is not valid for more than 12 hours after it is issued.

Subd. 3. Use in home aquariums allowed. A person may bring live minnows into the state for home aquariums.

Subd. 4. Private fish hatchery or aquatic farm. A person with a private fish hatchery or aquatic farm license may transport minnows from contiguous states to the private fish hatchery or aquatic farm, provided the minnows are used for processing or feeding hatchery fish. The commissioner may require inspection of minnows transported from outside the state.

Subd. 5. Special permits. (a) The commissioner may issue a special permit, without a fee, to allow a person with a private fish hatchery license to import minnows from other states for export. A permit under this subdivision is not required for importation authorized under subdivision 4.

(b) An applicant for a permit under this subdivision shall submit to the commissioner sufficient information to identify potential threats to native plant and animal species and an evaluation of the feasibility of the proposal. The permit may include reasonable restrictions on importation, transportation, possession, containment, and disposal of minnows to ensure that native species are protected. The permit may have a term of up to two years and

97C.521 Transportation of carp fingerlings prohibited.

may be modified, suspended, or revoked by the commissioner for cause, including violation of a condition of the permit.

97C.521 TRANSPORTATION OF CARP FINGERLINGS PROHIBITED.

Except as provided in section 17.4984, subdivision 2, paragraph (g), a person may not transport live carp fingerlings.

97C.525 RESTRICTIONS ON TRANSPORTATION OF MINNOWS.

Subdivision 1. Applicability. This section does not apply to the transportation of 24 dozen minnows, or less, or to transportation with a permit issued under section 97C.515, subdivision 2.

Subd. 2. Transporting out of the state. A person may not transport minnows out of the state, except as provided in this section.

Subd. 3. Minnow dealers. A resident minnow dealer or a nonresident exporting minnow dealer may transport minnows out of the state. A nonresident exporting minnow dealer must possess a bill of lading issued by a resident minnow dealer with an exporting minnow dealer's license. The bill of lading must be on a form furnished by the commissioner and must state the nonresident exporting minnow dealer's name and address, the route through the state, number and species of minnows, and the time it was issued.

Subd. 4. Minnow retailers. A minnow retailer transporting minnows from a place of wholesale purchase to the retailer's place of business must use the most reasonably direct route.

Subd. 5. Out-of-state vehicles. The nonresident exporting minnow dealer must transport the minnows out of the state within 24 hours of the time of issuance stated on the bill of lading. A person may not transport minnows in a motor vehicle licensed in another state without an exporting minnow dealer's vehicle license.

Subd. 6. Common carrier. An exporting minnow dealer may transport minnows by common carrier and must provide on request by the commissioner information pertaining to product, quantity, and destination.

AMPHIBIANS

97C.601 FROGS.

Subdivision 1. Season. The open season for frogs is May 16 to March 31. The commissioner may, by rule, establish closed seasons in specified areas.

Subd. 2. License required. (a) A person may not take or possess frogs without an angling license if the person is required to have an angling license to take fish.

(b) A person may not purchase, possess, and transport frogs for purposes other than bait without a license to purchase, possess, and transport frogs.

(c) A person may not take, possess, transport, and sell frogs for purposes other than bait without a license to take, possess, transport, and sell frogs.

Subd. 3. Taking with cloth screens prohibited. A person may not use cloth screens or similar devices to take frogs.

Subd. 4. Taking with artificial lights. The commissioner may issue permits to take frogs with the use of artificial lights in waters designated in the permit.

Subd. 5. Limits. (a) A person may possess frogs, up to six inches long, without limit if the frogs are possessed, bought, sold, and transported for bait.

(b) Unless the commissioner prescribes otherwise, a person may possess frogs over six inches long and:

- (1) transport the frogs, except by common carrier; and
- (2) sell the frogs in any quantity during the open season.
- (c) The length of a frog is measured from the tip of the nose to the tip of the hind toes, with the legs fully extended.

Subd. 6. Rules. The commissioner shall prescribe rules for taking, buying, selling, possessing, importing, and transporting frogs for purposes other than bait.

Subd. 7. For human consumption. The commissioner may issue permits for importing, raising, and selling frogs for human consumption.

REPTILES

97C.605 TURTLES.

Subdivision 1. Resident angling license required. In addition to any other license required in this section, a person may not take, possess, or transport turtles without a resident angling license, except as provided in subdivision 2c.

Subd. 2. Turtle seller's license. (a) A person may not take, possess, buy, or transport turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a turtle seller's license, except as provided in subdivision 2c.

(b) Except for renewals, no new turtle seller's licenses may be issued after August 1, 2002.

(c) A turtle seller's license is transferable by the turtle seller licensee by making application to the commissioner. A turtle seller's license may be transferred only once under this paragraph and the transfer must be to a child of the person holding the turtle seller's license.

Subd. 2a. Recreational turtle license. A person who does not possess a turtle seller's license must obtain a recreational turtle license to take turtles for personal use with commercial equipment.

Subd. 2b. Turtle seller's apprentice license. (a) A person with a turtle seller's license may list one person as an apprentice on the license. A person acting as an apprentice for a turtle seller licensee must have an apprentice license and may assist the turtle licensee in all licensed activities.

(b) The turtle seller licensee or turtle seller's apprentice licensee must be present at all turtle operations conducted under the turtle seller's license. Turtle operations include going to and from turtle harvest locations; setting, lifting, and removing commercial turtle equipment; taking turtles out of equipment; and transporting turtles from harvest locations.

(c) A turtle seller's apprentice license is transferable by the turtle seller licensee by making application to the commissioner. A person listed as an apprentice by a turtle seller licensee must not be listed as an apprentice by another turtle seller licensee nor may an apprentice possess a turtle seller's license or a recreational turtle license.

Subd. 2c. License exemptions. A person does not need a turtle seller's license or an angling license:

- (1) when buying turtles for resale at a retail outlet;
- (2) when buying a turtle at a retail outlet;
- (3) if the person is a nonresident buying a turtle from a licensed turtle seller for export out of state. Shipping documents provided by the turtle seller must accompany each shipment exported out of state by a nonresident. Shipping documents must include: name, address, city, state, and zip code of the

97C.611 Snapping turtles; limits.

buyer; number of each species of turtle; and name and license number of the turtle seller; or

(4) to take, possess, and rent or sell up to 25 turtles greater than four inches in length for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person is a resident under age 18. The person is responsible for the well-being of the turtles.

Subd. 3. Taking; methods prohibited. (a) A person may take turtles in any manner, except by the use of:

(1) explosives, drugs, poisons, lime, and other harmful substances;

(2) traps, except as provided in paragraph (b) and rules adopted under this section;

(3) nets other than anglers' fish landing nets; or

(4) commercial equipment, except as provided in rules adopted under this section.

(b) Until new rules are adopted under this section, a person with a turtle seller's license may take turtles with a floating turtle trap that:

(1) has one or more openings above the water surface that measure at least ten inches by four inches; and

(2) has a mesh size of not less than one-half inch, bar measure.

Subd. 4. Repealed, 2002

Subd. 5. Interference with commercial or recreational turtle operations. A person may not:

(1) knowingly place or maintain an obstruction that will hinder, prevent, or interfere with a licensed turtle operation;

(2) remove turtles, other wild animals, or fish from a floating or submerged trap licensed under the game and fish laws; or

(3) knowingly damage, disturb, or interfere with a licensed turtle operation.

Subd. 6. Rules. The commissioner may adopt rules for taking turtles. The commissioner may prescribe seasons, limits, closed areas, and other restrictions and requirements the commissioner deems necessary for the conservation of turtles.

97C.611 SNAPPING TURTLES; LIMITS.

A person may not possess more than three snapping turtles of the species *Chelydra serpentina* without a turtle seller's license. Until new rules are adopted under section 97C.605, a person may not take snapping turtles of a size less than ten inches wide including curvature, measured from side to side across the shell at midpoint. After new rules are adopted under section 97C.605, a person may only take snapping turtles of a size specified in the adopted rules.

97C.615 REPEALED, 1989

97C.621 AREAS MAY BE CLOSED TO TAKING TURTLES.

The commissioner may prohibit the taking of turtles from state waters where operations are being conducted to aid fish propagation.

MUSSELS AND CLAMS

97C.701 TAKING MUSSELS.

Subdivision 1. Commissioner's authority. The commissioner may by rule set size limits and prescribe conditions for the taking, possession, transportation, sale, and purchase of mussels.

Subd. 1a. Hand-picking required. A person may only harvest mussels by hand-picking.

Subd. 2. Repealed, 1993

Subd. 3. Repealed, 1993

Subd. 4. Repealed, 1993

Subd. 5. Repealed, 1993

Subd. 6. Possession, sale, and transportation. Mussels and clams may be possessed, bought, sold, and transported in any quantity during the open season and seven days after the season closes.

97C.705 MUSSEL SEASONS.

Subdivision 1. Open seasons. (a) The open season for taking mussels is from May 16 to the last day of February.

(b) The commissioner may by rule restrict the open season for taking mussels for commercial purposes.

Subd. 2. Closed areas. The commissioner may close up to 50 percent of the mussel-producing waters of the state to the taking of mussels.

97C.711 UNDERSIZED MUSSELS.

A person must return undersized mussels to the water without injury.

NETTING AND COMMERCIAL FISHING

97C.801 TAKING ROUGH FISH ON MISSISSIPPI RIVER.

Subdivision 1. Repealed, 1997

Subd. 2. Commercial fish netting on Mississippi River. (a) A license is required to commercially take rough fish with seines in the Mississippi River from the St. Croix River junction to St. Anthony Falls.

(b) A person may take rough fish in the Mississippi River, from the St. Croix River junction to St. Anthony Falls, only with the following equipment and methods:

(1) operations shall be conducted only in the flowing waters of the river and in tributary backwaters prescribed by the commissioner;

(2) seines may be used only as prescribed by this section and rules adopted by the commissioner;

(3) seines must be hauled to a landing immediately after being placed;

(4) two seines may not be joined together in the water; and

(5) a seine may not be landed between sunset and sunrise.

97C.805 NETTING OF LAKE WHITEFISH AND CISCOES.

Subdivision 1. Open season. (a) The commissioner shall, by rule, prescribe the open season and open state waters for netting lake whitefish and ciscoes. The commissioner may open specific lakes and waters that are otherwise closed if the commissioner posts notice of the date and time in appropriate public places at least 48 hours before the open season begins.

97C.811 Commercial fishing in inland waters.

(b) The commissioner may close specific lakes and waters that are otherwise open under this subdivision if the commissioner posts notice of the closing at a minimum of three sites on the shore of the waters, including all public water access sites. Before closing waters under this paragraph, the commissioner shall determine that the closure is necessary to protect game fish populations.

Subd. 2. Restrictions. (a) The netting of lake whitefish and ciscoes is subject to the restrictions in this subdivision.

(b) A person may not use:

- (1) more than two nets;
- (2) a net more than 100 feet long; or
- (3) a net more than three feet wide.

(c) The mesh size of the nets may not be less than:

- (1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and
- (2) 3-1/2 inches, stretch measure, for all other nets.

(d) A net may not be set in water, including ice thickness, deeper than six feet.

(e) The commissioner may designate waters where nets may be set so that portions of the net extend into water deeper than six feet under conditions prescribed by the commissioner to protect game fish. A pole or stake must project at least two feet above the surface of the water or ice at one end of each net.

(f) A net may not be set within 50 feet of another net.

(g) A person may not have angling equipment in possession while netting lake whitefish or ciscoes.

Subd. 3. Fish may not be sold. Notwithstanding section 97C.391, subdivision 1, lake whitefish and ciscoes taken under this section may not be bought or sold.

Subd. 4. No limit on rough fish netted. Lake whitefish and ciscoes taken under this section may be taken and possessed without limit. Rough fish caught while netting may be retained. All other fish taken while netting must be returned to the water immediately.

97C.811 COMMERCIAL FISHING IN INLAND WATERS.

Subdivision 1. Inland waters defined. For the purposes of this section and section 97A.475, subdivision 30, "inland waters" means all waters entirely located within the boundaries of the state and the border waters between Minnesota and North Dakota, South Dakota and Iowa, excluding those waters described in section 97C.801.

Subd. 2. Commercial fish defined. For purposes of this section and section 97A.475, subdivision 30, "commercial fish" are carp; bowfin; burbot; cisco; goldeye; rainbow smelt; black bullhead, brown bullhead, and yellow bullhead; lake whitefish; members of the sucker family, Catostomidae, including white sucker, redbhorse, bigmouth buffalo, and smallmouth buffalo; members of the drum family, Sciaenidae, including sheepshead; and members of the gar family, Lepisosteidae.

Subd. 3. Regulation. The commissioner shall, by rule, regulate the taking, possession, transportation, and sale of commercial fish, and the licensing of commercial fishing operators in inland waters.

Subd. 4. Licenses required. A person may not commercially fish inland waters without a commercial fishing license. Nonresidents may only be licensed to fish waters not previously assigned to residents. In the license

application the applicant must list the number of feet of seine of each depth to be licensed.

Subd. 5. Season. Licenses to net commercial fish in inland waters are issued to residents and nonresidents annually subject to this section and shall be valid for commercial fishing during the open season for commercial fishing in inland waters from the day after Labor Day to the day before the open season for walleye.

Subd. 6. License invalidation. (a) A license to take commercial fish is void upon:

- (1) the licensee's death;
- (2) cessation of commercial fishing operations within an assigned area, except as provided by paragraph (c);
- (3) conviction of two or more violations of inland commercial fishing laws within a license period; or
- (4) failure to apply for a new or renewal license prior to June 15 of any year.

(b) A commercial inland fishing license is not subject to the license revocation provisions of section 97A.421. Commercial fishing rights and area assignments covered by a license that becomes void reverts to the commissioner for reassignment.

(c) A person possessing a valid inland commercial fishing license may apply to the commissioner for transfer of an assigned commercial fishing area to another person. Upon receipt of the application, the commissioner shall notify the applicant that the application for transfer has been received and shall determine if other people are interested in the assigned area by:

- (1) notifying the Inland Commercial Fish Trade Association in writing; and
- (2) publishing notice in a newspaper of general circulation in the vicinity of the assigned area. These notices must allow interested persons 30 days to notify the commissioner of their interest in the assigned area. Within 60 days after publishing notice, the commissioner shall review the qualifications of all interested persons and approve or deny the transfer based on the criteria in section 97C.815, subdivision 2. If the transfer is denied, the licensee may retain the license or request that it become void.

Subd. 7. Monthly reports. A licensed inland commercial fishing operator shall submit a report on the licensed activities the operator was engaged in to the commissioner each month. The report must be on a form provided by the commissioner and submitted prior to the 15th day of the following month. The report shall be submitted whether fishing activity took place unless the operator has a written release from this obligation signed by the commissioner.

97C.815 COMMERCIAL FISHING AREAS.

Subdivision 1. Designation. The commissioner shall specify inland commercial fishing areas, taking into account the amount, size, and proximity of waters specified, the species to be removed, and the type and quantity of fishing gear and equipment necessary to provide an adequate removal effort. The commissioner may change inland commercial fishing area boundaries by rule prior to a new licensing period.

Subd. 2. Assignment. The commissioner shall assign licensed inland commercial fishing operators to commercial fishing areas and each operator shall be obligated to fish in the area that the commissioner has assigned to them. The commissioner's assignment shall be valid as long as the assigned

operator continues to purchase a license, continues to provide an adequate removal effort in a good and professional manner, and is not convicted of two or more violations of laws or rules governing inland commercial fishing operations during any one license period. In the operator assignment, the commissioner shall consider the proximity of the operator to the area, the type and quantity of fish gear and equipment possessed, knowledge of the affected waters, and general ability to perform the work well.

Subd. 3. Unused areas. If an area is not assigned, or the operator licensed for the area is not fishing that area, the commissioner may issue a special inland commercial fishing permit for the area. The permit may be issued to an individual holding a valid inland commercial fishing license. The permit must describe the specific waters involved, the county, the species to be removed, the equipment to be used, and the time period of the total operation.

Subd. 4. Inland Commercial Fishing Trade Association; license problems. The commissioner shall consult with representatives of the Inland Commercial Fishing Trade Association when disagreements arise in the areas of license issuance, problems with performance pursuant to the license, transfers of licenses, area assignments, and the entry of new commercial fishing operators into the inland commercial fishery.

97C.821 POSSESSION, SALE, AND TRANSPORTATION OF COMMERCIAL FISH.

Subject to the applicable provisions of the game and fish laws, fish taken under commercial fishing licenses may be possessed in any quantity, bought, sold, and transported at any time. Commercial fishing licensees may transport their catch live to holding facilities, if the licensee has exclusive control of the facilities. Commercial fishing licensees may harvest fish from their holding facilities at any time with their licensed gear. The commissioner may prohibit the transport of live fish taken under a commercial fishing license from waters that contain nonnative species.

97C.825 LAKE OF THE WOODS AND RAINY LAKE FISHING.

Subdivision 1. New commercial fishing licenses prohibited. The commissioner may not issue a new commercial fishing license that allows netting of game fish on Lake of the Woods and Rainy Lake.

Subd. 2. Restrictions on fish and nets. The following rules and restrictions shall apply to all commercial fishing operations conducted in Lake of the Woods and Rainy Lake unless otherwise changed by rule of the commissioner under authority of section 97A.045, subdivision 4:

(a) Any fish, except largemouth bass, smallmouth bass, rock bass, muskellunge, crappies, sturgeon, and sunfish, may be taken subject to all other restrictions contained in the game and fish laws.

(b) Pound net mesh and staked trap net mesh may not be less than 2-1/2 inches nor more than four inches stretch measure in the pound or crib.

(c) Gill net mesh may not be less than four inches stretch measure, and may not be more than 30 meshes in width.

(d) Fyke net mesh may not be less than 2-1/2 inches nor more than four inches stretch measure in the pot or crib. Fyke nets may not have a hoop or opening more than six feet in height, wings more than 100 feet in length, nor a lead more than 400 feet in length.

(e) Submerged trap net mesh may not be less than 2-1/2 inches nor more than three inches stretch measure in the heart, pot, or crib. A submerged trap

net may not have a pot or crib exceeding 150 square feet in area, a lead exceeding 300 feet in length, nor a pot or lead exceeding 12 feet in depth.

Subd. 3. Net limits for individual operators. A person may not operate more than six pound nets, 4,000 feet of gill nets, eight submerged trap nets, ten fyke or staked trap nets, or one pound net station.

Subd. 4. Net location. Nets may only be set at a place consented to by the commissioner.

Subd. 5. Net limits for Lake of the Woods and Rainy Lake. (a) The maximum amount of nets permitted to be licensed shall be:

(1) in Lake of the Woods, 50-pound nets, 160 submerged trap nets, and 80 fyke or staked trap nets; and

(2) in Rainy Lake, 20-pound nets.

(b) Commercial fishing may be prohibited in the Minnesota portions of international waters when it is prohibited in the international waters by Canadian authorities.

Subd. 6. Repealed, 2005

Subd. 7. Repealed, 2005

Subd. 8. Repealed, 2005

Subd. 9. Repealed, 2005

Subd. 10. Taking eggs for propagation; commissioner's rule. The commissioner may require a person licensed to take fish for commercial purposes in the waters covered by this section to take eggs for propagation purposes when it can be done in connection with the licensed commercial fishing. The eggs must be taken under rules prescribed by the commissioner.

97C.827 LAKE OF THE WOODS; COMMERCIAL FISHING OF ROUGH FISH.

Subdivision 1. Promotion. The commissioner shall promote and encourage taking rough fish from Lake of the Woods.

Subd. 2. Issuance of licenses. The commissioner shall issue commercial fishing licenses to take rough fish on Lake of the Woods. The issuance of the commercial fishing licenses may not be restricted because a person holds other licenses under the game and fish laws or operates particular kinds of businesses.

97C.831 NAMAKAN AND SAND POINT LAKES; COMMERCIAL FISHING.

Subdivision 1. Lake whitefish and rough fish. Lake whitefish and rough fish may be taken by licensed commercial fishing operators unless otherwise changed by rule of the commissioner, under section 97C.805, subdivision 1, from Namakan Lake and Sand Point Lake.

Subd. 2. Gill nets prohibited on Sand Point Lake. Gill nets may not be used in Sand Point Lake.

Subd. 3. Maximum amount of nets in Sand Point Lake. The maximum amount of nets permitted to be licensed in Sand Point Lake shall be 12 pound, fyke, or submerged trap nets.

Subd. 4. Maximum amount of nets in Namakan Lake. The maximum amount of nets that may be licensed in Namakan Lake shall be (1) 7,000 feet of gill net, with a mesh not less than four inches stretch measure, and (2) 12 pound, fyke, or submerged trap nets.

97C.835 LAKE SUPERIOR COMMERCIAL FISHING.

Subdivision 1. Commercial fishing license for Lake Superior. (a) A license to fish commercially in Lake Superior shall be issued to a maximum of 25 residents. To qualify for licensing, a resident must have landed fish in the previous year with a value of at least \$1,500, and must have engaged in commercial fishing for at least 30 days of the previous year. An applicant may be issued a license, at the discretion of the commissioner, if failure to meet the requirements for the dollar value of fish landed or number of days fished resulted from illness or other mitigating circumstances, or the applicant has reached the age of 65 and has been licensed at least five of the previous ten years.

(b) A license may be issued to a resident who has not previously fished commercially on Lake Superior and has not been convicted of a game and fish law violation in the preceding three years, if the applicant:

(1) shows a bill of sale indicating the purchase of gear and facilities connected with an existing license;

(2) shows proof of inheritance of all the gear and facilities connected with an existing license; or

(3) has served at least two years as an apprentice in a Minnesota Lake Superior licensed commercial fishing operation.

Subd. 2. Types of fish permitted. Lake trout, ciscoes, chubs, alewives, lake whitefish, round whitefish, pygmy whitefish, rainbow smelt, and rough fish may be taken by licensed commercial fishing operators from Lake Superior, in accordance with this section.

Subd. 3. Pound nets and trap nets. Pound or trap nets may be used to take lake whitefish, round whitefish, pygmy whitefish, ciscoes, chubs, alewives, rainbow smelt, and rough fish in Lake Superior, including St. Louis Bay east of the U.S. Highway 53 bridge, under the rules prescribed by the commissioner.

Subd. 4. Gill nets; lake trout and lake whitefish. Gill nets for taking lake trout and lake whitefish may not be less than 4-1/2 inch extension measure mesh. The commissioner may prescribe rules to limit the total amount of gill net to be licensed for the taking of lake trout and lake whitefish and may limit the amount of net to be operated by each licensee.

Subd. 5. Gill nets; ciscoes. Gill nets for taking ciscoes and chubs may not be less than 2-1/4 inch extension measure mesh and may not exceed 2-3/4 inch extension measure mesh except that smaller or larger mesh sizes may be used under a permit issued by the commissioner.

Subd. 6. Maximum amount of gill net in Lake Superior. The amount of gill net licensed in Minnesota waters of Lake Superior may not exceed 300,000 feet of net weighted to fish in a floating or suspended position off the bottom and 300,000 feet of net weighted to fish on the bottom.

Subd. 7. Maximum amount of gill net for each Lake Superior licensee. A licensee may not operate more than 6,000 feet of gill net weighted to fish in a floating or suspended position off the bottom or 25,000 feet of gill net weighted to fish on the bottom. The commissioner may authorize gill net footage in excess of the individual limits when the commissioner determines that all of the gill net footage permitted for Minnesota waters of Lake Superior would not otherwise be allocated in a license year. The commissioner must allocate this excess gill net footage equitably among the licensees who have applied for it.

Subd. 8. Special permits. The commissioner may issue special permits to duly licensed commercial fishing operators for the purpose of taking lake trout,

ciscoes, and lake whitefish in Lake Superior and adjacent waters under rules prescribed by the commissioner.

97C.836 LAKE SUPERIOR LAKE TROUT EXPANDED ASSESSMENT HARVEST.

The commissioner shall provide for taking of lake trout by licensed commercial operators in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale. The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect the lake trout population or to manage the effects of invasive species or fish disease. Taking lake trout for expanded assessment and sale shall be allowed from June 1 to September 30, but may end earlier in the respective zones if the quotas are reached. The quotas must be reassessed at the expiration of the current ten-year Fisheries Management Plan for the Minnesota Waters of Lake Superior dated September 2006.

97C.841 APPRENTICE LICENSE.

A person with a commercial fishing license may list one person as an apprentice on the license. A person acting as an apprentice for a commercial fishing licensee must have an apprentice license. The commercial fishing licensee or the apprentice listed on the license must be present at all commercial fishing operations including going to and from fishing locations, or in setting or lifting nets, or removing fish from nets. A person possessing an angling license may assist the holder of a master's or apprentice license in going to and from fishing locations, or in setting or lifting nets, or removing fish from nets.

An apprentice license is transferable to another by the holder of a master's license applying to the commissioner.

97C.843 POSSESSION FOR COMMERCIAL NETTING.

When commercial nets, seines, bags, or cribs are lawfully set and tended, incidentally taken fish not included in the license are not considered in possession if they are returned to the water or if they are tagged in accordance with section 97C.835 before they are placed on a motor vehicle or trailer for transport on land.

97C.845 INTERFERENCE WITH COMMERCIAL FISHING.

A person may not:

- (1) knowingly place or maintain an obstruction that will hinder, prevent, or interfere with a licensed commercial fishing operation;
- (2) remove fish from nets licensed under the game and fish laws; or
- (3) knowingly damage, disturb, or interfere with commercial fishing nets.

97C.851 COMMERCIAL FISHING IN INTERNATIONAL WATERS; RESORT OWNERS.

A license to buy or sell fish or to take fish commercially in international waters extending from Pigeon Point West to the North Dakota boundary line may not be issued to a person engaged in the business of conducting a

97C.855 Upper and Lower Red Lake and Nett Lake; transportation, sale, and disposal.

summer resort, or to a member of the person's household or to an employee of the person.

**97C.855 UPPER AND LOWER RED LAKE AND NETT LAKE;
TRANSPORTATION, SALE, AND DISPOSAL.**

The commissioner may, by rule, allow the transportation, sale, and disposal of fish taken within the Red Lake Indian Reservation on Upper Red Lake and Lower Red Lake and from waters within the Nett Lake Indian Reservation also known as Bois Forte Indian Reservation.

97C.861 FISH VENDOR REQUIREMENTS.

Subdivision 1. License required. A person may not sell fish with the use of a motor vehicle without a fish vendor's license.

Subd. 2. Misrepresentation of fish. (a) A licensed fish vendor or the vendor's employee may not misrepresent a species of fish to be sold. If a licensed fish vendor or employee of the fish vendor is convicted of misrepresenting a species of fish that is sold, the license shall be revoked, and the licensee is not eligible to obtain a fish vendor's license for one year after revocation.

(b) Misrepresentation includes the designation of fish by a name other than its common name in:

- (1) the state; and
- (2) in the locality where it was taken if it is not generally known by any common name in the state.

97C.865 FISH PACKERS.

Subdivision 1. License required; records. (a) A person engaged in a business providing services to a person taking fish may not prepare dressed game fish for shipment without a fish packer's license. The fish packer must maintain a permanent record of:

- (1) the name, address, and license number of the shipper;
 - (2) the name and address of the consignee; and
 - (3) the number of each species and net weight of fish in the shipment.
- (b) The records of the fish packer must be made available to an enforcement officer upon request.

Subd. 2. Rules. The commissioner may adopt rules establishing requirements for labeling and packing fish under a fish packer's license.

97C.871 CRAYFISH.

The commissioner may adopt rules, including record-keeping requirements, for taking, importing, buying, selling, possessing, and transporting crayfish.

CHAPTER 17 DEPARTMENT OF AGRICULTURE

FARMED CERVIDAE

17.451 REPEALED, 2005

17.452 FARM-RAISED CERVIDAE.

Subdivision 1. Promotion and coordination. The commissioner shall promote the commercial raising of farmed cervidae and shall coordinate programs and rules related to the commercial raising of farmed cervidae. Farmed cervidae research, projects, and demonstrations must be reported to the commissioner before state appropriations for the research projects or demonstrations are encumbered. The commissioner shall maintain a data base of information on raising farmed cervidae.

Subd. 2. Development program. The commissioner may establish a Minnesota development and aid program that may support applied research, demonstration, financing, marketing, promotion, breeding development, registration, and other services for owners.

Subd. 3. Repealed, 1997

Subd. 4. Farmed cervidae are livestock. Farmed cervidae are livestock and are not wild animals for purposes of game farm, hunting, or wildlife laws. Farmed cervidae and their products are farm products and livestock for purposes of financial transactions and collateral.

Subd. 5. Raising farmed cervidae is an agricultural pursuit. Raising farmed cervidae is agricultural production and an agricultural pursuit.

Subd. 5a. Other applicable definitions. The definitions in section 35.153 apply to this section.

Subd. 6. Repealed, 2005

Subd. 6a. Repealed, 2005

Subd. 7. Repealed, 2005

Subd. 8. Slaughter. Farmed cervidae must be slaughtered and inspected in accordance with chapters 31 and 31A or the United States Department of Agriculture voluntary program for exotic animals, Code of Federal Regulations, title 9, part 352.

Subd. 9. Sales of farmed cervidae and meat products. Persons selling or buying farmed cervidae sold as livestock, sold for human consumption, or sold for slaughter must comply with chapters 17A, 31, 31A, and 31B.

Subd. 10. Repealed, 2005

Subd. 11. Repealed, 2005

Subd. 12. Repealed, 2005

Subd. 13. Repealed, 2005

Subd. 13a. Repealed, 2005

Subd. 14. Repealed, 2005

Subd. 15. Repealed, 2005

Subd. 16. Repealed, 2005

RATITAE

17.453 DEFINITIONS.

Subdivision 1. Applicability. The definitions in this section apply to this section and section 17.454.

Subd. 2. Owner. "Owner" means a person who owns or is responsible for the raising of ratitae.

Subd. 3. Ratitae. "Ratitae" means members of the ratitae family (including ostriches, emus, and rheas) that are raised for the purpose of producing fiber, meat, or animal by-products or as breeding stock.

17.454 RATITAE.

Subdivision 1. Ratitae are livestock. Ratitae are livestock and are not wild animals for purposes of hunting or wildlife laws. Ratitae and their products are farm products and livestock for purposes of financial transactions and collateral.

Subd. 2. Raising ratitae is an agricultural pursuit. Raising ratitae is agricultural production and an agricultural pursuit.

Subd. 3. Sales of ratitae and meat products. Persons selling or buying ratitae sold as livestock, sold for human consumption, or sold for slaughter must comply with chapters 17A, 28A, 31, 31A, and 31B.

Subd. 4. Slaughter. Ratitae must be slaughtered and inspected in accordance with the United States Department of Agriculture voluntary inspection program for exotic animals, Code of Federal Regulations, title 9, part 352.

Subd. 5. Disease inspection. Ratitae are subject to chapter 35 and the rules of the Board of Animal Health in the same manner as livestock and domestic animals, including provisions relating to importation and transportation.

LLAMAS

17.455 DEFINITIONS.

Subdivision 1. Applicability. The definitions in this section apply to this section and section 17.456.

Subd. 2. Llama. "Llama" means a member of the genus lama that is raised for the purpose of producing fiber, meat, or animal by-products or as breeding stock.

Subd. 3. Owner. "Owner" means a person who owns or is responsible for the raising of llamas.

17.456 LLAMA.

Subdivision 1. Llamas are livestock. Llamas are livestock and are not wild animals for purposes of hunting or wildlife laws. Llamas and their products are farm products and livestock for purposes of financial transactions and collateral.

Subd. 2. Raising llamas is an agricultural pursuit. Raising llamas is agricultural production and an agricultural pursuit.

Subd. 3. Sales of llamas and meat products. Persons selling or buying llamas sold as livestock, sold for human consumption, or sold for slaughter must comply with chapters 17A, 28A, 31, 31A, and 31B.

Subd. 4. Repealed, 1997

Subd. 5. Disease inspection. Llamas are subject to chapter 35 and the rules of the Board of Animal Health in the same manner as livestock and domestic animals, including provisions relating to importation and transportation.

RESTRICTED SPECIES

17.457 RESTRICTED SPECIES.

Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of agriculture.

(c) "Restricted species" means Eurasian wild pigs and their hybrids (*Sus scrofa* subspecies and *Sus scrofa* hybrids), excluding domestic hogs (*S. scrofa* domesticus).

(d) "Release" means an intentional introduction or escape of a species from the control of the owner or responsible party.

Subd. 2. Importation; possession; release of restricted species. It is unlawful for a person to import, possess, propagate, transport, or release restricted species, except as provided in subdivision 3.

Subd. 3. Permits. (a) The commissioner may issue permits for the transportation, possession, purchase, or importation of restricted species for scientific, research, educational, or commercial purposes. A permit issued under this subdivision may be revoked by the commissioner if the conditions of the permit are not met by the permittee or for any unlawful act or omission, including accidental escapes.

(b) The commissioner may issue permits for a person to possess and raise a restricted species for commercial purposes if the person was in possession of the restricted species on March 1, 1993. Under the permit, the number of breeding stock of the restricted species in the possession of the person may not increase by more than 25 percent and the person must comply with the certification requirements in subdivision 7.

(c) A person may possess a restricted species without a permit for a period not to exceed two days for the purpose of slaughtering the restricted species for human consumption.

Subd. 4. Notice of escape of restricted species. In the event of an escape of a restricted species, the owner must notify within 24 hours a conservation officer and the Board of Animal Health and is responsible for the recovery of the species. The commissioner may capture or destroy the escaped animal at the owner's expense.

Subd. 5. Enforcement. This section may be enforced under sections 97A.205 and 97A.211.

Subd. 6. Penalty. A person who violates subdivision 2, 4, or 7 is guilty of a misdemeanor.

Subd. 7. Certification and identification requirements. (a) A person who possesses restricted species on July 1, 1993, must submit certified numbers of restricted species in the person's possession to the Board of Animal Health by June 1, 1993.

(b) Restricted species in the possession of a person must be marked in a permanent fashion to identify ownership. The restricted species must be marked as soon as practicable after birth or purchase.

Subd. 8. Containment. The commissioner, in consultation with the commissioner of natural resources, shall develop criteria for approved

17.46 Short title.

containment measures for restricted species with the assistance of producers of restricted species.

Subd. 9. Bond; security. A person who possesses restricted species must file a bond or deposit with the commissioner security in the form and in the amount determined by the commissioner to pay for the costs and damages caused by an escape of a restricted species.

Subd. 10. Fee. The commissioner shall impose a fee for permits in an amount sufficient to cover the costs of issuing the permits and for facility inspections. The fee may not exceed \$50. Fee receipts must be deposited in the general fund.

AGROFORESTRY

17.458 AGROFORESTRY.

Subdivision 1. Definition. "Agroforestry" means the cultivation of short-rotation woody crops using agricultural practices to produce timber or forest products.

Subd. 2. Agricultural pursuit. Agroforestry is an agricultural pursuit.

AQUACULTURE DEVELOPMENT

17.46 SHORT TITLE.

Laws 1991, chapter 309, sections 4 to 16, may be cited as the Aquaculture Development Act.

17.47 DEFINITIONS.

Subdivision 1. Scope. The definitions in this section apply to Laws 1991, chapter 309, sections 2 to 16.

Subd. 2. Aquaculture. "Aquaculture" means the culture of private aquatic life for consumption or sale.

Subd. 3. Aquatic farm. "Aquatic farm" means a facility used for the purpose of culturing private aquatic life in waters, including but not limited to artificial ponds, vats, tanks, raceways, other indoor or outdoor facilities that an aquatic farmer owns or where an aquatic farmer has exclusive control of, or private fish hatcheries licensed under section 97C.211 for the sole purpose of processing or cultivating aquatic life.

Subd. 4. Aquatic farmer. "Aquatic farmer" means an individual who practices

Subd. 5. Repealed, 1996

Subd. 6. Department. "Department" means the Department of Agriculture.

Subd. 7. Private aquatic life. "Private aquatic life" means fish, shellfish, mollusks, crustaceans, turtles, and any other aquatic animals cultured within an aquatic farm. Private aquatic life is the property of the aquatic farmer.

17.49 AQUACULTURE PROGRAM AND PROMOTION.

Subdivision 1. Repealed, 2001

Subd. 2. Coordination. Aquaculture programs in the state must be coordinated through the commissioner of agriculture. The commissioner of agriculture shall direct the development of aquaculture in the state. Aquaculture research, projects, and demonstrations must be reported to the commissioner before state appropriations for the research, projects, and demonstrations are encumbered. The commissioner shall maintain a database

of aquaculture research, demonstrations, and other related information pertaining to aquaculture in the state.

Subd. 2a. Development program. The commissioner may establish a Minnesota aquaculture development and aid program that may support applied research, demonstration, financing, marketing, promotion, broodstock development, and other services.

Subd. 3. Report. The commissioner shall prepare an annual report on the amount of fish and aquaculture products produced in the state, where the products were produced, the opportunities in the state for aquaculture development, and impediments to Minnesota development of aquaculture.

17.491 AQUACULTURE IS AGRICULTURAL PURSUIT.

Aquaculture is an agricultural pursuit.

17.492 REPEALED, 1991

17.494 AQUACULTURE PERMITS; RULES.

The commissioner shall act as permit or license coordinator for aquatic farmers and shall assist aquatic farmers to obtain licenses or permits.

By July 1, 1992, a state agency issuing multiple permits or licenses for aquaculture shall consolidate the permits or licenses required for every aquatic farm location. The Department of Natural Resources transportation permits are exempt from this requirement. State agencies shall adopt rules or issue commissioner's orders that establish permit and license requirements, approval timelines, and compliance standards.

Nothing in this section modifies any state agency's regulatory authority over aquaculture production.

17.495 APPEAL PROCEDURES.

A state agency that denies a license or permit to an aquatic farmer shall provide the aquatic farmer with a written notice specifying the reasons for refusal.

An aquatic farmer may appeal a state agency's denial of the license or permit in a contested case proceeding under chapter 14.

17.496 QUARANTINE FACILITY; RULES.

By July 1, 1992, the commissioner of natural resources shall adopt rules, in consultation with the commissioner of agriculture and the Aquaculture Advisory Committee, for the construction and operation of a quarantine facility for fish eggs presently requiring quarantine and disposition of fish from the facility. Fish in a quarantine station that are determined to be disease-free under the procedures developed by the commissioner of natural resources may be bought, sold, or transported.

17.497 EXOTIC SPECIES IMPORTATION; RULES.

The commissioner of natural resources shall establish rules, in consultation with the commissioner of agriculture and the Aquaculture Advisory Committee, for approving or rejecting importation of "exotic" or genetically altered aquatic species to protect the integrity of the natural ecosystem and provide aquatic farmers with information that may affect business decisions.

17.498 RULES; FINANCIAL ASSURANCE.

(a) The commissioner of the Pollution Control Agency, after consultation and cooperation with the commissioners of agriculture and natural resources, shall present proposed rules to the Pollution Control Agency board prescribing water quality permit requirements for aquaculture facilities by May 1, 1992. The rules must consider:

(1) best available proven technology, best management practices, and water treatment practices that prevent and minimize degradation of waters of the state considering economic factors, availability, technical feasibility, effectiveness, and environmental impacts;

(2) classes, types, sizes, and categories of aquaculture facilities;

(3) temporary reversible impacts versus long-term impacts on water quality;

(4) effects on drinking water supplies that cause adverse human health concerns; and (5) aquaculture therapeutics, which shall be regulated by the Pollution Control Agency.

(b) Net pen aquaculture and other aquaculture facilities with similar effects must submit an annual report to the commissioner of the pollution control agency analyzing changes in water quality trends from previous years, documentation of best management practices, documentation of costs to restore the waters used for aquaculture to the trophic state existing before aquatic farming was initiated, and documentation of financial assurance in an amount adequate to pay for restoration costs. The trophic state, which is the productivity of the waters measured by total phosphorus, dissolved oxygen, algae abundance as chlorophyll-a, and secchi disk depth of light penetration, and the condition of the waters measured by raw drinking water parameters, shall be determined to the extent possible before aquatic farming is initiated. The financial assurance may be a trust fund, letter of credit, escrow account, surety bond, or other financial assurance payable to the commissioner for restoration of the waters if the permittee cannot or will not restore the waters after termination of aquatic farming operations or revocation of the permit.

(c) Information received as part of a permit application or as otherwise requested must be classified according to chapter 13. Information about processes, aquatic farming procedures, feed and therapeutic formulas and rates, and tests on aquatic farming products that have economic value is nonpublic data under chapter 13, if requested by the applicant or permittee.

17.4981 GENERAL CONDITIONS FOR REGULATION OF AQUATIC FARMS.

Aquatic farms are licensed to culture private aquatic life. Cultured aquatic life is not wildlife. Aquatic farms must be licensed and given classifications to prevent or minimize impacts on natural resources. The purpose of sections 17.4981 to 17.4997 is to:

(1) prevent public aquatic life from entering an aquatic farm;

(2) prevent release of nonindigenous or exotic species into public waters without approval of the commissioner;

(3) protect against release of disease pathogens to public waters;

(4) protect existing natural aquatic habitats and the wildlife dependent on them; and

(5) protect private aquatic life from unauthorized taking or harvest. Private aquatic life that is legally acquired and possessed is an article of interstate

commerce and may be restricted only as necessary to protect state fish and water resources.

17.4982 DEFINITIONS.

Subdivision 1. Scope. The definitions in this section apply to sections 17.4981 to 17.4998.

Subd. 2. Approved laboratory methods. "Approved laboratory methods" means methods described in the latest edition of the "Procedures for the Detection and Identification of Certain Fish Pathogens" published by the American Fisheries Society Fish Health Section known as the Fish Health Blue Book.

Subd. 2a. Aquaculture therapeutics. "Aquaculture therapeutics" means drugs, medications, and disease control chemicals that are approved for aquaculture use by the United States Food and Drug Administration or the United States Environmental Protection Agency.

Subd. 3. Aquarium facilities. "Aquarium facilities" means facilities that rear or hold private aquatic life for sale for aquarium or display purposes.

Subd. 4. Aquatic farm. "Aquatic farm" means a licensed facility used for hatching, raising, rearing, and culturing private aquatic life in waters and preparing aquatic life for sale, including, but not limited to, ponds, vats, tanks, raceways, and other indoor or outdoor facilities that an aquatic farmer owns or waters of which an aquatic farmer has the use.

Subd. 5. Aquatic life. "Aquatic life" has the meaning given to "private aquatic life" in section 17.47, subdivision 7, and for purposes of commercial transactions, aquatic life is livestock.

Subd. 6. Certifiable diseases. "Certifiable diseases" include channel catfish virus, bacterial kidney disease, bacterial furunculosis, enteric redmouth disease, enteric septicemia of catfish, infectious hematopoietic necrosis virus, infectious pancreatic necrosis virus, whirling disease, proliferative kidney disease, viral hemorrhagic septicemia virus, epizootic epitheliotropic virus, ceratomyxosis, and any emergency disease.

Subd. 7. Commissioner. "Commissioner" means the commissioner of natural resources.

Subd. 8. Containment facility. "Containment facility" means a licensed facility for salmonids or catfish that complies with clauses (1), (3), and (4), or clauses (2), (3), and (4):

(1) disinfects its effluent to the standards in section 17.4991 before the effluent is discharged to public waters;

(2) does not discharge to public waters or to waters of the state directly connected to public waters;

(3) raises aquatic life that is prohibited from being released into the wild and must be kept in a facility approved by the commissioner unless processed for food consumption;

(4) contains aquatic life requiring a fish health inspection prior to transportation.

Subd. 8a. Emergency enzootic disease area. "Emergency enzootic disease area" means an enzootic disease area that harbors an emergency fish disease. Trout, salmon, or catfish species are from an emergency enzootic disease area only if the individual species in question can carry one or more of the emergency fish disease pathogens present.

Subd. 9. Emergency fish disease. "Emergency fish disease" means designated fish diseases not already present in this state that could impact

populations of aquatic life if inadvertently released by infected aquatic life, including channel catfish virus, viral hemorrhagic septicemia virus, infectious hematopoietic necrosis virus, infectious pancreatic necrosis virus, whirling disease, ceratomyxosis, proliferative kidney disease, and epizootic epitheliotropic virus disease.

Subd. 10. Enzootic disease area. "Enzootic disease area" means an area with well-defined geographic boundaries which harbors one or more certifiable diseases pathogens.

Subd. 11. Fish Health Blue Book. "Fish Health Blue Book" means the standardized set of procedures and guidelines established and published by the American Fisheries Society Fish Health Section for the detection and isolation of fish pathogens.

Subd. 12. Fish health inspection. "Fish health inspection" means an on-site, statistically based sampling in accordance with processes in the Fish Health Blue Book for all lots of fish in a facility. The inspection must include at least viral testing of ovarian fluids at the 95 percent confidence level of detecting two percent incidence of disease (ovarian fluids must be sampled for certification of viral hemorrhagic septicemia and infectious hematopoietic necrosis). Bacterial diseases must be sampled at the 95 percent confidence level with a five percent incidence of disease. The inspection must be performed by a fish health inspector in cooperation with the producer with subsequent examination of the collected tissues and fluids for the detection of certifiable diseases.

Subd. 13. Fish health inspector. "Fish health inspector" means an individual certified as a fish health inspector by the American Fisheries Society or state, federal, or provincial resource management agency, except that a certification may not be made by an inspector who has a conflict of interest in connection with the outcome of the certification.

Subd. 14. Game fish. "Game fish" has the meaning given in section 97A.015, subdivision 25, except that green or orange spotted sunfish are not game fish for purposes of determining fish of significant public value.

Subd. 15. Intensive culture. "Intensive culture" means the rearing of fish at densities greater than can be supported in the natural environment.

Subd. 16. Licensed facility. "Licensed facility" means a licensed aquatic farm, including all licensed waters.

Subd. 17. Lot. "Lot" means a group of fish of the same species and age that originated from the same discrete spawning population and that always have shared a common water supply, or various age groups of adult brood stock of the same species that have shared the same containers for one brood cycle.

Subd. 18. Minnows. "Minnows" has the meaning given in section 97A.015, subdivision 29, except the 12-inch restriction on sucker minnows does not apply.

Subd. 18a. Nonindigenous species. "Nonindigenous species" means a species of fish or other aquatic life that is:

- (1) not known to have been historically present in the state;
- (2) not known to be naturally occurring in a particular part of the state; or
- (3) designated by rule as a prohibited or regulated invasive species.

Subd. 18b. Nonindigenous strain. "Nonindigenous strain" means a species of fish or other aquatic life that:

- (1) has an original source outside of this state and contiguous states;
- (2) is an unnaturally occurring hybrid or genetically engineered species; or

(3) in areas north of marked State Highway 210, is a walleye, the original source of which is from south of marked State Highway 210 or from outside the state.

Subd. 18c. Processing. "Processing" means rendering a species of aquatic life for food, bait, or other purposes so that it is no longer alive.

Subd. 19. Public waters. "Public waters" has the meaning given in section 103G.005, subdivision 15.

Subd. 20. Quarantine facility. "Quarantine facility" means a culture system that is enclosed in a building and is separated from other fish culture facilities where fish can be isolated and maintained while preventing their introduction and pathogen introduction into the environment.

Subd. 21. Standard facility. "Standard facility" means a licensed facility that is not a quarantine or containment facility.

Subd. 22. Waters of the state. "Waters of the state" has the meaning given in section 103G.005, subdivision 17.

17.4983 AQUATIC FARM OPERATIONS.

Subdivision 1. Acquisition and sale of private aquatic life. Aquatic life legally possessed may be bought, acquired, and sold by licensed facilities as provided in sections 17.4981 to 17.4997.

Subd. 2. Acquisition from state. (a) The commissioner may sell aquatic life to licensed facilities at fair wholesale market value. Fair wholesale market value must be determined by the average market price charged in this state and contiguous states and provinces for similar quantities.

(b) The commissioner shall establish procedures to make aquatic life available to licensed facilities if state aquatic life would otherwise die or go to waste, such as in cases of winterkill lakes, waters where piscicides will be applied, and waters subject to extreme draw-down. The public must be given angling opportunities if public access is available.

(c) The commissioner shall attempt to provide opportunities to make brood stock available to licensed facilities to reduce reliance on out-of-state sources without causing adverse impacts to game fish populations.

(d) If the commissioner denies approval to obtain aquatic life outside the state, a written notice must be submitted to the applicant stating the reasons for denial, and the commissioner shall:

(1) designate approved sources if available to obtain the desired aquatic life; or

(2) sell the aquatic life from state hatcheries at fair wholesale market value if there is a surplus from state operations.

Subd. 3. Methods to harvest aquatic life. Licensed facilities may use all reasonable methods to operate and harvest aquatic life from licensed facilities, including available nets.

Subd. 4. Discharge may require permit. The discharge from an aquatic farm must comply with discharge permits required by the Minnesota Pollution Control Agency.

Subd. 5. Ownership of aquatic life. (a) Notwithstanding other provisions of law, aquatic life lawfully acquired and possessed by a licensed facility is private aquatic life and property of the owner of the licensed facility.

(b) The state may not seize or otherwise confiscate private aquatic life without due process of law, except that private aquatic life in public waters may become property of the state if the waters are not part of a licensed facility. The commissioner shall notify the licensee that the aquatic life in a

facility that is no longer licensed will become property of the state if the aquatic life is not removed. If the licensee does not respond in writing within 30 days after receiving the notice and make alternative arrangements, or does not remove the aquatic life by 60 ice-free days after receiving the notice, the private aquatic life becomes property of the state.

(c) Private aquatic life that is transferred to the state or released into public waters that are not part of a licensed facility is owned by the state and may be considered wildlife.

Subd. 6. Control of licensed waters. (a) If the public cannot legally access waters of the state that are part of a licensed aquatic farm except by permission of the licensee, the use of the waters by the public is subject to restriction by the licensee.

(b) Waters of the state may not be licensed for aquaculture use to more than one licensee.

Subd. 7. Angling in licensed waters. A person may not take fish by angling from waters subject to subdivision 6 unless the person has written permission from the licensee and:

(1) has an invoice when in possession of fish; or

(2) takes fish under an angling license, subject to the limits and conditions in the game and fish laws.

Subd. 8. Interference prohibited. A person may not knowingly damage, disturb, or interfere with legal aquatic farm operations.

17.4984 AQUATIC FARM LICENSE.

Subdivision 1. License required. (a) A person or entity may not operate an aquatic farm without first obtaining an aquatic farm license from the commissioner.

(b) Applications for an aquatic farm license must be made on forms provided by the commissioner.

(c) Licenses are valid for five years and are transferable upon notification to the commissioner.

(d) The commissioner shall issue an aquatic farm license on payment of the required license fee under section 17.4988.

(e) A license issued by the commissioner is not a determination of private property rights, but is only based on a determination that the licensee does not have a significant detrimental impact on the public resource.

(f) By January 15, 2008, the commissioner shall report to the senate and house of representatives committees on natural resource policy and finance on policy recommendations regarding aquaculture.

Subd. 2. Listed waters. (a) An aquatic farm license must list:

(1) the specific waters of the state that may be used in connection with the licensed aquatic farm and the species approved for each licensed water; and

(2) whether aeration requiring a permit is approved. Additional waters may not be used until they are approved by the commissioner.

(b) The right to use waters licensed for private fish hatchery or aquatic farm purposes may be transferred between licensees with prior approval by the commissioner if requirements for species to be raised are met. Waters that are continually connected by a permanent watercourse to other waters must not be approved for aquatic farm use, except that connected waters that are isolated from other waters may be licensed as a single water body. Waters that are intermittently connected or may become connected with other waters may be denied, or screening or other measures may be required to prevent

passage of aquatic life. Listed waters may be changed on approval by the area fisheries supervisor or the commissioner.

(c) The commissioner shall conduct an inspection of waters to be licensed prior to approving or denying initial licensing of the waters. When artificial tanks, jars, or other containers are added to existing licensed facilities, an additional inspection is not required.

(d) Waters containing game fish of significant public value may be denied licensing unless the applicant can demonstrate exclusive riparian control.

(e) Waters containing game fish of significant public value may be denied licensing unless the game fish of significant public value are, at the commissioner's option, and taking into consideration the recommendation of the licensed applicant, sold to the licensee, or removed by the Department of Natural Resources or disposed of as provided in writing by the commissioner.

(f) Waters licensed under an aquatic farm license may be aerated during open water periods without a separate aeration permit.

(g) Carp and bullheads may be removed from licensed waters, and transported and disposed of by the licensee.

Subd. 3. Listed species. (a) An aquatic farm license must list the species of aquatic life appropriate for the classification of the waters. Listed species of aquatic life may be changed on written request to and approval by the area fisheries supervisor. Species of aquatic life regulated under chapter 97A, 97B, or 97C may not be cultured unless listed on the license.

(b) All waters licensed before July 1, 1992, under a private fish farm or fish hatchery license must be approved for species listed under current licenses if other conditions for licensing are met.

(c) If licensed waters are located within a 25-year floodplain and are not enclosed within a building, species of aquatic life may be licensed at the discretion of the commissioner.

(d) Licensed waters located outside of a 25-year floodplain or enclosed within a building may be licensed for any species, except that the commissioner may deny licensing for species not present in the state.

Subd. 4. Single license for aquatic farming operation. The commissioner shall issue a single license for aquatic farming, with the following information and endorsements:

- (1) waters covered by the license;
- (2) classification of each of the licensed waters;
- (3) aeration endorsement for each licensed water where the licensee has exclusive control of riparian access or where the conditions for an aeration permit have been met; and
- (4) endorsements requested by the licensee.

Subd. 5. State list of waters. If the state uses waters of the state for aquatic farming, the state shall acquire legal access to the waters and make documentation of the access available to the public.

Subd. 6. Inspections and enforcement. (a) The premises, property, vehicles, private aquatic life, and equipment where private aquatic farm operations are being conducted are subject to reasonable and necessary inspections at reasonable times by conservation officers. The reason for the inspection must be provided in writing. The owner, operator, or designee may be present when inspections are conducted.

(b) Conservation officers may enforce sections 17.4981 to 17.4997 under section 97A.205.

Subd. 7. Nonpublic records. (a) Licensees must keep complete, up-to-date, nonpublic records of the operation of the aquatic farm. The records must remain available for at least three years.

(b) The records must be in English and include the following information:

(1) for each species acquired, the number or pounds of fish or eggs acquired, names and addresses of the sources from which acquired, and the dates of receipt;

(2) for each species sold or disposed of, the number or pounds of fish sold or disposed of, the names and addresses of the purchasers or persons to whom the conveyances are made, and the dates of sale; and

(3) for fish sperm or viable eggs, the amount acquired or sold, the names and addresses of the sources from which acquired, the purchasers to whom conveyed, and the dates of purchase or sale.

(c) On or before March 1 of each year, the licensee shall submit a complete annual report on a form furnished by the commissioner, covering the number or pounds of all species sold or purchased in the preceding licensed year.

(d) An aquatic farmer shall maintain records for reasonable inspection by the commissioner. Information on aquatic life production, harvest, and sales is nonpublic information.

17.4985 TRANSPORTATION OF AQUATIC LIFE.

Subdivision 1. Requirements for importation, transportation within the state, or stocking of fish. Except as provided in subdivision 3, a licensee may not import aquatic life into the state, transport aquatic life within the state, or stock waters of the state with aquatic life without first obtaining a bill of lading or transportation permit from the commissioner, with disease certification, if applicable.

Subd. 2. Bill of lading. (a) A state-issued bill of lading is required for:

(1) intrastate transportation of aquatic life other than salmonids and catfish between licensed private fish hatcheries, aquatic farms, or aquarium facilities licensed for the species being transported if the aquatic life is being transported into a watershed where it is not currently present, if walleyes whose original source is south of marked State Highway 210 are being transported to a facility north of marked State Highway 210, or if the original source of the aquatic life is outside Minnesota and contiguous states; and

(2) stocking of waters other than public waters with aquatic life other than salmonids and catfish.

(b) When aquatic life is transported under paragraph (a), a copy of the bill of lading must be submitted to the regional fisheries manager at least 72 hours before the transportation.

(c) For transportation and stocking of waters that are not public waters:

(1) a bill of lading must be submitted to the regional fisheries manager 72 hours before transporting fish for stocking;

(2) a bill of lading must be submitted to the regional fisheries manager within five days after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to stocking by the regional fisheries office not to be public waters; or

(3) a completed bill of lading may be submitted to the regional fisheries office by telecopy prior to transporting fish for stocking. Confirmation that the waters to be stocked are not public waters may be made by returning the bill of lading by telecopy or in writing, in which cases additional copies need not be submitted to the Department of Natural Resources.

(d) Bill of lading forms may only be issued by the Department of Natural Resources in St. Paul, and new bill of lading forms may not be issued until all previously issued forms have been returned.

Subd. 3. Exemptions for transportation permits and bills of lading. (a) A state-issued bill of lading or transportation permit is not required by an aquatic farm licensee for importation, transportation, or export for the following:

(1) minnows taken under an aquatic farm license in this state and transported intrastate;

(2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater species that cannot survive in the waters of the state, which may be imported or transported if accompanied by shipping documents;

(3) fish or fish eggs that have been processed for use as food, bait, or other purposes unrelated to fish propagation;

(4) live fish from a licensed aquatic farm, which may be transported directly to an outlet for processing or for other food purposes if accompanied by shipping documents;

(5) fish being exported if accompanied by shipping documents;

(6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation or feeding of cultural aquatic life;

(7) species of fish that are found within the state used in connection with public shows, exhibits, demonstrations, or fishing pools for periods not exceeding 14 days;

(8) fish being transported through the state if accompanied by shipping documents; or

(9) intrastate transportation of aquatic life between or within licensed private fish hatcheries, aquatic farms, or aquarium facilities licensed for the species being transported, except where required in subdivision 2 and except that salmonids and catfish may only be transferred or transported intrastate without a transportation permit if they had no record of bacterial kidney disease at the time they were imported into the state and if they have had a fish health inspection within the preceding year that has shown no certifiable diseases to be present. Aquatic life being transferred between licensed private fish hatcheries, aquatic farms, or aquarium facilities must be accompanied by shipping documents and salmonids and catfish being transferred or transported intrastate without a transportation permit must be accompanied by a copy of their most recent fish health inspection.

(b) Shipping documents required under paragraph (a) must show the place of origin, owner or consignee, destination, number, and species.

Subd. 4. Transportation permit requirements. A transportation permit is required for all importation, transportation, or stocking of private aquatic life not covered by subdivision 2 or exempted in subdivision 3. A transportation permit may be used for multiple shipments within the 30-day term for the permit if the source and the destination remains the same. Transportation permits, which may authorize importation or stocking of public waters, may be issued through Department of Natural Resources regional offices or the St. Paul office, and must be obtained prior to shipment.

Subd. 5. Permit application. An application for a transportation permit must be made on forms provided by the commissioner. An incomplete application must be rejected. An application for a transportation permit for salmonids and catfish, their eggs, or sperm must be accompanied by certification that the source of the eggs or sperm are free of certifiable diseases, except that eggs

with enteric redmouth, whirling disease, or furunculosis may be imported, transported, or stocked following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported, transported, or stocked into areas where the disease has been previously introduced. A copy of the transportation permit showing the date of certification inspection must accompany the shipment of fish while in transit and must be available for inspection by the commissioner. By 14 days after a completed application is received, the commissioner must approve or deny the importation permits as provided in this section.

Subd. 6. Vehicle identification. (a) A vehicle used by a licensee for transporting aquatic life must be identified with the licensee's name and town of residence as it appears on the license and the license number.

(b) A vehicle used by a licensee must have identification displayed so that it is readily visible from either side of the vehicle in letters and numbers not less than 2-1/2 inches high and with a three-eighths inch wide stroke. Identification may be permanently affixed to vehicles or displayed on removable plates or placards placed on opposite doors of the vehicle or on the tanks carried on the vehicle.

(c) An application to license a vehicle for minnow transport or export or for use as a fish vendor that is received by the commissioner is a temporary license until it is approved or denied.

17.4986 IMPORTATION OF AQUATIC LIFE.

Subdivision 1. Importation and stocking restrictions. A person may not import fish into or stock fish in the state without first obtaining a transportation permit with a disease certification when required or a bill of lading from the commissioner, unless the person is exempted.

Subd. 2. Licensed facilities. (a) The commissioner shall issue transportation permits to import:

(1) indigenous and naturalized species except trout, salmon, and catfish from any source to a standard facility;

(2) trout, salmon, and catfish from a nonemergency enzootic disease area to a containment facility if the fish are certified within the previous year to be free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported into areas where the disease has been previously introduced; and

(3) trout, salmon, and catfish from a facility in a nonemergency enzootic disease area with a disease-free history of three years or more to a standard facility, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported into areas where the disease has been previously introduced.

(b) If a source facility in a nonemergency enzootic disease area cannot demonstrate a history free from disease, aquatic life may only be imported into a quarantine facility.

Subd. 3. Emergency enzootic disease area. Except as otherwise provided and except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported into areas where the disease has been previously introduced, fish may be imported from emergency enzootic disease areas only as fertilized eggs under the following conditions:

(1) to be imported into a standard facility, fertilized eggs must have a disease-free history for at least five years;

(2) to be imported into a containment facility, fertilized eggs must have a disease-free history for at least three years; or

(3) to be imported into a quarantine facility, fertilized eggs may have a disease-free history of less than three years.

Subd. 4. Disease-free history. Disease-free histories required under this section must include the results of a fish health inspection. When disease-free histories of more than one year are required for importing salmonids or catfish, the disease history must be of consecutive years that include the year previous to, or the year of, the transportation request.

17.4987 STOCKING PRIVATE AQUATIC LIFE.

(a) A person may not release private aquatic life into public waters that are not licensed as part of an aquatic farm without first obtaining a transportation permit from the commissioner. The commissioner may deny issuance of a permit if releasing the private aquatic life is not consistent with the management plan for the public waters. The commissioner shall make management plans available to the public.

(b) If a permit is denied, the commissioner must provide reasons for the denial in writing.

17.4988 LICENSE AND INSPECTION FEES.

Subdivision 1. Requirements for issuance. A permit or license must be issued by the commissioner if the requirements of law are met and the license and permit fees specified in this section are paid.

Subd. 2. Aquatic farming license. (a) The annual fee for an aquatic farming license is \$210.

(b) The aquatic farming license may contain endorsements for the rights and privileges of the following licenses under the game and fish laws. The endorsement must be made upon payment of the license fee prescribed in section 97A.475 for the following licenses:

(1) minnow dealer license;

(2) minnow retailer license for sale of minnows as bait;

(3) minnow exporting license;

(4) aquatic farm vehicle endorsement, which includes a minnow dealer vehicle license, a minnow retailer vehicle license, an exporting minnow vehicle license, and a fish vendor license;

(5) sucker egg taking license; and

(6) game fish packers license.

Subd. 3. Inspection fees. The fees for the following inspections are:

(1) initial inspection of each water to be licensed, \$50;

(2) fish health inspection and certification, \$60 plus \$150 per lot thereafter; and

(3) initial inspection for containment and quarantine facility inspections, \$100.

Subd. 4. Aquarium facility. (a) A person operating a commercial aquarium facility must have a commercial aquarium facility license issued by the commissioner if the facility contains species of aquatic life that are for sale and that are present in waters of the state. The commissioner may require an aquarium facility license for aquarium facilities importing or holding species of aquatic life that are for sale and that are not present in Minnesota if those

species can survive in waters of the state. The fee for an aquarium facility license is \$90.

(b) Game fish transferred by an aquarium facility must be accompanied by a receipt containing the information required on a shipping document by section 17.4985, subdivision 3, paragraph (b).

17.4991 DISEASE TRANSMISSION.

Subdivision 1. Facility designation. (a) The licensee may apply to the commissioner for designation of all or a portion of a facility as a standard, containment, or quarantine facility on forms prescribed by the commissioner as part of the license application or separately.

(b) By 15 business days after an application is submitted, the commissioner must notify the applicant if there are any deficiencies in the application. By 30 business days after a complete application is submitted, the commissioner shall approve or deny the designation requested. A denial must include an assessment of the actual risk to wildlife populations at the particular site. A containment designation must be approved if the facility meets the disinfection requirements of subdivision 2 and complies with section 17.4982, subdivision 8.

Subd. 2. Disinfection. (a) Containment facilities must disinfect effluent prior to discharge to public waters. The effluent required to be disinfected includes water used by a containment facility in the production of the aquatic life of concern, waste or mortalities from the aquatic life of concern, and live forage or commercial feed discarded from the containment facility. Runoff from precipitation and excess water from natural springs, wells, or other sources that is not used in the production of aquatic life is not effluent to be disinfected.

(b) The disinfection must minimize the potential release of disease pathogens to wildlife susceptible to the pathogens based on a reasonable risk assessment. Disinfection treatment processes may include chlorination or other processes. If chlorine disinfection is utilized, a measurable residual level of 1.0 parts per million of active chlorine in the effluent must be maintained for one hour of retention time. The effluent must be sufficiently dechlorinated to prevent toxic adverse impacts to wildlife after discharge to public waters.

(c) A disinfection treatment process must ensure uninterrupted effluent treatment in the event of electrical power failure, a primary system failure, or other similar events that would cause treatment interruptions.

(d) The effluent disinfection process must be sited, designed, and operated in a manner that allows inspection by the commissioner at all times to determine whether adequate effluent disinfection is maintained.

(e) The commissioner may prescribe reasonable documentation of daily monitoring of treatment system performance to be included in the licensee's annual report. The records must be available for daily inspection by the commissioner during normal business hours and maintained for three years.

Subd. 3. Fish health inspection. (a) An aquatic farm propagating trout, salmon, or catfish and having an effluent discharge from the aquatic farm into public waters must have a fish health inspection conducted at least once every 12 months by a certified fish health inspector. Testing must be conducted according to approved laboratory methods.

(b) A health inspection fee must be charged based on each lot of fish sampled. The fee by check or money order payable to the Department of Natural Resources must be prepaid or paid at the time a bill or notice is

received from the commissioner that the inspection and processing of samples is completed.

(c) Upon receipt of payment and completion of inspection, the commissioner shall notify the operator and issue a fish health certificate. The certification must be made according to the Fish Health Blue Book by a person certified as a fish health inspector.

(d) All aquatic life in transit or held at transfer stations within the state may be inspected by the commissioner. This inspection may include the collection of stock for purposes of pathological analysis. Sample size necessary for analysis will follow guidelines listed in the Fish Health Blue Book.

(e) Salmonids and catfish must have a fish health inspection before being transported from a containment facility, unless the fish are being transported directly to an outlet for processing or other food purposes or unless the commissioner determines that an inspection is not needed. A fish health inspection conducted for this purpose need only be done on the lot or lots of fish that will be transported. The commissioner must conduct a fish health inspection requested for this purpose within five working days of receiving written notice. Salmonids and catfish may be immediately transported from a containment facility to another containment facility once a sample has been obtained for a health inspection or once the five-day notice period has expired.

Subd. 4. Emergency disease determination. If emergency diseases exist, the commissioner may order the aquatic life in the facility to be impounded, confiscated, sold, or destroyed and the facility disinfected. The commissioner shall make every effort to allow disposed aquatic life to be sold for market if there is no imminent danger of a significant adverse impact on natural fish populations or of escape of the pathogen to public waters.

Subd. 5. Aquaculture therapeutics registration. (a) Aquaculture therapeutics must be registered and labeled in accordance with rules adopted by the commissioner of agriculture relating to drugs and feed additives.

(b) The Department of Agriculture may not require registration of those aquaculture therapeutics designated as low regulatory priority by the United States Food and Drug Administration.

17.4992 GAME FISH.

Subdivision 1. Acquisition and purchase. Game fish sperm, viable game fish eggs, or live game fish may not be taken from public waters for aquaculture purposes, but may be purchased from the state or acquired from aquatic farms.

Subd. 2. Restriction on the sale of game fish. (a) Except as provided in paragraph (b), species of the family salmonidae or ictaluridae, except bullheads, must be free of certifiable diseases if sold for stocking or transfer to another aquatic farm.

(b) The following exceptions apply to paragraph (a):

(1) Eggs with enteric redmouth, whirling disease, or furunculosis may be transferred between licensed facilities or stocked following treatment approved by the commissioner.

(2) Fish with bacterial kidney disease may be transferred between licensed facilities or stocked in areas where the disease has been previously introduced.

(3) The commissioner may allow transfer between licensed facilities or stocking of fish with enteric redmouth or furunculosis when the commissioner determines that doing so would pose no threat to the state's aquatic resources.

Subd. 3. Acquisition of fish for brood stock. (a) Game fish brood stock may be sold to private fish hatcheries or aquatic farms by the state at fair wholesale market value. For brood stock development, up to 20 pair of adults of each species requested may be provided to a licensee once every three years, if available, by the state through normal operations.

(b) If brood stock is not available by the June 1 following the request under paragraph (a) and a permit to take brood stock by angling is requested by the licensee, within 30 days of the request, the commissioner may issue a permit to the licensee to take, by angling, up to 20 pairs of each species requested. Game and fish laws and rules relating to daily limits, seasons, and methods apply to the taking of fish by angling pursuant to a permit issued under this paragraph.

Subd. 4. Sale of eggs by the state. The commissioner may offer for sale as eggs or fry up to two percent of the department's annual game fish egg harvest. Additional eggs or fry may be sold if they are surplus to this state's program needs.

Subd. 5. Purchase of eggs dependent upon facility. Licensees may purchase game fish eggs or fry from the state at a rate based on the capacity of their facility to hatch and rear fish. Licensees may purchase walleye at a rate of no more than one-half quart of eggs or 5,000 fry for each acre or fraction of licensed surface water. This limitation may be waived if an aquatic farm is an intensive culture facility. The allowable purchase of trout or salmon eggs must be based on the capacity of rearing tanks and flow of water through the aquatic farm facility.

Subd. 6. Stocking walleyes north of marked State Highway 210. Walleyes from outside of the area of the state north of marked State Highway 210 may not be stocked in waters of the state north of marked State Highway 210 without approval by the commissioner.

17.4993 MINNOWS.

Subdivision 1. Taking from public waters. A licensee may take minnow sperm, minnow eggs, and live minnows from public waters for aquatic farm purposes under an aquatic farm license, except that sucker eggs and sperm may only be taken with a sucker egg license endorsement as provided by section 17.4994.

Subd. 2. Importation of live minnows. Minnows from outside the state may not be imported live by a licensee for purposes other than processing or feeding aquatic farm fish.

17.4994 SUCKER EGGS.

Sucker eggs may be taken from public waters with a sucker egg license endorsement, which authorizes sucker eggs to be taken at a rate of one quart of eggs for each 1-1/2 acres of licensed surface waters except that for intensive culture systems, sucker eggs may be taken at a rate of two quarts per 1,000 muskellunge fry being reared. The taking of sucker eggs from public waters is subject to chapter 97C and may be supervised by the commissioner.

17.4995 RECEIPTS TO THE GAME AND FISH FUND.

Money received by the state under sections 17.4981 to 17.4997 must be deposited in the state treasury and credited to the game and fish fund.

17.4996 WHITE EARTH INDIAN RESERVATION.

Until the commissioner reaches an agreement with the White Earth Indian Reservation regarding the acquisition and sale of aquatic life from public waters, an aquatic farm licensee may acquire and transport rough fish, as defined in section 97A.015, subdivision 43, and yellow perch lawfully acquired and possessed by a tribal member for sale under tribal laws and regulations on the White Earth Reservation. Transportation of yellow perch off the reservation must be accompanied by documentation showing the source and number of the yellow perch.

17.4997 RULES.

The commissioner may adopt rules that are consistent with sections 17.4981 to 17.4996. The commissioner must notify the Minnesota Aquaculture Commission and the commissioner of agriculture prior to publication of the proposed rules.

17.4998 VIOLATIONS; PENALTY.

Subdivision 1. Misdemeanor. Unless a different penalty is prescribed, a violation of a provision of sections 17.4981 to 17.4997 or a rule of the commissioner governing the operation of an aquatic farm, private fish hatchery, or quarantine facility is a misdemeanor.

Subd. 2. Petty misdemeanor. A first and second violation, within a three-year period, of sections 17.4981 to 17.4997 or a rule of the commissioner governing the operation of an aquatic farm, private fish hatchery, or quarantine facility is a petty misdemeanor if it does not involve intentionally falsifying records and does not put public waters or other fish hatchery facilities at risk from harmful nonindigenous species, nonindigenous strains, or emergency fish diseases.

Subd. 3. License void. The license of a person convicted of a violation of sections 17.4981 to 17.4997 or a rule of the commissioner governing the operation of an aquatic farm, private fish hatchery, or quarantine facility is void for a period of one year after the conviction if the person is convicted of two or more misdemeanors within a three-year period. If the commissioner determines that the public welfare will not be injured, the commissioner may reinstate a license voided under this subdivision.

17.4999 STORAGE, HANDLING, AND DISPOSAL OF FISH MANURE.

Fish manure from aquatic farm operations:

- (1) is subject to the same requirements under state law and rules as other animal manures; and
- (2) if managed in a pond system, may be applied as a manipulated manure under chapter 18C if certified by the commissioner.

CHAPTER 35 ANIMAL HEALTH

35.05 AUTHORITY OF STATE BOARD.

(a) The state board may quarantine or kill any domestic animal infected with, or which has been exposed to, a contagious or infectious dangerous disease if it is necessary to protect the health of the domestic animals of the state.

(b) The board may regulate or prohibit the arrival in and departure from the state of infected or exposed animals and, in case of violation of any rule or prohibition, may detain any animal at its owner's expense. The board may regulate or prohibit the importation of domestic animals which, in its opinion, may injure the health of Minnesota livestock.

(c) When the governor declares an emergency under section 35.0661, the board, through its executive director, may assume control of such resources within the University of Minnesota's Veterinary Diagnostic Laboratory as necessary to effectively address the disease outbreak. The director of the laboratory and other laboratory personnel must cooperate fully in performing necessary functions related to the outbreak or threatened outbreak.

(d) The board may test or require tests of any bovine or cervidae in the state when the board deems it necessary to achieve or maintain bovine tuberculosis accredited free state or zone status under the regulations and laws administered by the United States Department of Agriculture.

35.153 DEFINITIONS.

Subdivision 1. Applicability. The definitions in this section apply to section 17.452, this section, and section 35.155.

Subd. 2. Cervidae. "Cervidae" means animals that are members of the family Cervidae and includes, but is not limited to, white-tailed deer, mule deer, red deer, elk, moose, caribou, reindeer, and muntjac.

Subd. 3. Farmed cervidae. "Farmed cervidae" means cervidae that are:

- (1) raised for any purpose; and
- (2) registered in a manner approved by the Board of Animal Health.

Subd. 4. Owner. "Owner" means a person who owns or is responsible for the raising of farmed cervidae.

Subd. 5. Herd. "Herd" means all cervidae:

- (1) maintained on common ground for any purpose; or
- (2) under common ownership or supervision, geographically separated, but that have an interchange or movement of animals without regard to whether the animals are infected with or exposed to diseases.

35.155 FARMED CERVIDAE.

Subdivision 1. Running at large prohibited. (a) An owner may not allow farmed cervidae to run at large. The owner must make all reasonable efforts to return escaped farmed cervidae to their enclosures as soon as possible. The owner must notify the commissioner of natural resources of the escape of farmed cervidae if the farmed cervidae are not returned or captured by the owner within 24 hours of their escape.

(b) An owner is liable for expenses of another person in capturing, caring for, and returning farmed cervidae that have left their enclosures if the person capturing the farmed cervidae contacts the owner as soon as possible.

(c) If an owner is unwilling or unable to capture escaped farmed cervidae, the commissioner of natural resources may destroy the escaped farmed cervidae. The commissioner of natural resources must allow the owner to attempt to capture the escaped farmed cervidae prior to destroying the farmed

cervidae. Farmed cervidae that are not captured by 24 hours after escape may be destroyed.

Subd. 2. Wild cervidae inside confinement area. An owner or an employee or agent under the direction of the owner must destroy wild cervidae found within the owner's farmed cervidae confinement area. The owner, employee, or agent must report the wild cervidae destroyed to a conservation officer or an employee of the Department of Natural Resources, Division of Wildlife, within 24 hours. The wild cervidae must be disposed of as prescribed by the commissioner of natural resources.

Subd. 3. Farming in native elk area. A person may not raise farmed red deer in the native elk area without written approval of the commissioner of natural resources. The native elk area is the area north of U.S. Highway 2 and west of U.S. Highway 71 and Trunk Highway 72. The commissioner of natural resources shall review the proposed farming operation and approve with any condition or deny approval based on risks to the native elk population.

Subd. 4. Fencing. Farmed cervidae must be confined in a manner designed to prevent escape. All perimeter fences for farmed cervidae must be at least 96 inches in height and be constructed and maintained in a way that prevents the escape of farmed cervidae or entry into the premises.

Subd. 5. Disease control programs. Farmed cervidae are subject to this chapter and the rules of the Board of Animal Health in the same manner as other livestock and domestic animals, including provisions related to importation and transportation.

Subd. 6. Identification. (a) Farmed cervidae must be identified by means approved by the Board of Animal Health. The identification must be visible to the naked eye during daylight under normal conditions at a distance of 50 yards. Newborn animals must be identified before December 31 of the year in which the animal is born or before movement from the premises, whichever occurs first.

(b) The Board of Animal Health shall register farmed cervidae. The owner must submit the registration request on forms provided by the board. The forms must include sales receipts or other documentation of the origin of the cervidae. The board shall provide copies of the registration information to the commissioner of natural resources upon request. The owner must keep written records of the acquisition and disposition of registered farmed cervidae.

Subd. 7. Inspection. The commissioner of agriculture and the Board of Animal Health may inspect farmed cervidae, farmed cervidae facilities, and farmed cervidae records. For each herd, the owner or owners must, on or before January 1, pay an annual inspection fee equal to \$10 for each cervid in the herd as reflected in the most recent inventory submitted to the Board of Animal Health, up to a maximum fee of \$100. The commissioner of natural resources may inspect farmed cervidae, farmed cervidae facilities, and farmed cervidae records with reasonable suspicion that laws protecting native wild animals have been violated and must notify the owner in writing at the time of the inspection of the reason for the inspection and must inform the owner in writing after the inspection of whether (1) the cause of the inspection was unfounded; or (2) there will be an ongoing investigation or continuing evaluation.

Subd. 8. Cervidae inspection account. A cervidae inspection account is established in the state treasury. The fees collected under this section and interest attributable to money in the account must be deposited in the state treasury and credited to the cervidae inspection account in the special revenue fund. Money in the account, including interest earned, is appropriated to the Board of Animal Health for the administration and enforcement of this section.

Subd. 9. Contested case hearing. A person raising farmed cervidae that is aggrieved with any decision regarding the farmed cervidae may request a contested case hearing under chapter 14.

Subd. 10. Mandatory registration. A person may not possess live cervidae in Minnesota unless the person is registered with the Board of Animal Health and meets all the requirements for farmed cervidae under this section. Cervidae possessed in violation of this subdivision may be seized and destroyed by the commissioner of natural resources.

Subd. 11. Mandatory surveillance for chronic wasting disease. (a) An inventory for each farmed cervidae herd must be verified by an accredited veterinarian and filed with the Board of Animal Health every 12 months.

(b) Movement of farmed cervidae from any premises to another location must be reported to the Board of Animal Health within 14 days of the movement on forms approved by the Board of Animal Health.

(c) All animals from farmed cervidae herds that are over 16 months of age that die or are slaughtered must be tested for chronic wasting disease.

Subd. 12. Importation. A person must not import cervidae into the state from a herd that is infected or exposed to chronic wasting disease or from a known chronic wasting disease endemic area, as determined by the board. A person may import cervidae into the state only from a herd that is not in a known chronic wasting disease endemic area, as determined by the board, and the herd has been subject to a state or provincial approved chronic wasting disease monitoring program for at least three years. Cervidae imported in violation of this section may be seized and destroyed by the commissioner of natural resources.

Subd. 13. Rules. The Board of Animal Health shall adopt rules as necessary to implement this section and to otherwise provide for the control of cervidae diseases.

CHAPTERS 348 AND 604A**BOUNTIES AND REWARDS****348.12 BOUNTIES, CERTAIN ANIMALS.**

Any county board or board of town supervisors may, by resolution, offer a bounty for the destruction of gophers or ground squirrels. The resolution may be made to cover the whole or any part of the county, and may be annually renewed, but it shall have force and effect only during the calendar year in which it was adopted or renewed. The bounty shall be in such amount or amounts and apply during such months, as may be designated by the county board or board of town supervisors by resolution.

348.13 BOUNTIES PAID BY TOWNS, REQUIREMENTS.

The four feet of striped and gray gophers and woodchucks, and both front feet of pocket gophers shall be produced to the chair of the town board of the town where they were killed, and if the chair shall be satisfied that they were killed within the designated territory and by the person producing them, the chair shall certify to the county auditor the number of each kind so killed. The certificate shall be issued by the chair of the town board at the end of each month and shall show the names of all persons entitled to bounty for the preceding month, the number of each kind of animals killed, and the amount of bounty that each person is entitled to receive. The county auditor shall issue thereon a warrant on the county treasurer payable to the chair of the town board who issued the certificate, for the full amount of the bounty allowed by law according to the certificate, and upon receipt of the warrant the chair shall pay the proper persons the bounty allowed by law for the preceding month.

The chair to whom such feet are produced shall immediately cause such feet to be destroyed.

Any town board may also offer a bounty for the destruction of the animals described in section 348.12 and adopt rules for the payment thereof, which bounty so offered by a town shall be in addition to any bounty which may be offered by the board of county commissioners.

The town board of any town located in any county having over 45,000 and less than 49,000 inhabitants according to the 1950 federal census, may by resolution require that the tail instead of the feet of striped, gray and pocket gophers be produced.

**CIVIL LIABILITY LIMITATIONS
LANDOWNER LIABILITY****604A.20 POLICY.**

It is the policy of this state, in furtherance of the public health and welfare, to encourage and promote the use of land owned by a municipal power agency and privately owned lands and waters by the public for beneficial recreational purposes, and the provisions of sections 604A.20 to 604A.27 are enacted to that end.

604A.21 RECREATIONAL LAND USE; DEFINITIONS.

Subdivision 1. General. For the purposes of sections 604A.20 to 604A.27, the terms defined in this section have the meanings given them, except where the context clearly indicates otherwise.

Subd. 2. Charge. "Charge" means any admission price asked or charged for services, entertainment, recreational use, or other activity or the offering of

products for sale to the recreational user by a commercial for profit enterprise directly related to the use of the land.

Subd. 2a. Dedicated. "Dedicated" means made available by easement, license, permit, or other authorization.

Subd. 3. Land. "Land" means any of the following which is privately owned or leased or in which a municipal power agency has rights: land, easements, rights-of-way, roads, water, watercourses, private ways and buildings, structures, and other improvements to land, and machinery or equipment when attached to land.

Subd. 4. Owner. "Owner" means the possessor of a fee interest or a life estate, tenant, lessee, occupant, holder of a utility easement, or person in control of the land.

Subd. 5. Recreational purpose. "Recreational purpose" includes, but is not limited to, hunting; trapping; fishing; swimming; boating; camping; picnicking; hiking; rock climbing; cave exploring; bicycling; horseback riding; firewood gathering; pleasure driving, including snowmobiling and the operation of any motorized vehicle or conveyance upon a road or upon or across land in any manner, including recreational trail use; nature study; water skiing; winter sports; and viewing or enjoying historical, archaeological, scenic, or scientific sites. "Rock climbing" means the climbing of a naturally exposed rock face. "Cave exploring" means the planned exploration of naturally occurring cavities in rock, including passage through any structures placed for the purpose of safe access, access control, or conservation, but does not include the exploration of other manmade cavities such as tunnels, mines, and sewers.

Subd. 6. Recreational trail use. "Recreational trail use" means use on or about a trail, including but not limited to, hunting, trapping, fishing, hiking, bicycling, skiing, horseback riding, snowmobile riding, and motorized trail riding.

604A.22 OWNER'S DUTY OF CARE OR DUTY TO GIVE WARNINGS.

Except as provided in section 604A.25, an owner who gives written or oral permission for the use of the land for recreational purposes without charge:

- (1) owes no duty of care to render or maintain the land safe for entry or use by other persons for recreational purpose;
- (2) owes no duty to warn those persons of any dangerous condition on the land, whether patent or latent;
- (3) owes no duty of care toward those persons except to refrain from willfully taking action to cause injury; and
- (4) owes no duty to curtail use of the land during its use for recreational purpose.

604A.23 OWNER'S LIABILITY.

An owner who gives written or oral permission for the use of the land for recreational purposes without charge does not by that action:

- (1) extend any assurance that the land is safe for any purpose;
- (2) confer upon the person the legal status of an invitee or licensee to whom a duty of care is owed; or
- (3) assume responsibility for or incur liability for any injury to the person or property caused by an act or omission of the person.

604A.24 LIABILITY; LEASED LAND, WATER-FILLED MINE PITS; MUNICIPAL POWER AGENCY LAND.

Unless otherwise agreed in writing, sections 604A.22 and 604A.23 also apply to the duties and liability of an owner of the following land:

(1) land leased to the state or any political subdivision for recreational purpose; or

(2) idled or abandoned, water-filled mine pits whose pit walls may slump or cave, and to which water the public has access from a water access site operated by a public entity; or

(3) land of which a municipal power agency is an owner and that is used for recreational trail purposes, and other land of a municipal power agency which is within 300 feet of such land if the entry onto such land was from land that is dedicated for recreational purposes or recreational trail use.

604A.25 OWNER'S LIABILITY; NOT LIMITED.

Except as set forth in this section, nothing in sections 604A.20 to 604A.27 limits liability that otherwise exists:

(1) for conduct which, at law, entitles a trespasser to maintain an action and obtain relief for the conduct complained of; or

(2) for injury suffered in any case where the owner charges the persons who enter or go on the land for the recreational purpose, except that in the case of land leased or dedicated to the state or a political subdivision, any consideration received from the state or political subdivision by the owner for the lease or dedication is not considered a charge within the meaning of this section.

Except for conduct set forth in section 604A.22, clause (3), a person may not maintain an action and obtain relief at law for conduct referred to by clause (1) in this section if the entry upon the land is incidental to or arises from access granted for the recreational trail use of land dedicated, leased, or permitted by the owners for recreational trail use.

604A.26 LAND USER'S LIABILITY.

Nothing in sections 604A.20 to 604A.27 relieves any person using the land of another for recreational purpose from any obligation that the person may have in the absence of sections 604A.20 to 604A.27 to exercise care in use of the land and in the person's activities on the land, or from the legal consequences of failure to employ that care.

604A.27 DEDICATION; EASEMENT.

No dedication of any land in connection with any use by any person for a recreational purpose takes effect in consequence of the exercise of that use for any length of time except as expressly permitted or provided in writing by the owner, nor shall the grant of permission for the use by the owner grant to any person an easement or other property right in the land except as expressly provided in writing by the owner.

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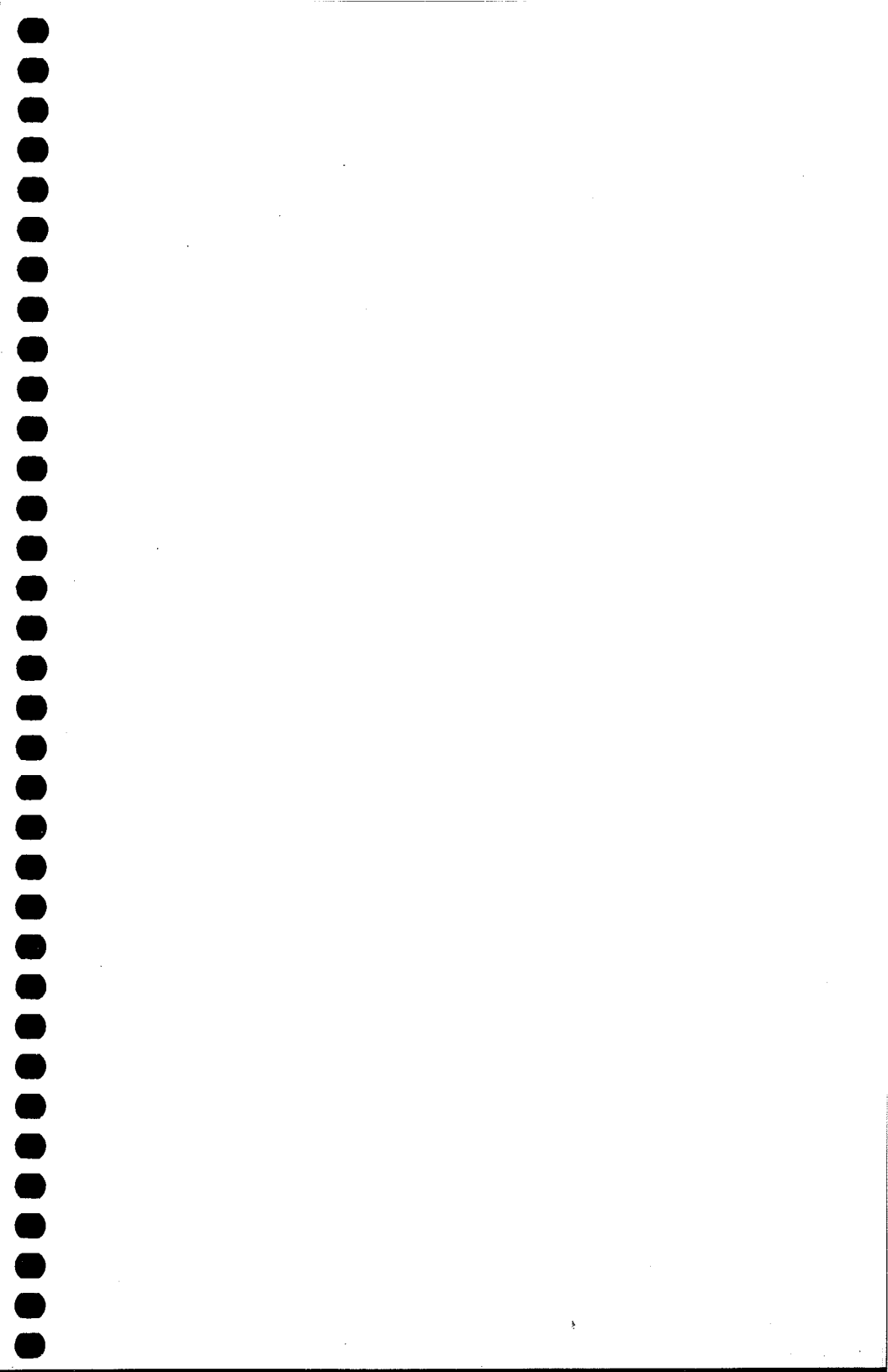
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During the period of 1891 to 1915, the Minnesota Legislature established a Board of Game and Fish Commissioners. The commissioners were authorized to enforce the game and fish laws. They were also given the power to appoint game wardens and deputy game wardens. The circle star badge (on cover) represents one of the earliest known Minnesota Game Warden badges.

For more information, contact:

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*Minnesota's Conservation Officers
Celebrating 120 years of Service
1887-2007*

2007 Minnesota Game & Fish Laws

Including Related Statutes and Rules

Vol. 2 Rules



State of Minnesota

**Game and Fish Laws
and Related Statutes and Rules**

Volume 2 - Rules

2007

[Includes Rule Changes Through August 31,2007]

Department of Natural Resources

Minnesota DNR Enforcement celebrates 120 years

The year 2007 marked the 120th anniversary of Minnesota conservation law enforcement.

The year is 1887. The Boone and Crockett Club is organized to protect U.S. wildlife from ruthless slaughter by commercial market hunters. Its founders are a group of "American hunting riflemen" including Theodore Roosevelt.

The year 1887 also marked a milestone in the history of conservation in Minnesota when the legislature appointed W.F. Zwickey as the first Minnesota Game Warden. His mission: cover the entire State enforcing game and fish laws. Never mind there was no salary, no expense money and no personnel to assist him. It is not surprising that Zwickey lasted less than two years before taking another law enforcement position in Washington state.

In 1889 the legislature deleted the position entirely, shifting the enforcement of "wildlife" laws back to local sheriffs, policemen and constables. Two years later the position of Game Warden was reestablished. He received a small salary and could select four unpaid deputies to assist.

Over the coming decades there would be much change, but that did little to lessen the danger of the job, with nineteen officers dying in the line of duty since the inception of the division. Game Wardens Marcus Whipps, Melvin Holt, and Dudley Brady were murdered on July 12, 1940 during a check of a commercial fish selling operation near Waterville.

Flash forward to 2007. The job title has changed from Game Warden to Conservation Officer. There are 155 field Conservation Officers enforcing a bevy of natural resources laws, as well as Conservation Officer/Pilots, Regional Training Officers, Wetlands Enforcement Officers, Community Liaison Officers, a Special Investigation Unit, and supervisory staff. Today, some 204 licensed Conservation Officers and a small support staff are dedicated to protecting and preserving Minnesota's natural resources.

Despite 120 years of change the fundamental mission for Minnesota's Conservation Officers has remained the same: enforce the laws that protect and preserve Minnesota's outdoor heritage for generations to come.

FORWARD

Game and Fish Rules

To increase public input into and awareness of regulations, statutory rulemaking processes are used to establish game and fish and general resource protection regulations. Rules cannot be adopted without specific statutory authority. These authority statutes control the type of the rule adoption process to be used in any given instance. There are several types of rule adoption processes available.

PERMANENT RULE PROCESSES

Permanent rules require the most elaborate process, but do not expire once adopted. The permanent rule process provides an opportunity for public comment, and provides for public hearings for controversial rules. Permanent rules can be temporarily amended by emergency rule and can permanently amended by a new permanent rule.

Exempt rules are another type of permanent rule. These exempt rules have the same effect as permanent rules. These rules are called exempt rules because they are exempt from the regular permanent rule process provisions, and have an alternative rule process authorized by statute. An example of an exempt rule is the experimental and special management waters designation used for fishing.

EXPEDITED EMERGENCY AND EMERGENCY RULE PROCESSES

Expedited emergency and emergency rule processes are used for most shorter term regulatory needs, such as season settings and season quotas. Exempt emergency and emergency rules are not permanent. They can temporarily amend permanent rules or other emergency rules. Emergency rules can be new temporary language. Effective dates can be specified within the rule or the rules can be effective for up 18 months. If an emergency rule expires, the language reverts to any preexisting permanent rule language. If there is no preexisting permanent rule language, the regulatory provision ceases to exist.

HOW TO USE THE GAME AND FISH RULES

To successfully locate and use all the rules, follow these steps:

- 1) Find the appropriate heading in the Table of Contents, or the Index to Rules.
- 2) Locate the permanent rule language.
- 3) Check for any emergency rule language.
(Note: Be sure to check effective dates of any emergency rules you locate.)
- 4) When the permanent rules and emergency rules are read together, the full effect of the rules can be determined.

Permanent Rules can be found on the Revisor of Statutes website at:
<http://www.leg.state.mn.us/leg/statutes.asp>.

Emergency Rules will be posted on the Department of Natural Resources' website at:
http://www.dnr.state.mn.us/aboutdnr/laws_treaties/emergency_rules/index.html.
The official copies of emergency rules are published in the State Register and can be found at: http://www.comm.media.state.mn.us/bookstore/state_register_archives.asp.
This web page, while the official publication source, is more difficult to use than the Department of Natural Resource's website.

STEWARDSHIP

*Your Creator
Has filled the earth
With all things
To sustain you.
And has found them
To be good.
While you dwell
Among the mortals,
You may partake
Thereof.
Use them wisely
And judiciously.
Guard them closely.
Squander them not.
If you are untrue
To this sacred trust
Mankind
Shall not be
Perpetuated
But shall banish
Itself
From the earth.*

Richard J. Dorer

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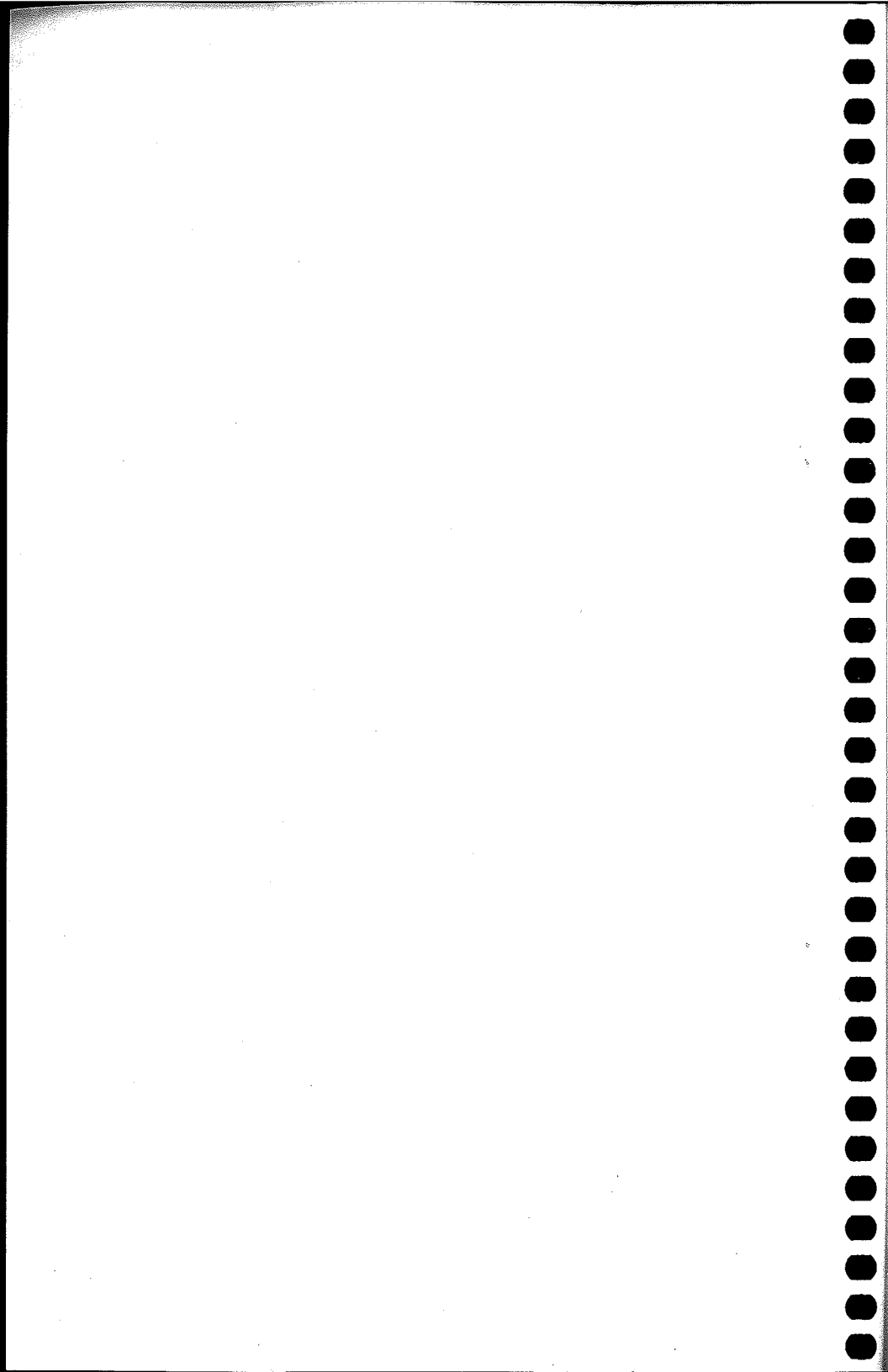
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RESTITUTION VALUES FOR FISH AND WILDLIFE CHAPTER 6133

6133.0010 STATUTORY AUTHORITY.

Pursuant to Minnesota Statutes, section 97A.345, the restitution values to the state of species of wild animals listed in this chapter are prescribed as indicated.

6133.0020 DEFINITIONS.

Subpart 1. Scope. For the purposes of this chapter, the following terms have the meanings given them, unless otherwise provided.

Subp. 2. Big game. "Big game" has the meaning given in Minnesota Statutes, section 97A.015, subdivision 3.

Subp. 3. Endangered animal species. "Endangered animal species" are those animals designated as endangered in part 6134.0200.

Subp. 4. Fur-bearing animals. "Fur-bearing animals" has the meaning given in Minnesota Statutes, section 97A.015, subdivision 22.

Subp. 5. Game birds. "Game birds" has the meaning given in Minnesota Statutes, section 97A.015, subdivision 24.

Subp. 6. Game fish. "Game fish" has the meaning given in Minnesota Statutes, section 97A.015, subdivision 25.

Subp. 7. Minnows. "Minnows" has the meaning given in Minnesota Statutes, section 97A.015, subdivision 29.

Subp. 8. Small game. "Small game" has the meaning given in Minnesota Statutes, section 97A.015, subdivision 45.

Subp. 9. Sunfish. "Sunfish" has the meaning given in Minnesota Statutes, section 97A.015, subdivision 46.

Subp. 10. Threatened animal species. "Threatened animal species" are those animals designated as threatened in part 6134.0200.

Subp. 11. Trophy animal. "Trophy animal" is defined for deer, elk, and moose as an animal with antlers that meet or exceed the score specified in items A to D when measured using the Boone and Crockett Club's official scoring system for North American big game trophies (Nesbitt, W.H. and J. Reneau, eds., Records of North American Big Game, Ninth Edition, The Boone and Crockett Club, Dumfries, VA, 1988, 498 pp.). This scoring system is incorporated by reference and is available through the Minitex interlibrary loan system and is not subject to frequent change:

- A. white-tailed deer (typical), score of 135;
- B. white-tailed deer (nontypical), score of 160;
- C. moose, score of 145; and
- D. elk, score of 260.

Trophy animal is defined for black bear as an animal with a skull that meets or exceeds a score of 20 using the Boone and Crockett Club's official scoring system for North American big game trophies (id.)

For the purposes of this chapter, antlers or skulls may be measured at any time; no drying period is required.

6133.0030 GAME BIRDS.

The restitution values for game bird species are as follows:

- A. turkey (wild), \$400;
- B. pheasant, \$50;
- C. quail, \$50;

- D. chukar partridge, \$50;
- E. gray partridge, \$50;
- F. ruffed grouse, \$50;
- G. sharp-tailed grouse, \$50;
- H. spruce grouse, \$50;
- I. greater prairie chicken, \$500;
- J. American woodcock, \$50;
- K. common snipe, \$50;
- L. sora, Virginia rails, \$50;
- M. gallinules, \$50;
- N. coot, \$25;
- O. ducks and mergansers, except canvasback, \$50;
- P. canvasback, \$100;
- Q. geese, \$50;
- R. tundra swan, \$200; and
- S. trumpeter swan, \$1,000.

6133.0040 BIG GAME.

Subpart 1. General. The restitution values for big game species are as follows:

- A. deer, \$500;
- B. elk, \$1,000;
- C. caribou, \$1,000;
- D. moose, \$1,000;
- E. pronghorn antelope, \$500; and
- F. black bear, \$400.

Subp. 2. Adjustments for trophy animals. The restitution values for deer, elk, moose, and bear may be increased to twice the amount listed in subpart 1 if the animal is a trophy animal.

6133.0050 SMALL GAME.

The restitution values for small game species other than game birds are as follows:

- A. cottontail rabbit, \$20;
- B. jack rabbit, \$20;
- C. snowshoe hare, \$20;
- D. fox and gray squirrel, \$20;
- E. red and gray fox, \$30;
- F. wolverine, \$1,000;
- G. badger, \$100;
- H. otter, \$100;
- I. pine marten, \$100;
- J. fisher, \$100;
- K. mink, \$30;
- L. raccoon, \$30;
- M. beaver, \$30;
- N. muskrat, \$30;
- O. opossum, \$30;
- P. bobcat, \$100;
- Q. lynx, \$500; and
- R. cougar, \$1,000.

6133.0060 ENDANGERED ANIMAL SPECIES.

The restitution values for endangered animal species are as follows:

- A. mammals and birds, \$4,000; and
- B. all other animals, \$2,000.

6133.0070 THREATENED ANIMAL SPECIES.

The restitution values for threatened animal species are as follows:

- A. mammals and birds, \$2,000; and
- B. all other animals, \$500.

6133.0075 GRAY WOLVES.

The restitution value for gray wolves is \$2,000.

6133.0080 GAME FISH.

Subpart 1. General. Except for fish covered in subparts 2 and 3, the values in this subpart apply. For fish species that do not have a designated quality size, or for fish that have a total length equal to or less than the designated quality size, the restitution value is the base value shown in the following table. For fish that have a length that exceeds the designated quality size, the restitution value is the base value plus \$10 for every inch over the quality size.

	Base Value	Quality size in inches
A. Walleye	\$ 30	22
B. Sauger	30	15
C. Northern pike	30	32
D. Black bass (largemouth, smallmouth)	30	16
E. Sunfish (bluegill, pumpkinseed, green sunfish, orange spotted sunfish, longear sunfish, warmouth, hybrid sunfish)	5	8
F. White and black crappie	5	11
G. Yellow perch	10	10
H. Rock bass	5	8
I. White bass, yellow bass	5	9
J. Channel catfish	10	26
K. Flathead catfish	25	28
L. Chinook salmon	50	28
M. Coho, Atlantic salmon	30	20
N. Kokanee, pink, other Salmon	30	17
O. Lake trout	50	22
P. Splake	50	15
Q. Brook trout	30	17
R. Brown trout	30	21
S. Rainbow (steelhead) trout	30	23
T. Paddlefish	500	
U. Lake sturgeon	500	

	Base Value	Quality size in inches
V. Shovelnose sturgeon	200	
W. Sturgeon hybrids	same value as morphologically nearest parent	

Subp. 2. Muskellunge. Except as provided in subpart 3, item D, the restitution values for muskellunge are as follows:

- A. 4 to less than 30 inches, \$40;
- B. 30 to less than 40 inches, \$200;
- C. 40 to less than 50 inches, \$500; and
- D. 50 inches and over, \$1,000 plus \$100 for each inch over 50 inches.

Subp. 3. Game fish less than four inches. The restitution values for fish that are less than four inches in length are as follows:

- A. green or orange spotted sunfish less than four inches in length, no value;
- B. yellow perch and members of the Centrarchidae family (bluegill, pumpkinseed, longear sunfish, warmouth, hybrid sunfish, black bass, rock bass, and crappie), except for green or orange spotted sunfish, that are less than four inches in length, ten cents per fish;
- C. walleye taken on Lake Superior or in St. Louis bay that are less than two inches in length, ten cents per fish; and
- D. all other game fish that are less than four inches in length and not included in items A to C, \$1 per fish.

6133.0090 MINNOWS.

The restitution values for minnows are as follows:

- A. cyprinidae, fair market value at time of violation;
- B. umbridae, 50 cents a pound;
- C. catostomidae, 50 cents a pound;
- D. bullhead (7 inches or less), 50 cents a pound;
- E. cisco (7 inches or less), 50 cents a pound;
- F. lake whitefish (7 inches or less), \$1 a pound;
- G. goldeyes and mooneyes (7 inches or less), 50 cents a pound; and
- H. leeches, fair market value at time of violation.

SPECIES THAT ARE ENDANGERED, THREATENED, OR OF SPECIAL CONCERN CHAPTER 6134

6134.0100 STATUTORY AUTHORITY.

Pursuant to Minnesota Statutes, section 84.0895, the species of wild animals and plants listed in parts 6134.0200 to 6134.0400 are designated as endangered, threatened, or of special concern, as indicated in those parts.

6134.0150 PURPOSE AND SCOPE.

Minnesota Statutes, section 84.0895, subdivision 3, requires the commissioner of natural resources to adopt rules designating species meeting the statutory definitions of endangered, threatened, or species of special concern. Minnesota Statutes, section 84.0895, subdivision 5, authorizes the commissioner to adopt rules that regulate treatment of species designated as endangered or threatened. Thus, two different sets of rules have been adopted: parts 6134.0100 to 6134.0400 designate species in the three statutory categories; and parts 6212.1800 to 6212.2300 create regulations for species designated as endangered or threatened.

Species designated as species of special concern are not protected by Minnesota Statutes, section 84.0895 or rules adopted under that section. Parts 6212.1800 to 6212.2300 and Minnesota Statutes, section 84.0895, impose a variety of restrictions, a permit program, and several exemptions pertaining to species designated as endangered or threatened. Among these are that acts otherwise prohibited may be allowed by permit issued by the commissioner; plants on certain agricultural lands and plants destroyed in consequence of certain agricultural practices are exempt; and the accidental, unknowing destruction of designated plants is exempt. Parts 6134.0100 to 6134.0400 do not address protection of habitat for species designated as endangered, threatened, or species of special concern, nor do they obligate anyone to survey lands for the presence of designated species.

Persons are advised to read the full text of parts 6134.0100 to 6134.0400 and 6212.1800 to 6212.2300 and Minnesota Statutes, section 84.0895, in order to understand all Department of Natural Resources regulations pertaining to species that are designated as endangered, threatened, or species of special concern.

6134.0200 ANIMAL SPECIES.

Subpart 1. Mammals. The scientific names and the common names in this subpart are according to the Revised Checklist of North American Mammals North of Mexico, J. K. Jones, et al., 1992. The following species of mammals are designated as:

- A. Endangered: none.
- B. Threatened: *Spilogale putorius*, eastern spotted skunk.
- C. Of special concern:
 - (1) *Canis lupus*, gray wolf;
 - (2) *Cervus elaphus*, elk;
 - (3) *Cryptotis parva*, least shrew;
 - (4) *Felis concolor*, mountain lion;
 - (5) *Microtus ochrogaster*, prairie vole;
 - (6) *Microtus pinetorum*, woodland vole;
 - (7) *Mustela nivalis*, least weasel;

- (8) *Myotis septentrionalis*, northern myotis;
- (9) *Perognathus flavescens*, plains pocket mouse;
- (10) *Phenacomys intermedius*, heather vole;
- (11) *Pipistrellus subflavus*, eastern pipistrelle;
- (12) *Sorex fumeus*, smokey shrew;
- (13) *Synaptomys borealis*, northern bog lemming; and
- (14) *Thomomys talpoides*, northern pocket gopher.

Subp. 2. Birds. The scientific names and the common names in this subpart are according to the American Ornithologists Union Checklist, 1983, and Supplements (1985, 1987, 1989, 1991, 1993, and 1995). The following species of birds are designated as:

A. Endangered:

- (1) *Ammodramus bairdii*, Baird's sparrow;
- (2) *Ammodramus henslowii*, Henslow's sparrow;
- (3) *Anthus spragueii*, Sprague's pipit;
- (4) *Speotyto cunicularia*, burrowing owl;
- (5) *Calcarius ornatus*, chestnut-collared longspur;
- (6) *Charadrius melodus*, piping plover; and
- (7) *Rallus elegans*, king rail.

B. Threatened:

- (1) *Cygnus buccinator*, trumpeter swan;
- (2) *Falco peregrinus*, peregrine falcon;
- (3) *Lanius ludovicianus*, loggerhead shrike;
- (4) *Phalaropus tricolor*, Wilson's phalarope;
- (5) *Podiceps auritus*, horned grebe; and
- (6) *Sterna hirundo*, common tern.

C. Of special concern:

- (1) *Ammodramus nelsoni*, Nelson's sharp-tailed sparrow;
- (2) *Asio flammeus*, short-eared owl;
- (3) *Buteo lineatus*, red-shouldered hawk;
- (4) *Coturnicops noveboracensis*, yellow rail;
- (5) *Dendroica cerulea*, cerulean warbler;
- (6) *Empidonax virescens*, acadian flycatcher;
- (7) *Gallinula chloropus*, common moorhen;
- (8) *Haliaeetus leucocephalus*, bald eagle;
- (9) *Larus pipixcan*, Franklin's gull;
- (10) *Limosa fedoa*, marbled godwit;
- (11) *Pelecanus erythrorhynchos*, American white pelican;
- (12) *Seiurus motacilla*, Louisiana water thrush;
- (13) *Sterna forsteri*, Forster's tern;
- (14) *Tympanuchus cupido*, greater prairie-chicken; and
- (15) *Wilsonia citrina*, hooded warbler.

Subp. 3. Amphibians and reptiles. The scientific names and the common names in this subpart are according to Standard Common and Current Scientific Names for North American Amphibians and Reptiles, third edition, J.T. Collins, et al., 1990. The following species of amphibians and reptiles are designated as:

A. Endangered:

- (1) *Acris crepitans*, northern cricket frog; and
- (2) *Sistrurus catenatus*, massasauga.

B. Threatened:

- (1) *Clemmys insculpta*, wood turtle;

- (2) *Crotalus horridus*, timber rattlesnake; and
- (3) *Emydoidea blandingii*, Blanding's turtle.

C. Of special concern:

- (1) *Apalone mutica*, smooth softshell;
- (2) *Chelydra serpentina*, snapping turtle;
- (3) *Coluber constrictor*, racer;
- (4) *Elaphe obsoleta*, rat snake;
- (5) *Eumeces fasciatus*, five-lined skink;
- (6) *Hemidactylium scutatum*, four-toed salamander;
- (7) *Heterodon nasicus*, western hognose snake;
- (8) *Pituophis catenifer*, gopher snake; and
- (9) *Tropidoclonion lineatum*, lined snake.

Subp. 4. Fish. The common names in this subpart are according to A List of Common and Scientific Names of Fishes from the United States and Canada, fifth edition, American Fisheries Society, 1991. The following species of fish are designated as:

A. Endangered: none.

B. Threatened: *Polyodon spathula* (Walbaum), paddlefish.

C. Of special concern:

- (1) *Acipenser fulvescens* Rafinesque, lake sturgeon;
- (2) *Alosa chrysochloris* (Rafinesque), skipjack herring;
- (3) *Ammocrypta asprella* (Jordan), crystal darter;
- (4) *Aphredoderus sayanus* (Gilliams), pirate perch;
- (5) *Coregonus kiyi* (Koelz), kiyi;
- (6) *Coregonus zenithicus* (Jordan & Evermann), shortjaw cisco;
- (7) *Cycleptus elongatus* (Lesueur), blue sucker;
- (8) *Erimystax x-punctata* (Hubbs & Crowe), gravel chub;
- (9) *Etheostoma microperca* Jordan & Gilbert, least darter;
- (10) *Fundulus sciadicus* Cope, plains topminnow;
- (11) *Ichthyomyzon fossor* Reighard & Cummins, northern brook lamprey;
- (12) *Ichthyomyzon gagei* Hubbs & Trautman, southern brook lamprey;
- (13) *Ictiobus niger* (Rafinesque), black buffalo;
- (14) *Morone mississippiensis* Jordan and Eigenmann, yellow bass;
- (15) *Notropis amnis* Hubbs and Greene, pallid shiner;
- (16) *Notropis anogenus* Forbes, pugnose shiner;
- (17) *Notropis nubilus* (Forbes), Ozark minnow;
- (18) *Notropis topeka* (Gilbert), Topeka shiner;
- (19) *Noturus exilis* Nelson, slender madtom; and
- (20) *Percina evides* (Jordan & Copeland), gilt darter.

Subp. 5. Repealed, 1995

Subp. 6. Mollusks. The common and scientific names in this subpart are according to Common and Scientific Names of Aquatic Invertebrates from the United States and Canada: Mollusks, American Fisheries Society, 1988 and Summary Status Reports on Eight Species of Candidate Land Snails from the Driftless Area (Paleozoic Plateau), Upper Midwest (Report to USFWS), T.J. Frest, 1991. The following species of mollusks are designated as:

A. Endangered:

- (1) *Arcidens confragosus* (Say), rock pocketbook;
- (2) *Elliptio crassidens* (Lamarck), elephant-ear;
- (3) *Fusconaia ebena* (I. Lea), ebonyshell;
- (4) *Lampsilis higginsii* (I. Lea), Higgins eye;

(5) *Lampsilis teres* (Rafinesque), yellow sandshell;
 (6) *Novasuccinea* n. sp. Minnesota B Hoagland & Davis, Iowa pleistocene ambersnail;

- (7) *Plethobasus cyphus* (Rafinesque), sheephose;
 (8) *Quadrula fragosa* (Conrad), winged mapleleaf;
 (9) *Quadrula nodulata* (Rafinesque), wartyback; and
 (10) *Vertigo hubrichti hubrichti* (Pilsbry), midwest pleistocene vertigo.

B. Threatened:

(1) *Actinonaias ligamentina* (Lamarck), mucket;
 (2) *Alasmidonta marginata* Say, elktoe;
 (3) *Cumberlandia monodonta* (Say), spectaclecase;
 (4) *Cyclonaias tuberculata* (Rafinesque), purple wartyback;
 (5) *Ellipsaria lineolata* (Rafinesque), butterfly;
 (6) *Epioblasma triquetra* (Rafinesque), snuffbox;
 (7) *Megalonaias nervosa* (Rafinesque), washboard;
 (8) *Novasuccinea* n. sp. Minnesota A Hoagland & Davis, Minnesota pleistocene ambersnail;

(9) *Pleurobema coccineum* (Conrad), round pigtoe;
 (10) *Quadrula metanevra* (Rafinesque), monkeyface;
 (11) *Simpsonaias ambigua* (Say), salamander mussel;
 (12) *Tritogonia verrucosa* (Rafinesque), pistolgrip;
 (13) *Venustaconcha ellipsiformis* (Conrad), ellipse;
 (14) *Vertigo hubrichti variabilis* n. subsp., variable pleistocene vertigo;

and

(15) *Vertigo meramecensis* Van Devender, bluff vertigo.

C. Of special concern:

- (1) *Elliptio dilatata* (Rafinesque), spike;
 (2) *Lasmigona compressa* (I. Lea), creek heelsplitter;
 (3) *Lasmigona costata* (Rafinesque), fluted-shell;
 (4) *Ligumia recta* (Lamarck), black sandshell; and
 (5) *Obovaria olivaria* (Rafinesque), hickory nut.

Subp. 7. Jumping spiders. The following species of jumping spiders are designated as:

A. Endangered: none.

B. Threatened: none.

C. Of special concern:

- (1) *Habronattus texanus* Griswold;
 (2) *Marpissa grata* (Gertsch);
 (3) *Metaphidippus arizonensis* (Peckham & Peckham);
 (4) *Paradamoetas fontana* (Levi);
 (5) *Phidippus apacheanus* Chamberlin & Gertsch;
 (6) *Phidippus pius* Scheffer;
 (7) *Sassacus papenhoei* Peckham & Peckham; and
 (8) *Tutelina formicaria* (Emerton).

Subp. 8. Butterflies and moths. The following species of butterflies and moths are designated as:

A. Endangered:

(1) *Erynnis persius* (Scudder), persius dusky wing;
 (2) *Hesperia comma assiniboia* (Lyman), assiniboia skipper;
 (3) *Hesperia uncas* W.H. Edwards, uncas skipper;
 (4) *Lycaeides melissa samuelis* Nabokov, Karner blue; and

(5) *Oeneis uhleri varuna*, (W.H. Edwards), Uhler's arctic.

B. Threatened:

- (1) *Hesperia dacotae* (Skinner), Dakota skipper;
- (2) *Hesperia ottoe* W.H. Edwards, ottoe skipper; and
- (3) *Oarisma garita* (Reakirt), garita skipper.

C. Of special concern:

- (1) *Atrytone arogos* (Boisduval &> Leconte), arogos skipper;
- (2) *Erebia disa mancinus* Doubleday &> Hewitson, disa alpine;
- (3) *Hesperia leonardus* Harris, leonardus skipper;
- (4) *Lycaeides idas nabokovi* Masters, Nabokov's blue;
- (5) *Oarisma powesheik* (Parker), powesheik skipper;
- (6) *Pyrgus centaureae freija* (Warren), grizzled skipper;
- (7) *Schinia indiana* (J.B. Smith), phlox moth; and
- (8) *Speyeria idalia* (Drury), regal fritillary.

Subp. 9. Caddis flies. The following species of caddis flies are designated as:

A. Endangered: *Chilostigma itasca* Wiggins.

B. Threatened: none.

C. Of special concern:

- (1) *Agapetus tomus* Ross;
- (2) *Asynarchus rossi* Leonard &> Leonard;
- (3) *Ceraclea brevis* (Etnier);
- (4) *Ceraclea vertreesi* (Denning);
- (5) *Hydroptila metoea* Blickle &> Morse;
- (6) *Hydroptila novicola* Blickle &> Morse;
- (7) *Hydroptila tortosa* Ross;
- (8) *Oxyethira ecornuta* Morton;
- (9) *Oxyethira itasca* Monson &> Holzenthal;
- (10) *Polycentropus milaca* Etnier;
- (11) *Protophila talola* Denning; and
- (12) *Setodes guttatus* (Banks).

Subp. 10. Tiger beetles. The following species of tiger beetles are designated as:

A. Endangered:

- (1) *Cicindela fulgida fulgida* Say; and
- (2) *Cicindela limbata nympha* Casey.

B. Threatened:

- (1) *Cicindela denikei* W.J. Brown;
- (2) *Cicindela fulgida westbournei* Calder; and
- (3) *Cicindela lepida* Dejean.

C. Of special concern:

- (1) *Cicindela hirticollis rhodensis* Calder;
- (2) *Cicindela macra macra* Leconte;
- (3) *Cicindela patruela patruela* Dejean; and
- (4) *Cicindela splendida cyanocephalata* Eckhoff.

Subp. 11. Leafhoppers. The following species of leafhoppers are designated as:

A. Endangered: none.

B. Threatened: none.

C. Of special concern: *Aflexia rubranura* (DeLong).

Subp. 12. Dragonflies. The following species of dragonflies are designated as:

A. Endangered: none.

B. Threatened: none.

C. Of special concern:

- (1) *Ophiogomphus anomalis* Harvey; and
- (2) *Ophiogomphus susbehcha* Vogt & Smith.

6134.0300 VASCULAR PLANTS.

The following species of vascular plants are designated as:

A. Endangered:

- (1) *Agalinis auriculata* (Michx.) Blake, Scrophulariaceae;
- (2) *Agalinis gattingeri* (Sm.) Sm. ex Britt., Scrophulariaceae;
- (3) *Asclepias stenophylla* Gray, Asclepiadaceae;
- (4) *Astragalus alpinus* L., Fabaceae;
- (5) *Bartonia virginica* (L.) B.S.P., Gentianaceae;
- (6) *Botrychium gallicomontanum* Farrar & Johnson-Groh,

Ophioglossaceae;

- (7) *Botrychium oneidense* (Gilbert) House, Ophioglossaceae;
- (8) *Botrychium pallidum* W.H. Wagner, Ophioglossaceae;
- (9) *Cacalia suaveolens* L., Asteraceae;
- (10) *Caltha natans* Pallas ex Georgi, Ranunculaceae;
- (11) *Carex formosa* Dewey, Cyperaceae;
- (12) *Carex pallescens* L., Cyperaceae;
- (13) *Carex plantaginea* Lam., Cyperaceae;
- (14) *Castilleja septentrionalis* Lindl., Scrophulariaceae;
- (15) *Cheilanthes lanosa* (Michaux) D.C. Eaton, Pteridaceae;
- (16) *Chrysosplenium iowense* Rydb., Saxifragaceae;
- (17) *Cristatella jamesii* T. & G., Capparidaceae;
- (18) *Dodecatheon meadia* L., Primulaceae;
- (19) *Draba norvegica* Gunn., Brassicaceae;
- (20) *Eleocharis wolfii* Gray, Cyperaceae;
- (21) *Empetrum eamesii* Fern. & Wieg., Empetraceae;
- (22) *Empetrum nigrum* L., Empetraceae;
- (23) *Erythronium propullans* Gray, Liliaceae;
- (24) *Escobaria vivipara* (Nutt.) Buxbaum, Cactaceae;
- (25) *Fimbristylis puberula* (Michx.) Vahl var. *interior* (Britt.) Kral,

Cyperaceae;

- (26) *Glaux maritima* L., Primulaceae;
- (27) *Hydrastis canadensis* L., Ranunculaceae;
- (28) *Iodanthus pinnatifidus* (Michx.) Steud., Brassicaceae;
- (29) *Isoetes melanopoda* Gay & Dur., Isoetaceae;
- (30) *Lechea tenuifolia* Michx., Cistaceae;
- (31) *Lesquerella ludoviciana* (Nutt.) S. Wats., Brassicaceae;
- (32) *Listera auriculata* Wieg., Orchidaceae;
- (33) *Malaxis paludosa* (L.) Sw., Orchidaceae;
- (34) *Marsilea vestita*, Hooker & Greville, Marsileaceae;
- (35) *Montia chamissoi* (Ledeb. ex Spreng.) Greene, Portulacaceae;
- (36) *Oryzopsis hymenoides* (R. & S.) Ricker ex Piper, Poaceae;
- (37) *Osmorhiza berteroi* H. & A., Apiaceae;
- (38) *Oxytropis viscida* Nutt., Fabaceae;
- (39) *Paronychia fastigiata* (Raf.) Fern., Caryophyllaceae;
- (40) *Parthenium integrifolium* L., Asteraceae;

(41) *Platanthera flava* (L.) Lindl. var. *herbiola* (R. Br.) Ames & Correll, Orchidaceae;

(42) *Platanthera praeclara* Sheviak & Bowles, Orchidaceae;

(43) *Polemonium occidentale* Greene ssp. *lacustre* Wherry, Polemoniaceae;

(44) *Polygala cruciata* L., Polygalaceae;

(45) *Polystichum braunii* (Spenner) Fee, Dryopteridaceae;

(46) *Potamogeton bicupulatus* Fern., Potamogetonaceae;

(47) *Potamogeton diversifolius* Raf., Potamogetonaceae;

(48) *Psoralegium tenuiflora* (Pursch) Rydb., Fabaceae;

(49) *Sagina nodosa* (L.) fenzl ssp. *borealis* Crow, Caryophyllaceae;

(50) *Saxifraga cernua* L., Saxifragaceae;

(51) *Scleria triglomerata* Michx., Cyperaceae;

(52) *Sedum integrifolium* (Raf.) A. Nels. ssp. *leedyi* (Rosend. & Moore) Clausen, Crassulaceae;

(53) *Selaginella selaginoides* (L.) Link, Selaginellaceae;

(54) *Senecio canus* Hook., Asteraceae;

(55) *Talinum rugospermum* Holzinger, Portulacaceae;

(56) *Tofieldia pusilla* (Michx.) Pers., Liliaceae; and

(57) *Xyris torta* Sm., Xyridaceae.

B. Threatened:

(1) *Achillea sibirica* Ledeb., Asteraceae;

(2) *Allium cernuum* Roth, Liliaceae;

(3) *Allium schoenoprasum* L. var. *sibiricum* (L.) Hartm., Liliaceae;

(4) *Ammophila breviligulata* Fern., Poaceae;

(5) *Arabis holboellii* Hornem. var. *retrofracta* (Graham) Rydb., Brassicaceae;

(6) *Arnica lonchophylla* Greene, Asteraceae;

(7) *Arnoglossum plantagineum* Raf., Asteraceae;

(8) *Asclepias hirtella* (Pennell) Woodson, Asclepiadaceae;

(9) *Asclepias sullivantii* Engelm., Asclepiadaceae;

(10) *Asplenium trichomanes* L., Aspleniaceae;

(11) *Aster shortii* Lindl., Asteraceae;

(12) *Aureolaria pedicularia* (L.) Raf., Scrophulariaceae;

(13) *Besseyia bullii* (Eaton) Rydb., Scrophulariaceae;

(14) *Botrychium lanceolatum* (S.G. Gmelin) Angstr., Ophioglossaceae;

(15) *Botrychium lunaria* (L.) Sw., Ophioglossaceae;

(16) *Botrychium rugulosum* W.H. Wagner, Ophioglossaceae;

(17) *Carex careyana* Torr. ex Dewey, Cyperaceae;

(18) *Carex conjuncta* Boott, Cyperaceae;

(19) *Carex davisii* Schwein. & Torr., Cyperaceae;

(20) *Carex festucacea* Schkuhr ex Willd., Cyperaceae;

(21) *Carex garberi* Fern., Cyperaceae;

(22) *Carex jamesii* Schwein., Cyperaceae;

(23) *Carex katahdinensis* Fern., Cyperaceae;

(24) *Carex laevivaginata* (Kukenth.) Mackenzie, Cyperaceae;

(25) *Carex laxiculmis* Schwein., Cyperaceae;

(26) *Carex sterilis* Willd., Cyperaceae;

(27) *Crassula aquatica* (L.) Schoenl., Crassulaceae;

(28) *Crataegus douglasii* Lindl., Rosaceae;

(29) *Cyperus acuminatus* Torr. & Hook., Cyperaceae;

(30) *Cypripedium arietinum* R. Br., Orchidaceae;

- (31) *Diplazium pycnocarpon* (Spreng.) M. Broun, Dryopteridaceae;
- (32) *Dryopteris marginalis* (L.) Gray, Dryopteridaceae;
- (33) *Eleocharis nitida* Fern., Cyperaceae;
- (34) *Eleocharis olivacea* Torr., Cyperaceae;
- (35) *Eleocharis rostellata* Torr., Cyperaceae;
- (36) *Eupatorium sessilifolium* L., Asteraceae;
- (37) *Floerkea proserpinacoides* Willd., Limnanthaceae;
- (38) *Heteranthera limosa* (Sw.) Willd., Pontederiaceae;
- (39) *Huperzia porophila* (Lloyd &> Underwood) Holub, Lycopodiaceae;
- (40) *Lespedeza leptostachya* Engelm., Fabaceae;
- (41) *Melica nitens* (Scribn.) Nutt. ex Piper, Poaceae;
- (42) *Moehringia macrophylla* (Hook.) Fenzl, Caryophyllaceae;
- (43) *Napaea dioica* L., Malvaceae;
- (44) *Nymphaea leibergii* (Morong) Boivin, Nymphaeaceae;
- (45) *Paronychia canadensis* (L.) Wood, Caryophyllaceae;
- (46) *Phegopteris hexagonoptera* (Michx.) Fee, Thelypteridaceae;
- (47) *Plantago elongata* Pursh, Plantaginaceae;
- (48) *Poa paludigena* Fern. &> Wieg., Poaceae;
- (49) *Polystichum acrostichoides* (Michx.) Schott, Dryopteridaceae;
- (50) *Rhynchospora capillacea* Torr., Cyperaceae;
- (51) *Rotala ramosior* (L.) Koehne, Lythraceae;
- (52) *Rubus chamaemorus* L., Rosaceae;
- (53) *Salicornia rubra* Nelson, Chenopodiaceae;
- (54) *Saxifraga paniculata* P. Mill., Saxifragaceae;
- (55) *Scleria verticillata* Muhl., Cyperaceae;
- (56) *Scutellaria ovata* Hill, Lamiaceae;
- (57) *Shinnersoseris rostrata* (Gray) S. Tomb, Asteraceae;
- (58) *Silene nivea* (Nutt.) Muhl. ex Oth., Caryophyllaceae;
- (59) *Subularia aquatica* L., Brassicaceae;
- (60) *Sullivantia sullivantii* (Torr. &> Gray) Britt., Saxifragaceae;
- (61) *Vaccinium uliginosum* L., Ericaceae;
- (62) *Valeriana edulis* Nutt. var. *ciliata* (T. &> G.) Cronq., Valerianaceae;
- (63) *Viola lanceolata* L., Violaceae;
- (64) *Viola nuttallii* Pursh, Violaceae;
- (65) *Woodsia glabella* R. Br., Dryopteridaceae; and
- (66) *Woodsia scopulina* D.C. Eat., Dryopteridaceae.

C. Of special concern:

- (1) *Adoxa moschatellina* L., Adoxaceae;
- (2) *Agrostis geminata* Trin., Poaceae;
- (3) *Androsace septentrionalis* L. ssp. *puberulenta* (Rydb.) G.T. Robbins,
Primulaceae;
- (4) *Antennaria parvifolia* Nutt., Asteraceae;
- (5) *Aristida purpurea* Nutt. var. *longiseta* (Steud.) Vasey, Poaceae;
- (6) *Aristida tuberculosa* Nutt., Poaceae;
- (7) *Asclepias amplexicaulis* Sm., Asclepiadaceae;
- (8) *Asplenium platyneuron* (L.) Britt., Aspleniaceae;
- (9) *Astragalus flexuosus* (Hook.) Dougl., Fabaceae;
- (10) *Astragalus missouriensis* Nutt., Fabaceae;
- (11) *Bacopa rotundifolia* (Michx.) Wettst., Scrophulariaceae;
- (12) *Baptisia alba* (L.) Bent., Fabaceae;
- (13) *Baptisia bracteata* Muhl. ex Ell. var. *leucophaea* (Nutt.) Kartesz &>
Gandhi, Fabaceae;

- (14) *Botrychium campestre* W.H. Wagner & Farrar, Ophioglossaceae;
- (15) *Botrychium minganense* Victorin, Ophioglossaceae;
- (16) *Botrychium mormo* W.H. Wagner, Ophioglossaceae;
- (17) *Botrychium simplex* E. Hitchc., Ophioglossaceae;
- (18) *Buchloe dactyloides* (Nutt.) Engelm., Poaceae;
- (19) *Calamagrostis lacustris* (Kearney) Nash, Poaceae;
- (20) *Calamagrostis montanensis* Scribn. ex Vasey, Poaceae;
- (21) *Calamagrostis purpurascens* R. Br., Poaceae;
- (22) *Callitriche heterophylla* Pursh, Callitrichaceae;
- (23) *Carex annectens* Bickn., Cyperaceae;
- (24) *Carex crus-corvi* Shuttlw. ex Kunze, Cyperaceae;
- (25) *Carex exilis* Dew., Cyperaceae;
- (26) *Carex flava* L., Cyperaceae;
- (27) *Carex hallii* Olney, Cyperaceae;
- (28) *Carex michauxiana*, Boeckl., Cyperaceae;
- (29) *Carex obtusata* Lilj., Cyperaceae;
- (30) *Carex praticola* Rydb., Cyperaceae;
- (31) *Carex scirpoidea* Michx., Cyperaceae;
- (32) *Carex supina* Willd. ex Wahlenb. var. *spaniocarpa* (Steud.) Boivin, Cyperaceae;
- (33) *Carex typhina* Michx., Cyperaceae;
- (34) *Carex woodii* Dew., Cyperaceae;
- (35) *Carex xerantica* Bailey, Cyperaceae;
- (36) *Chamaesyce missurica* (Raf.) Shinnery, Euphorbiaceae;
- (37) *Cirsium hillii* (Canby) Fern., Asteraceae;
- (38) *Cladium mariscoides* (Muhl.) Torr., Cyperaceae;
- (39) *Claytonia caroliniana* Michx., Portulacaceae;
- (40) *Cymopterus acaulis* (Pursh) Raf., Apiaceae;
- (41) *Cypripedium candidum* Muhl., Orchidaceae;
- (42) *Dalea candida* Willd., var. *oligophylla* (Torr.) Shinnery, Fabaceae;
- (43) *Decodon verticillatus* (L.) Ell., Lythraceae;
- (44) *Deschampsia flexuosa* (L.) Trin., Poaceae;
- (45) *Desmanthus illinoensis* (Michx.) MacM, Fabaceae;
- (46) *Desmodium cuspidatum* (Muhl. ex Willd.) DC. ex Loud. var. *longifolium* (Torr. & Gray) Schub., Fabaceae;
- (47) *Desmodium nudiflorum* (L.) DC., Fabaceae;
- (48) *Diarrhena obovata* (Gleason) Brandenburg, Poaceae;
- (49) *Dicentra canadensis* (Goldie) Walp., Fumariaceae;
- (50) *Draba arabisans* Michx., Brassicaceae;
- (51) *Drosera anglica* Huds., Droseraceae;
- (52) *Drosera linearis* Goldie, Droseraceae;
- (53) *Dryopteris goldiana* (Hook.) Gray, Dryopteridaceae;
- (54) *Eleocharis parvula* (Roemer & J.A. Schultes) Link ex Bluff, Nees & Schauer, Cyperaceae;
- (55) *Eleocharis quinqueflora* (F.X. Hartmann) Schwarz, Cyperaceae;
- (56) *Eryngium yuccifolium* Michx., Apiaceae;
- (57) *Euphrasia hudsoniana* Fern. & Wieg., Scrophulariaceae;
- (58) *Fimbristylis autumnalis* (L.) Roemer & J.A. Schultes, Cyperaceae;
- (59) *Gaillardia aristata* Pursh, Asteraceae;
- (60) *Gentiana affinis* Griseb., Gentianaceae;
- (61) *Gentianella amarella* (L.) Borner ssp. *acuta* (Michx.) Gillett, Gentianaceae;

- (62) *Hamamelis virginiana* L., Hamamelidaceae;
- (63) *Helianthus nuttallii* T. & G. ssp. *rydbergii* (Br.) Long, Asteraceae;
- (64) *Helictotrichon hookeri* (Scribn.) Henr., Poaceae;
- (65) *Hudsonia tomentosa* Nutt., Cistaceae;
- (66) *Hydrocotyle americana* L., Apiaceae;
- (67) *Jeffersonia diphylla* (L.) Pers., Berberidaceae;
- (68) *Juglans cinerea* L., Juglandaceae;
- (69) *Juncus marginatus* Rostk., Juncaceae;
- (70) *Juncus stygius* L. var. *americanus* (Buch.) Hulten, Juncaceae;
- (71) *Juniperus horizontalis* Moench, Cupressaceae;
- (72) *Leersia lenticularis* Michx., Poaceae;
- (73) *Limosella aquatica* L., Scrophulariaceae;
- (74) *Listera convallarioides* (Sw.) Nutt. ex Ell., Orchidaceae;
- (75) *Littorella uniflora* (L.) Aschers., Plantaginaceae;
- (76) *Luzula parviflora* (Ehrh.) Desv. ssp. *melanocarpa* (Michx.) Hamet-Ahti, Juncaceae;
- (77) *Lysimachia quadrifolia* L., Primulaceae;
- (78) *Machaeranthera pinnatifida* (Hook.) Shinnars, Asteraceae;
- (79) *Malaxis monophyllos* (L.) Sw. var. *brachypoda* (Gray) Morris & Eames, Orchidaceae;
- (80) *Minuartia dawsonensis* (Britt.) House, Caryophyllaceae;
- (81) *Muhlenbergia uniflora* (Muhl.) Fern., Poaceae;
- (82) *Najas gracillima* (A. Braun ex Engelm.) Magnus, Najadaceae;
- (83) *Najas marina* L., Najadaceae;
- (84) *Oenothera rhombipetala* Nutt. ex T. & G., Onagraceae;
- (85) *Opuntia macrorhiza* Engelm., Cactaceae;
- (86) *Orobanche fasciculata* Nutt., Orobanchaceae;
- (87) *Orobanche ludoviciana* Nutt., Orobanchaceae;
- (88) *Orobanche uniflora* L., Orobanchaceae;
- (89) *Osmorhiza depauperata* Phil., Apiaceae;
- (90) *Panax quinquefolius* L., Araliaceae;
- (91) *Pellaea atropurpurea* (L.) Link, Adiantaceae;
- (92) *Phacelia franklinii* (R.Br.) Gray, Hydrophyllaceae;
- (93) *Pinguicula vulgaris* L., Lentibulariaceae;
- (94) *Platanthera clavellata* (Michx.) Luer, Orchidaceae;
- (95) *Poa wolfii* Scribn., Poaceae;
- (96) *Polygonum careyi* (Olney), Polygonaceae;
- (97) *Polygonum viviparum* L., Polygonaceae;
- (98) *Polytaenia nuttallii* DC., Apiaceae;
- (99) *Potamogeton vaginatus* Turcz., Potamogetonaceae;
- (100) *Potamogeton vaseyi* Robbins, Potamogetonaceae;
- (101) *Prenanthes crepidinea* Michx., Asteraceae;
- (102) *Pyrola minor* L., Pyrolaceae;
- (103) *Ranunculus lapponicus* L., Ranunculaceae;
- (104) *Rhynchospora fusca* (L.) Ait. f., Cyperaceae;
- (105) *Rorippa sessiliflora* (Nutt.) A.S. Hitchc., Brassicaceae;
- (106) *Rudbeckia triloba* L., Asteraceae;
- (107) *Ruppia maritima* L., Ruppiaceae;
- (108) *Salix maccalliana* Rowlee, Salicaceae;
- (109) *Salix pellita* (Anderss.) Anderss. ex Schneid., Salicaceae;
- (110) *Sanicula trifoliata* Bickn., Apiaceae;
- (111) *Schedonnardus paniculatus* (Nutt.) Trel., Poaceae;

- (112) *Scirpus clintonii* Gray, Cyperaceae;
- (113) *Senecio indecorus* Greene, Asteraceae;
- (114) *Silene drummondii* Hook., Caryophyllaceae;
- (115) *Solidago mollis* Bartl., Asteraceae;
- (116) *Solidago sciaphila* Steele, Asteraceae;
- (117) *Sparganium glomeratum* Laest., Sparganiaceae;
- (118) *Stellaria longipes* Goldie, Caryophyllaceae;
- (119) *Symphoricarpos orbiculatus* Moench, Caprifoliaceae;
- (120) *Tephrosia virginiana* (L.) Pers., Fabaceae;
- (121) *Torreyochloa pallida* (Torr.) Church, Poaceae;
- (122) *Trillium nivale* Riddell, Liliaceae;
- (123) *Trimorpha acris* (L.) Nesom var. *asteroides* (Anderz. ex Bess.)

Nesom, Asteraceae;

- (124) *Trimorpha lonchophylla* (Hook.) Nesom, Asteraceae;
- (125) *Triplasis purpurea* (Walt.) Champm., Poaceae;
- (126) *Tsuga canadensis* (L.) Carr., Pinaceae;
- (127) *Utricularia purpurea* Walt., Lentibulariaceae;
- (128) *Utricularia resupinata* B.D. Greene ex Bigelow, Lentibulariaceae;
- (129) *Verbena simplex* Lehm., Verbenaceae;
- (130) *Vitis aestivalis* Michx., Vitaceae;
- (131) *Waldsteinia fragarioides* (Michx.) Tratt., Rosaceae;
- (132) *Woodsia alpina* (Bolton) Gray, Dryopteridaceae; and
- (133) *Xyris montana* Ries, Xyridaceae.

6134.0400 LICHENS; MOSSES; FUNGI.

Subpart 1. Lichens. The following species of lichens are designated as:

A. Endangered:

- (1) *Buellia nigra* (Fink) Sheard;
- (2) *Caloplaca parvula* Wetm.;
- (3) *Dermatocarpon moulinii* (Mont.) Zahlbr.;
- (4) *Leptogium apalachense* (Tuck.) Nyl.;
- (5) *Lobaria scrobiculata* (Scop.) DC;
- (6) *Parmelia stictica* (Del.) Nyl.;
- (7) *Pseudocyphellaria crocata* (L.) Vain; and
- (8) *Umbilicaria torrefacta* (Lightf.) Schrad.

B. Threatened:

- (1) *Cetraria oakesiana* Tuck.;
- (2) *Coccocarpia palmicola* (Sprengel) Arvid. &> Galloway; and
- (3) *Parmelia stippea* Tayl.

C. Of special concern:

- (1) *Anaptychia setifera* Ras;
- (2) *Cetraria aurescens* Tuck.;
- (3) *Cladonia pseudorangiformis* Asah.;
- (4) *Lobaria quercizans* Michx.;
- (5) *Peltigera venosa* (L.) Hoffm.; and
- (6) *Sticta fuliginosa* (Dicks.) Ach.

Subp. 2. Mosses. The scientific names in this subpart are according to A New List of Mosses of North America North of Mexico, H.A. Crum, et al., 1973. The following species of mosses are designated as:

A. Endangered: *Schistostegia pennata* (Hedw.) Web. &> Mohr.

B. Threatened: none.

C. Of special concern:

- (1) *Bryoxiphium norvegicum* (Brid.) Mitt.; and
- (2) *Tomenthypnum falcifolium* (Ren ex. Nich.) Tuom.

Subp. 3. Fungi. The following species of fungi are designated as:

A. Endangered:

- (1) *Fuscoboletinus weaverae* A.H. Smith &> Shaffer;
- (2) *Psathyrella cystidiosa* (Peck) A.H. Smith; and
- (3) *Psathyrella rhodospora* Weaver &> A.H. Smith.

B. Threatened: none.

C. Of special concern:

- (1) *Laccaria trullisata* (Ellis) Peck;
- (2) *Lactarius fuliginellus* A.H. Smith &> Hesler; and
- (3) *Lysurus cruciatus* (Lepr. &> Mont.) Lloyd.

NATURAL PRESERVATION CHAPTER 6136

6136.0700 PRIORITIES FOR ACQUISITION AND IMPROVEMENT OF CRITICAL NATURAL HABITAT.

Subpart 1. Specific criteria for selecting critical natural habitat. As provided by Minnesota Statutes, section 84.944, the commissioner must consider the following specific criteria in assessing the value of a proposed critical natural habitat project:

A. the occurrence of one or more of the state's various rare natural resources including plants, animals, and undisturbed natural ecological communities as identified by the department's Natural Heritage Program;

B. the existing and potential value of the project to provide vital habitat for fish and wildlife, especially for species identified for special management consideration;

C. the threat of habitat destruction if the project is not carried out;

D. the surrounding land uses in terms of the amount and type of similar habitat and the projected loss of habitat in the area;

E. the location of the project within or adjacent to an existing management unit, including accessibility and relationship to other existing state lands or waters;

F. the integrity of the land or water parcel and the long-term viability of the project;

G. the recreational potential of the parcel including present and future demand and the opportunities to meet this demand in the surrounding area; and

H. the projected acquisition or management costs and potential future management problems.

Subp. 2. Prioritization of proposed projects. Proposed projects that meet one or more of the specific criteria in this part will be ranked by the commissioner in accordance with the following priorities, listed in order of decreasing importance:

A. the potential contribution to the maintenance or enhancement of populations of native plant, fish, and wildlife species listed as endangered or threatened in chapter 6134;

B. the potential contribution to the protection or enhancement of native ecological communities that are now uncommon or diminishing;

C. the benefits provided to existing or potential habitat for fish and wildlife populations; or

D. the enhancement of fish and wildlife oriented recreation.

6136.0800 POSSESSION, MOVING, OR DISTURBING STROMATOLITES.

Permits for the possession, moving, or disturbing of stromatolites on the bed of or in any of the waters of the state may be issued by the commissioner for bona fide scientific, research, or educational purposes upon written application by qualified persons, as determined by the commissioner, or institutions. These permits shall contain conditions limiting the number of stromatolites which may be possessed, and are subject to cancellation at any time upon written notice provided to the permittee.

GAME AND FISH GENERAL PROVISIONS

CHAPTER 6200

6200.0100 DEFINITIONS.

Subpart 1. Terms. The terms used in chapters 6200 to 6284 have the meanings given them in this part. The definitions in Minnesota Statutes, chapters 97A, 97B, and 97C apply, except as otherwise provided.

Subp. 2. Commissioner. "Commissioner" means the commissioner of the Department of Natural Resources or a designated employee.

Subp. 3. County auditor. "County auditor" means the business office of the elected county auditor or, if the county does not have such an elected office, the business office appointed by the county for such purposes.

Subp. 4. Department. "Department" means the Minnesota Department of Natural Resources.

Subp. 5. Director. "Director" means the director of the department's Division of Fish and Wildlife or a designated employee.

Subp. 6. Division of Enforcement. "Division of Enforcement" means the department's Division of Enforcement, located at 500 Lafayette Road, Saint Paul, MN 55155-4047.

Subp. 7. License Bureau. "License Bureau" means the department's License Bureau, located at 500 Lafayette Road, Saint Paul, MN 55155-4026.

6200.0200 GAME AND FISH GENERAL PROVISIONS.

Subpart 1. Scope. The language contained in chapters 6200 to 6284 are subject to the provisions defined in this part.

Subp. 2. Dates are inclusive. Dates for specified time periods are inclusive, unless otherwise specified.

Subp. 3. Highway identification. A highway identification refers to the status of the highway as marked on signs placed by the Minnesota Department of Transportation.

Subp. 4. Application deadline. When an application deadline is specified, applications that are mailed must be postmarked on or before the deadline date. Applications that are delivered must be delivered no later than 4:30 p.m. on the day of the deadline.

Subp. 5. Shooting hours. Shooting hours, for purposes of Minnesota Statutes, section 97B.075, are from one-half hour before sunrise to sunset each day, unless otherwise specified.

Subp. 6. Incomplete or improperly completed applications; correction of agent errors.

A. Incomplete or improperly completed applications for licenses or permits may be rejected by the commissioner.

B. To correct for an error made by the department or a department agent in processing an application, the commissioner may:

(1) increase the quota of licenses or permits for a drawing to accommodate an applicant who could have been drawn if the error had not been made; or

(2) restore an applicant's preference rating to the level it would have been if the error had not been made.

Subp. 7. Returned checks and refunds. A check that is returned to the department for nonpayment invalidates the application and the check will be destroyed. Refunds of application fees are not made for any reason.

Subp. 8. Application for commercial licenses. Applications for all commercial licenses can be obtained from the License Bureau.

Subp. 9. Documentation to demonstrate lawful possession from non-state jurisdiction. The following documentation will provide evidence of lawful possession of a wild animal or fish from a non-state jurisdiction:

A. for wild animals or fish acquired in another state, province, or country, the appropriate license along with any required seals or tags for wild animals, or documentation showing the person is exempt from licensing; or

B. if a member of an Indian band, a band membership card with a picture of the band member, and:

(1) for fish in a quantity of 25 pounds or less, the appropriate license or permit, along with any seals or tags required for wild animals; and

(2) for fish in a quantity of more than 25 pounds, a possession permit issued by the band with the possession permit listing:

(a) name and address of possessor;

(b) species and amount of fish in pounds;

(c) location to which fish may be transported or possessed; and

(d) date of issuance of permit.

LICENSES, PERMITS, AND EXEMPTIONS

CHAPTER 6212

6212.0100 APPLICATIONS FOR GAME AND FISH LICENSE SUBAGENTS.

Subpart 1. Application for license subagents. County auditors may appoint subagents for the sale of licenses, whether cash or consignment, only upon the receipt of a completed application. The application must be on a form prescribed by the commissioner.

Subp. 2. Applications must be approved by county auditor. All applications must be signed by the applicant and approved by the county auditor before licenses are furnished. If applicants wish to sell licenses on consignment, they must include with their application the required surety bond.

Subp. 3. Applications made in triplicate. All applications must be made in triplicate. The county auditor must retain the original and must promptly forward one copy to the commissioner. The remaining copy must be retained by the applicant.

6212.0200 CONSIGNMENT OF GAME AND FISH LICENSES.

The county auditor must issue licenses on a consignment basis to any subagent who has applied and who furnishes a valid corporate surety bond properly issued by a corporation duly licensed to issue such bonds in this state. Bonds must be:

- A. in favor of the county;
- B. in an amount equal to the maximum total value of licenses, including any surcharge, but excluding the issuing fee, expected to be held on consignment at any one time; and
- C. conditioned upon the performance by the subagent of all of the duties of a license subagent.

6212.0300 COMPLETION OF LICENSE FORMS.

Subpart 1. Licenses must be completed at place of sale. County auditors or subagents selling licenses are responsible for the completion of each license form of each license sold at their place of business. Licenses must be completed using a data recorder machine, ball point pen, or indelible pencil, in such manner that all copies are legible.

Subp. 2. Signature requirements on license. The applicant and the county auditor or subagent must sign their complete names in the spaces provided so that they appear on all copies. A rubber stamp or other device may not be used in lieu of a signature. County auditors and subagents are responsible for the issuance of licenses; however, employees of county auditors or subagents may sign the name of the county auditor or subagent followed by the initials of the employee.

Subp. 3. Restriction on issuance of resident license. A resident license may not be issued to any person unless the county auditor or subagent has ascertained, by personal knowledge or written identification, that the applicant is a resident as defined by Minnesota Statutes, section 97A.015.

6212.0400 RETURN OF "DNR COPY" OF LICENSES.

Immediately upon issuance, county auditors or subagents must remove and return, to the License Bureau, the "DNR Copy" of each license. Failure to

promptly return completed department copies may result in revocation of the subagent's authorization to sell licenses.

6212.0500 REQUIRED RECORDS, REPORTS, AND PAYMENTS FOR ISSUANCE OF GAME AND FISH LICENSES.

Subpart 1. Records required of county auditors and subagents. County auditors must keep a record of all transactions relating to licenses received by them and licenses issued by them to their subagents, including licenses received, sold, or returned for redemption or credit, fees collected, commissions retained, remittances made, and cash on hand or deposited, showing at all times the current status of the county auditor's account and the account of each subagent. Subagents must keep a record of all transactions relating to licenses issued to them in the same manner as county auditors. All such records may be subject to inspection and auditing by the commissioner.

Subp. 2. Payments and returns of sold licenses by subagents. Subagents must, on or before the 10th day of each month, return to the auditor each sold-out license book from the previous month. All proceeds from the sale of licenses, except those for which the auditor has previously been paid, will be paid to the auditor at the time the books are returned. Partially sold license books and all proceeds from the sale of licenses from such books must be returned to the auditor no later than March 10 of each year.

Subp. 3. Retention of sold and unsold licenses by county auditors. County auditors must preserve all sold and unsold license books, whether sold by the auditor or a subagent, for at least one year after the end of the license year.

Subp. 4. Payments and reports by county auditors. County auditors must, on or before the 15th day of each month, mail or deliver a complete written report to the commissioner, either on forms provided for such purpose or in a prescribed format, covering all licenses issued and sold by the county auditor or subagents during the preceding calendar month together with a warrant on the county treasury for license fees as provided by Minnesota Statutes, sections 97A.475 and 97A.485. If no license fees were received during a preceding month, a written report so stating must be made to the commissioner. If a county auditor fails to submit these monthly reports within the specified time period, the commissioner may withhold further consignments of licenses to the county auditor until the report is received. An immediate and complete accounting of all licenses consigned to the county auditor during the current licensing year may be required.

Subp. 5. Final reports of unsold licenses. The following provisions apply to final reports of unsold licenses and partially sold books:

A. Each subagent who has purchased or taken on consignment licenses for resale must, not later than March 10 of each year, return all unsold licenses and partially sold license books to the county auditor, except that all unsold licenses to take deer either by archery, firearm, or muzzleloader must be returned to the auditor on the first business day after the last day during which each type of license may be sold. The county auditor must give to each subagent a cash refund for unsold licenses or credit in the case of consignment.

B. No later than April 15, county auditors must prepare a final report which will show the total number of unsold, void, and no fee licenses to be credited toward their account and must contain a list of the sequential numbers of such

licenses. Any unsold licenses not so reported for redemption or credit by the date prescribed will be presumed to have been sold, and the county auditor and subagent will be accountable.

6212.0600 ISSUANCE OF DUPLICATE LICENSES.

Subpart 1. Duplicate license eligibility. A licensee whose license is lost or destroyed may obtain a duplicate license upon submission to the License Bureau of an affidavit signed under oath by the licensee.

Subp. 2. Duplicate deer licenses. Duplicate firearms and archery deer licenses may be obtained from county auditors by licensees whose licenses have been lost or destroyed. Deer license duplicates may be provided from a separate license book designated for that purpose. Before a duplicate license is received, applicants must submit to the county auditor an affidavit in the form prescribed by the department.

Subp. 3. Duplicate licenses exempt from number restriction. Except for duplicate licenses, a person may not obtain more than one trapping or big game license of each kind in a license year unless authorized by the commissioner.

6212.0700 PROHIBITIONS AND PENALTIES ON ISSUANCE OF GAME AND FISH LICENSES.

Subpart 1. Restrictions on sale price of licenses. A county auditor or subagent may not offer licenses free or at a nominal, reduced, or increased fee, except as provided by Minnesota Statutes, sections 97A.475 and 97A.485. A county auditor or subagent may not waive all or part of the issuing fee or use licenses in connection with a drawing, raffle, giveaway, or sales promotion.

Subp. 2. Restriction on issuance of licenses from a single book. All licenses within a license book must be issued in consecutive order.

6212.0800 APPLICATIONS FOR AGENCIES TO SELL CROSS COUNTRY SKI PASSES.

Subpart 1. Appointment of agents. County auditors may appoint agents for the sale of cross country ski passes, whether cash or consignment, only upon the receipt of a completed application on a form provided by the commissioner.

Subp. 2. Applications must be approved. All applications must be signed by the applicant and approved by the county auditor, or in the case of an application made by a state agency, approved by the commissioner before passes are furnished. Applicants, other than state agencies, requesting to sell passes on consignment must include with their application the surety bond required by part 6212.0900.

Subp. 3. Applications made in triplicate. All applications must be made in triplicate. The county auditor must retain the original and promptly forward one copy to the commissioner. When receiving an application from a state agency, the commissioner must retain the original and one copy. The remaining copy must be retained by the applicant.

6212.0900 CONSIGNMENT OF CROSS COUNTRY SKI PASSES.

Subpart 1. Surety bond required. A county auditor may issue passes on a consignment basis to a subagent who has applied and who furnishes a valid

corporate surety bond properly issued by a corporation duly licensed to issue bonds in this state. The surety bond must be:

- A. in favor of the county;
- B. in an amount equal to the maximum total value, excluding the issuing fee, of pass blanks expected to be held on consignment at any one time; and
- C. conditioned upon the performance by the agent of all of the duties of a pass agent.

Subp. 2. Issuance of passes to state agency on consignment basis. The commissioner may issue passes on a consignment basis to a state agency that has been appointed by the commissioner.

6212.1000 COMPLETION OF PASS FORMS AND RETURN OF DEPARTMENT COPIES.

Passes must be filled out using a data recorder machine, a ball point pen, or an indelible pencil so that all copies are legible. Passes that are not filled out at the time of purchase must be fully completed prior to use. Appropriate copies must be promptly returned to the commissioner by the passholder.

6212.1100 REQUIRED RECORDS, REPORTS, AND PAYMENTS FOR ISSUANCE OF CROSS COUNTY SKI PASSES.

Subpart 1. Required records. County auditors or state agencies must keep a record of all transactions relating to passes received by them and passes issued by them to their subagents. The record must include passes received, sold, or returned for redemption or credit, fees collected, commissions retained, remittances made, and cash on hand or deposited showing at all times the current status of the county auditor's or state agency's account and, in the case of the county auditor, the account of each subagent. Subagents must keep a record of all transactions relating to passes issued to them in the same manner as county auditors. All records may be subject to inspection and auditing by the commissioner.

Subp. 2. Required payments and return of sold passes. Subagents must, on or before the tenth day of each month, return to the auditor each sold-out pass book from the previous month. All proceeds from the sale of passes, except those for which the auditor has previously been paid, will be paid to the auditor at the time the books are returned. Partially sold pass books and all proceeds from the sale of passes from such books must be returned to the auditor no later than July 10 of each year.

Subp. 3. Retention of sold passes. The county auditor or state agency must preserve all stubs of sold passes, whether sold by the auditor, subagent, or state agency for at least one year after the end of the pass year.

Subp. 4. Payments and reports by county auditors. County auditors and state agencies must, on or before the 15th day of each month, mail or deliver to the license bureau a complete written report to the license bureau pertaining to all cross country ski passes issued and sold. Reports must either be on forms provided by the commissioner or in a prescribed format. County auditors must include a warrant for 96 percent of all the pass fees, excluding issuing fees, collected through their or their subagents' sales. State agencies must include a warrant for 100 percent of all the pass fees collected through their sales. If a county auditor or state agency fails to submit monthly reports within the specified time period, the commissioner may withhold further consignments of passes until the report is received. An immediate accounting

of all passes consigned to the county auditor or state agency during the current cross country pass year may be required.

Subp. 5. Final report of unsold passes and partially sold books. The following provisions apply to final reports of unsold cross country ski passes and partially sold books:

A. Each subagent who has taken on consignment passes for resale must, not later than July 10, return all unsold passes and partially sold pass books to the county auditor. The county auditor must give to each subagent a cash refund for unsold passes or credit in the case of consignment.

B. No later than August 15, county auditors or state agencies must prepare a final report that will show the total number of unsold and void passes to be credited toward their account and must contain a list of sequential numbers of such passes. Any unsold or void passes not reported for redemption or credit by the date prescribed will be presumed to have been sold and the county auditor and subagent or the state agency will be accountable.

6212.1200 ISSUANCE OF DUPLICATE CROSS COUNTRY SKI PASSES.

Subpart 1. Eligibility for a duplicate pass. A passholder whose pass is lost or destroyed may obtain a duplicate pass upon submitting to the license bureau an affidavit of loss signed under oath by the passholder.

Subp. 2. Duplicate pass fee. The fee for a duplicate pass is \$2.

6212.1300 PROHIBITIONS AND PENALTIES ON ISSUANCE OF CROSS COUNTRY SKI PASSES.

Subpart 1. Restriction on sale price of passes. Cross country ski passes must be offered for sale by state agencies, county auditors, or agents only at the fee defined under Minnesota Statutes, section 85.42.

Subp. 2. Restriction on issuance of passes from a single book. Cross country ski passes must be issued in consecutive order within a single book.

Subp. 3. Revocation of a state agency's authorization to sell passes. The commissioner may revoke the authorization to sell cross country ski passes of any state agency or subagent found in violation of any provision of law or rule relating to the sale and handling of passes or the required reporting.

6212.1400 GENERAL RESTRICTIONS FOR POSSESSION PERMITS.

Subpart 1. Permit requirements. Permits for the taking, transportation, disposal, or possession of protected wild animals, whether dead or alive, or their parts, nests, or eggs will be issued as provided by parts 6212.1400 to 6212.1700. Applications for permits from individuals or institutions must be made in writing and must be submitted as specified. The commissioner will determine whether the applicant meets the criteria for issuance of the permit.

Subp. 2. Issuance of permits. Permits may be issued only upon written application made by individuals or institutions currently conducting research or educational programs in the fields of biology or natural history, and that have appropriate and adequate facilities for the care, exhibition, or storage of the specimens sought to be taken, acquired, or possessed. A permit may not be issued unless the commissioner has first determined that the permitted act will not be detrimental to the species.

Subp. 3. Permits for taking. Permits for the taking of protected wild animals or their parts may be issued only to named individuals. Permits for taking are valid only for the named permittees and are not transferable.

Permits solely for possession, transportation, propagation, or disposal may be issued in the name of an institution or individual.

Subp. 4. Sale or transfer of specimens. Specimens held under permit may not be sold or otherwise transferred from the custody of the permittee without the prior written approval of the commissioner, unless otherwise provided in the permit.

Subp. 5. Offspring. Offspring of any specimen possessed under a permit will be subject to parts 6212.1400 to 6212.1700 and to all the terms and conditions set forth in the permit.

Subp. 6. Reports. Before January 31 of each year, each permittee who has taken a protected wild animal, or parts during the preceding calendar year must file a report with the commissioner describing the specimens taken and their current disposition. Specimens consumed by use or otherwise destroyed must be so noted. Permittees must submit additional reports as may be required by the permit. A permit will not be renewed unless all required reports have been submitted.

Subp. 7. Possession of permit. Individual permittees must have their permit available for inspection by the commissioner while doing an act authorized by the permit. Permits issued in the names of institutions must be available for inspection during regular business hours.

Subp. 8. Expiration, cancellation, and revocation of collector permits. All permits issued as provided by parts 6212.1400 to 6212.1700 expire on December 31 of the year of issuance, unless otherwise specified in the permit, and may be renewed.

All permits issued as provided by parts 6212.1400 to 6212.1700 are subject to immediate cancellation by the commissioner upon determination that such cancellation is necessary for the conservation of the natural resources of this state, for the welfare of particular specimens, or is in the public interest.

Violation of any of the provisions of parts 6212.1400 to 6212.1700 or the terms of any permit issued under those parts may result in immediate revocation of the permit, and may subject the permittee to other penalties established by law.

Subp. 9. Permits for pets. Permits are not issued for the taking or possession of protected wild animals as pets, except deer as provided by part 6212.1700.

6212.1500 SCIENTIFIC, EXHIBITION, PROPAGATION, AND EDUCATIONAL PERMITS.

Permits may be issued for scientific, education, propagation, and exhibition purposes only to individuals or institutions currently conducting programs of research or education in the fields of biology or natural history.

6212.1700 PERMITS FOR DEER AS PETS.

Special permits for the possession of wild native deer as pets may be issued under the following criteria:

A. Permits may be issued only for the care and rehabilitation of injured, disabled, or orphaned wild native deer.

B. Persons possessing an injured, disabled, or orphaned deer must notify the local conservation officer within 48 hours of obtaining the animal and request a permit. The conservation officer or other agent of the commissioner must examine the deer and determine whether it is injured, disabled, or orphaned so that it cannot reasonably be expected to survive in the wild. If

the applicant's competence and facilities are reasonably suited to caring for and restoring the deer, a permit for possession of the deer may be issued.

C. Permits may be issued for a duration of time anticipated by the conservation officer or agent of the commissioner to be sufficient to restore the deer to the point where it can be released back into the wild in a healthy and able condition, except that no permit may be issued for a period exceeding one year. Upon expiration of the permit, the permittee must release the deer back into the wild in accordance with instructions provided by the permit. Permittees who believe that the deer is not yet able to survive in the wild may notify the conservation officer and apply for renewal of their permit in accordance with the procedure for original issuance.

D. Offspring of deer possessed under a permit must be returned to the wild as soon as feasible and may not be kept after the mother is released. Offspring are subject to all the terms and conditions of the permit that apply to the mother until release.

E. Permittees no longer able to care for deer in their possession must immediately notify the conservation officer or agent and surrender the deer.

F. Permittees must notify the conservation officer or agent within 48 hours after the death of a deer possessed under permit.

6212.1750 PERMITS FOR USE OF CONTRACEPTIVE CHEMICALS.

Subpart 1. Contraceptive chemicals defined. "Contraceptive chemicals" are any drugs, vaccines, steroids, or other chemicals that, when administered to individual wild animals within a target species' population, produce a state of infertility or prevent the production of progeny, either temporarily or permanently.

Subp. 2. Application requirements. Permits may be issued by the commissioner for the administration of contraceptive chemicals to noncaptive wild animals under the conditions in items A and B.

A. Permits may only be issued to federal, state, or local government agencies, universities or colleges, or their agents.

B. A written request for the permit must be submitted prior to the planned application of the contraceptive chemical treatment. The request must be accompanied by a proposed management plan or research proposal that:

(1) is approved by the landowner or land manager responsible for the site;
 (2) for a research proposal, is approved by the federal, state, or local government agency, university, or college responsible for the actions of the research investigator;

(3) includes a clear statement of the objectives of the management or research project including population objectives for management projects;

(4) includes an assessment of the anticipated effect of the chemical treatment on each target species' population on each site and on individual animals within each target population;

(5) documents potential impacts to nontarget wild animal populations;

(6) documents potential threats to human health and safety;

(7) includes a description of all planned or completed management actions and an evaluation of the costs, efficiency, effectiveness, and safety of alternative methods for managing each target species' population on each site; and

(8) includes a plan for monitoring short-term and long-term effects of the contraceptive chemical treatments on treated individual wild animals and each target species' population on each site.

The commissioner may request additional information if needed to determine the applicant's qualifications or to evaluate the proposed management plan or research proposal.

Subp. 3. Chemicals. Contraceptive chemicals used must have all required federal and state licensing, registration, or approvals for use on each noncaptive wild animal species for each site requested.

Subp. 4. Permit conditions. Authorized contraceptive chemicals, treatment methods, application devices and equipment, individual animal and population monitoring requirements, reporting requirements, and other applicable restrictions must be specified as conditions of the permit.

6212.1800 GENERAL RESTRICTIONS FOR PERMITS TO POSSES THREATENED AND ENDANGERED SPECIES.

Subpart 1. Permit requirements. A person may not take, import, transport, purchase, sell, dispose, or possess a threatened or endangered species of plant or animal without a permit from the commissioner. Permits for the taking, importation, transportation, purchase, sale, disposal, or possession of threatened or endangered species of plants or animals, whether dead or alive, or their parts, nests, or eggs will be issued as provided by parts 6212.1800 to 6212.2300 and 6242.1200. Applications for permits from individuals or institutions must be made in writing and must be submitted as specified. The commissioner will determine whether the applicant meets the criteria for issuance of the permit.

Subp. 2. Issuance of permits. Permits may be issued only upon written application made by individuals or institutions currently conducting research or educational programs in the fields of biology or natural history, and that have appropriate and adequate facilities for the care, exhibition, or storage of the specimens sought to be taken, acquired, or possessed. A permit may not be issued unless the commissioner has first determined that the permitted act will not be detrimental to the species.

Subp. 3. Permits for taking. Permits for the taking of endangered or threatened species or their parts may be issued only to named individuals. Permits for taking are valid only for the named permittees and are not transferable. Permits solely for possession, importation, transportation, propagation, sale, or disposal may be issued in the name of an institution or individual.

Subp. 4. Sale or transfer of specimens. Specimens held under permit may not be sold or otherwise transferred from the custody of the permittee without the prior written approval of the commissioner, unless otherwise provided in the permit.

Subp. 5. Offspring. Offspring of any specimen possessed under a permit will be subject to parts 6212.1800 to 6212.2300 and to all the terms and conditions set forth in the permit.

Subp. 6. Reports. Before January 31 of each year, each permittee who has taken any endangered or threatened species or parts during the preceding calendar year must file a report with the commissioner describing the specimens taken and their current disposition. Specimens consumed by use or otherwise destroyed must be so noted. Permittees must submit additional

reports as may be required by the permit. A permit will not be renewed unless all required reports have been submitted.

Subp. 7. Possession of permit. Individual permittees must have their permit available for inspection by the commissioner while doing any act authorized by the permit. Permits issued in the names of institutions must be available for inspection during regular business hours.

Subp. 8. Expiration, cancellation, and revocation of threatened and endangered permits. All permits issued as provided by parts 6212.1800 to 6212.2300 expire on December 31 of the year of issuance, unless otherwise specified in the permit, and may be renewed.

All permits issued as provided by parts 6212.1800 to 6212.2300 are subject to immediate cancellation by the commissioner upon determination that such cancellation is necessary for the conservation of the natural resources of this state, for the welfare of particular specimens, or is in the public interest.

Violation of any of the provisions of parts 6212.1800 to 6212.2300 or the terms of any permit issued under those parts may result in immediate revocation of the permit, and may subject the permittee to other penalties established by law.

6212.2000 PERMITS FOR PREVIOUSLY ACQUIRED SPECIMENS.

Permits for specimens of endangered or threatened species, including parts, may be issued to persons who have lawfully acquired such specimens under the following conditions:

- A. before May 30, 1985; or
- B. before they were listed as endangered or threatened.

These permits may be issued upon the applicant's submission of proof of having lawfully acquired the specimens before such date or before listing occurred.

6212.2100 OTHER PERMITS.

Permits for the taking, possession, importation, transportation, purchase, sale, or disposal of endangered or threatened species of animals, plants, or insects may be issued on prescribed conditions when the commissioner has determined that:

- A. the permitted act enhances the propagation or survival of the affected species;
- B. the permitted act prevents injury to persons or property, including livestock, provided that a specimen causing this injury may be killed only after all other alternatives have been evaluated and rejected; or
- C. the social and economic benefits of the permitted act outweigh the harm caused by it, provided that the killing of a specimen for these purposes will be permitted only after all other alternatives have been evaluated and rejected.

6212.2200 PROCESSED SPECIMENS OF ENDANGERED OR THREATENED SPECIES.

The tanned, mounted, or processed furs, skins, feathers, or other parts of endangered or threatened species, including such parts that have been incorporated into manufactured goods, may be possessed, imported, transported, purchased, sold, or otherwise disposed of without a permit, provided the specimens were in a tanned or processed condition and lawfully acquired under the following conditions:

- A. before May 30, 1985;

- B. before they were listed as endangered or threatened; or
- C. before they were brought into Minnesota.

6212.2300 EMERGENCY TAKING.

Within 48 hours after the taking of a threatened or endangered animal that has threatened human life, the entire carcass, including the hide, must be surrendered to the commissioner.

6212.2400 PERMIT REQUIREMENTS FOR FISHING CONTESTS.

Issuance of permits for fishing contests is provided for by Minnesota Statutes, section 97C.081. Permits may also be required, as provided by Minnesota Statutes, section 86B.121, by the sheriff of the county in which the contest is held. Application to obtain a permit must be made a minimum of 14 days prior to the contest on forms provided by the commissioner. Application information includes name of contest, name and address of permittee, name of sponsor, name and location of contest waters, public accesses to be used, fish species included in the contest, weigh-in stations, estimated number of participants, contest dates and hours, entry fee, and prize values. Contest rules must be attached to the application. Application forms may be obtained from department fisheries offices. Completed applications must be submitted to the department regional office responsible for the management of the contest waters or the department's Saint Paul office if the contest includes waters in more than one region.

6212.2500 PERMIT CONDITIONS.

Subpart 1. Permittee requirements. The contest permittee must be an individual and a resident of this state. The permittee is responsible for conducting the contest and may not delegate responsibility to another party.

Subp. 2. Tagged and marked fish. Permits will be denied for contests involving tagged or marked fish for identification for special rewards.

Subp. 3. Trout waters. Permits may be denied when the proposed contest water is managed for trout.

Subp. 4. Limitation on number of boats. Contest participation will be limited to not more than one boat for each ten acres of contest water.

Subp. 5. High use periods. Permits may be denied for opening day, holidays, or other high use periods.

Subp. 6. Limitation on number of contests per lake. Permits may be denied if more than one contest of seven days or less would be in progress on any one water body on the same day.

Subp. 7. Game fish spawning periods. Permits may be denied if contests coincide with game fish spawning periods.

Subp. 8. Live release tournaments. Permits for live release tournaments may be denied when anticipated environmental conditions may cause increased mortality of released fish.

Subp. 9. Limitation on number of contests per year. The maximum number of contests that may be held annually on any one water body may be limited.

Subp. 10. Limitations on contest length. Permits may be denied for contests exceeding eight hours in length during any contest day.

Subp. 11. Restrictions on live bait use. Permits may be denied for live release contests where use of live bait may cause increased mortality.

Subp. 12. Restrictions on research waters. Permits may be denied for contests on waters where research projects are being conducted.

Subp. 13. Restrictions on negative impact. Permits may be denied for contests that the commissioner determines will have excessive negative impact on natural resources or that pose unacceptable safety risks for participants.

6212.2600 POSSESSION OF FISH.

Subpart 1. Possession limits. Possession limits for contest waters apply to all contest participants at all times except that the total number of fish killed by a contest participant may not exceed one possession limit per event.

Subp. 2. Repealed, 2003

Subp. 3. Authority to hold and release fish. In contests where fish may be returned to the contest water, the permittee may be authorized to hold healthy fish and release them immediately following weigh-in. Suitable release sites may be specified in the permit.

6212.2700 CONTEST OPERATION.

Subpart 1. Restriction on use of public accesses. No contest may preempt use of a boat ramp or parking spaces at public access to contest waters.

Subp. 2. Removal of debris. The permittee will be responsible for removal of all debris, rubbish, trash, or dead fish resulting from the contest.

Subp. 3. Inspection and removal of exotic organisms. Inspection and removal of exotic organisms including, but not limited to, species such as zebra mussels or Eurasian water milfoil, as provided by Minnesota Statutes, section 18.317, from boats and trailers entering and leaving water accesses is required.

Subp. 4. Restriction on lotteries. No contest or any drawing or raffle conducted in conjunction with the contest may constitute an illegal lottery as provided by Minnesota Statutes, section 609.75, or violate the provisions of the lawful gambling law as provided by Minnesota Statutes, sections 349.11 to 349.23.

6212.2800 FISHING CONTEST REPORTING REQUIREMENT.

The permittee must submit a report of contest activities on forms provided by the commissioner within 30 days after completion of the contest. All information requested on the report must be provided. Failure to submit a report as required may render the permittee ineligible for future permits.

6212.2900 INSURANCE POLICY REQUIRED WITH RELEASE OF FISH TOXICANTS.

If the public has lawful access to a body of water to which fish toxicants will be applied, a permit for release of fish toxicants may not be issued until the commissioner has received a certificate of insurance evidencing the coverage from a company authorized to do business in this state. The certificate of insurance must show coverage for general liability for bodily injury and property damage. The amount of insurance coverage required shall be determined by the commissioner, but cannot exceed \$1,000,000 per occurrence or be less than \$100,000 per occurrence. The certificate of insurance must show that the policy cannot be canceled or terminated, except upon ten days' written notice to the commissioner.

6212.3000 Cancellation Or Termination Of Fish Toxicant Permit.

6212.3000 CANCELLATION OR TERMINATION OF FISH TOXICANT PERMIT.

The commissioner may cancel or terminate a permit to release fish toxicants at any time for any violation of its provisions or of part 6212.2900.

ELECTRONIC LICENSING CHAPTER 6213

6213.0100 DEFINITIONS.

Subpart 1. Scope. For the purposes of parts 6213.0100 to 6213.0800, the terms used have the meanings given them in this part and Minnesota Statutes, chapters 84, 86B, 97A, 97B, and 97C.

Subp. 2. Business location. "Business location" means the physical building where the sale of electronic licenses takes place.

Subp. 3. Commissioner. "Commissioner" means the commissioner of natural resources.

Subp. 4. Electronic license. "Electronic license" means a game and fish license, cross-country ski pass, snowmobile trail sticker, watercraft license, or off-road recreational vehicle registration issued under the electronic license system.

Subp. 5. Electronic license system. "Electronic license system" means the Minnesota system of using point-of-sale equipment or a telephone service to collect data and to issue game and fish licenses, cross-country ski passes, snowmobile trail stickers, watercraft licenses, and off-road recreational vehicle registrations.

Subp. 6. Off-road recreational vehicle. "Off-road recreational vehicle" means an off-highway motorcycle, off-road vehicle, snowmobile, or all-terrain vehicle.

6213.0200 APPLICABILITY OF OTHER RULES.

The provisions of chapters 6110 and 6212 regarding issuance of watercraft licenses, game and fish licenses, and cross-country ski passes do not apply to this chapter.

6213.0300 AGENT APPLICATION AND ELIGIBILITY.

Subpart 1. Application. A person interested in obtaining a contract to sell electronic licenses under the electronic license system must file an application to become an agent. The commissioner may prescribe the form of the application and specify the information relevant to agent qualification required on the application. The commissioner may request further information to determine whether the applicant will serve the public convenience and promote the sale of electronic licenses.

Subp. 2. Additional business location. An agent interested in selling electronic licenses at an additional business location not specified in the original contract must submit a separate application to authorize the sale of electronic licenses at each additional business location.

Subp. 3. Watercraft licenses and off-road vehicle registrations. To be eligible to sell watercraft licenses or register off-road recreational vehicles, a person must be appointed as a deputy registrar of motor vehicles by the commissioner of public safety under Minnesota Statutes, section 168.33.

6213.0310 SELECTION OF AGENTS.

Subpart 1. Factors to be considered. Before appointing an agent or approving an additional business location, the commissioner shall consider the following factors:

- A. the accessibility of the applicant's business location to the public;
- B. the number and location of existing agents;

C. the volume of expected electronic license sales; and

D. the nature and type of business engaged in by the applicant.

The commissioner may contract with agents who fulfill the requirements of parts 6213.0100 to 6213.0800 and who in the commissioner's opinion will best serve the public convenience and promote the sale of electronic licenses.

Subp. 2. Number of agents. The commissioner may appoint agents without limitation, except that the commissioner may determine that a sufficient number of agents or locations exists within a given area to adequately serve the public.

6213.0320 RECONSIDERATION OF DENIED APPLICATION.

Subpart 1. Notice. If an application to be an agent or add an additional business location is denied, the commissioner shall notify the applicant of the denial in writing and give a brief statement of the reason for denial. The commissioner shall notify the applicant that the applicant may, within 30 days from the day the notice was mailed, request that the commissioner reconsider the application.

Subp. 2. Request for reconsideration. A request for reconsideration must include a written statement setting forth the applicant's legal, factual, or equitable arguments, along with any supporting documents. The commissioner may request that the applicant submit additional supporting facts or documents before making a final decision. The commissioner, after considering any additional facts or documents submitted by the applicant, shall make a decision whether to grant or deny a contract or grant or deny an application to amend the contract to authorize an additional business location.

6213.0400 TERMS OF AGENT CONTRACT.

Subpart 1. Required terms. An agent contract between the commissioner and an agent must include the terms specified in this part and part 6213.0420, subparts 3 and 4.

Subp. 2. Sale of electronic licenses. An agent must agree to make available for sale to the public all electronic licenses covered in the agent's contract with the commissioner.

Subp. 3. Business location. An agent must agree to sell electronic licenses only at the business location specified in the contract and at a place on the premises accessible to the public.

Subp. 4. Hours of operation. An agent must agree to issue electronic licenses to the public during normal business hours or other hours of operation specified under the contract.

Subp. 5. Restrictions on sale of electronic licenses. An agent may not offer electronic licenses for free or at a nominal, reduced, or increased fee except as provided by Minnesota Statutes, sections 97A.475 and 97A.485. An agent may not waive all or part of the issuing fee or use electronic licenses in connection with a drawing, raffle, giveaway, or other sales promotion.

Subp. 6. Displays. An agent must agree to maintain, as instructed by the commissioner, any displays, notices, or other informational materials relating to electronic licenses that are provided by the commissioner.

Subp. 7. Communication and electrical needs. An agent must agree to provide access to a telephone line, either dedicated or nondedicated, and access to electrical outlets. The point-of-sale equipment will utilize a toll-free telephone number to the electronic license system.

Subp. 8. Lost or missing materials and equipment. Except for acts beyond their control, an agent must agree to be responsible for lost, stolen, missing, or destroyed electronic licenses and materials and point-of-sale equipment relating to electronic licenses. An agent, except for those agents who are appointed as a deputy registrar of motor vehicles by the commissioner of public safety under Minnesota Statutes, section 168.33, must provide a deposit not to exceed \$500. The deposit shall be held in a clearing account. The deposit shall be refunded at the time an agent terminates the agent's contract if all point-of-sale equipment and related materials are returned to the commissioner.

Subp. 9. Records. An agent must agree to maintain current and accurate records of all electronic license operations in conformance with law and as directed by the commissioner.

Subp. 10. Access to electronic license operations. An agent must agree to allow the commissioner access to all materials and equipment related to electronic license operations.

Subp. 11. Liability for proceeds. An agent must agree to be liable for all proceeds from the sale of electronic licenses regardless of the manner of payment and for all losses incurred due to credit card fees, nonsufficient funds checks, and counterfeit currency.

Subp. 12. Liability. An agent must agree that any contractual or tortious liability caused by the agent in connection with the sale of electronic licenses is the agent's sole responsibility. The agent must agree to indemnify the commissioner for such liability to the extent permitted by law. This provision shall not be construed to bar any legal remedies the agent may have for the state's failure to fulfill its obligations pursuant to the contract.

Subp. 13. Agent status. An agent must agree that, in the capacity of an agent to sell electronic licenses, the agent is acting on behalf of the commissioner and the state of Minnesota.

Subp. 14. Rules and law. An agent must agree to be bound by and comply with applicable provisions of law and rules and instructions and orders issued by the commissioner.

6213.0410 DURATION OF AGENT CONTRACT; TRANSFERABILITY.

Subpart 1. Duration. An agent contract remains in effect until the contract is terminated at the request of the agent or is canceled or suspended by the commissioner according to parts 6213.0100 to 6213.0800 or other law.

Subp. 2. Change in operations. An agent must notify the commissioner in writing at least 30 days before any change in business location, nature of business, or ownership. The commissioner shall reconsider a contract based on the original application criteria under part 6213.0310 when there is a change in business location, nature of business, or ownership. The commissioner shall cancel the contract if the agent no longer meets the criteria for acceptance of an original application.

Subp. 3. Transferability. An agent contract issued under parts 6213.0100 to 6213.0800 may not be transferred.

6213.0420 FORFEITURE OR SUSPENSION OF CONTRACT.

Subpart 1. Forfeiture of agent contract. In addition to forfeiture under Minnesota Statutes, section 97A.311, subdivision 4, an agent contract is forfeited if the commissioner finds that an agent:

A. provided false or misleading information on the agent's application to the commissioner; or

B. while performing their duty as an agent of the Department of Natural Resources, acted in a manner prejudicial to the public confidence in the integrity of the Department of Natural Resources.

Subp. 2. Suspension of agent contract. The commissioner shall suspend an agent contract until the agent returns to compliance if the commissioner finds that the agent:

A. changed business location without notice to the commissioner under part 6213.0410;

B. failed to account for materials and equipment for operation of the electronic license system;

C. failed to comply with a term or condition of the agent contract;

D. committed an act that impairs the agent's reputation for honesty and integrity related to fulfilling the duties as an agent of the department of natural resources;

E. failed to properly display license point-of-sale equipment and materials; or

F. failed to have the financial stability or responsibility to act as an agent as evidenced by inadequate accounting records or a failure to maintain sufficient funds from the sale of electronic licenses in the appropriate bank account.

Subp. 3. Notice. If an agent contract is forfeited or suspended under subpart 1 or 2, the commissioner shall notify the agent in writing and give a brief statement of the reason for forfeiture or suspension. The commissioner shall notify the agent that the agent may, within 30 days from the day the notice was mailed, request that the commissioner reconsider the forfeiture or suspension.

Subp. 4. Request for reconsideration. A request for reconsideration must include a written statement setting forth the agent's legal, factual, or equitable arguments, along with any supporting documents. The commissioner may request that the agent submit additional facts or documents before making a final decision. The commissioner, after considering any additional facts or documents submitted by the agent, shall make a decision on whether or not to revoke the forfeiture or suspension of the agent's contract.

6213.0500 SALE OF ELECTRONIC LICENSES.

Subpart 1. Place of sale. Electronic licenses must be completed at the agent's business location. An agent is responsible for the completion of each electronic license transaction for each electronic license sold at the agent's place of business.

Subp. 2. Signatures. An applicant for an electronic license must sign the applicant's full name in the spaces provided on the electronic license form.

Subp. 3. Resident licenses. An agent may not issue a resident license to a person unless the agent ascertains that the applicant is a resident, as defined by Minnesota Statutes, section 97A.015, subdivision 42, as demonstrated by:

A. a Minnesota driver's license;

B. a Minnesota identification card issued under Minnesota Statutes, section 171.07, subdivision 3 or 3a;

C. a firearms safety certificate issued under Minnesota Statutes, section 97B.015, subdivision 5; or

D. a snowmobile safety certificate issued under part 6100.5500, subpart 5.

6213.0510 DUPLICATE LICENSES.

A licensee whose electronic license is lost or destroyed may obtain a duplicate license by applying to an agent and signing the duplicate license under oath.

6213.0600 DEPOSIT AND TRANSFER OF FUNDS.**Subpart 1. Bank account.**

A. An agent must maintain a bank account in an FDIC insured banking association, savings association, trust company, or credit union organized under the authority of this state or the United States. The bank account must be able to accept electronic funds transfers. The agent must provide the commissioner with the following account information and must inform the commissioner if the account is changed:

- (1) the agent's name;
- (2) the agent's electronic license account number;
- (3) the name of the agent's bank;
- (4) the bank address, including city, state, and zip code;
- (5) the transit routing number; and
- (6) the bank account number.

B. The agent must deposit all money received from the sale of electronic licenses into the account described in item A, less the amount retained according to law as the issuing fee. The agent's bank account must be set up to permit the commissioner, through the commissioner of finance, to electronically transfer the money to the state treasury.

Subp. 2. Transfer of funds. Before transferring funds, the commissioner shall notify the agent of the designated amounts to be transferred and the designated time of transfer. At the designated time of transfer, the agent must have sufficient funds on deposit in the bank account to permit the transfer to the state treasury.

Subp. 3. Instructions for handling funds. The commissioner shall provide the agent with instructions for the transfer of funds from the agent's bank account to the state treasury and instructions for reconciling any differences between the agent and the commissioner on the amount of money to be electronically transferred.

6213.0700 INSPECTION OF PREMISES.

An agent must allow the commissioner to inspect the agent's business location at any time upon notice to determine whether the agent is complying with the provisions of parts 6213.0100 to 6213.0800 and the agent contract. To determine whether the agent is complying with the provisions of parts 6213.0100 to 6213.0800 and the agent contract, the commissioner may inspect with or without notice to the agent during normal business hours.

6213.0800 REPORTING PROCEDURES.

An agent must file with the commissioner, on a form and in a manner as the commissioner may require, reports of the agent's receipts and transactions in the sale of electronic licenses.

HARMFUL EXOTIC SPECIES CHAPTER 6216

6216.0100 PURPOSE.

The purpose of parts 6216.0100 to 6216.0600 is to prevent the spread of invasive species, including prohibited and regulated invasive aquatic plants and wild animals, into and within the state as authorized by Minnesota Statutes, sections 17.497 and 84D.12, while allowing flexibility for conditional possession of invasive species. Parts 6216.0100 to 6216.0600 also provide a public process for designation of infested waters and classification and designation of nonnative species according to criteria in statute.

6216.0200 DEFINITIONS.

Subpart 1. Scope. For the purposes of parts 6216.0100 to 6216.0600, the terms used have the meanings given to them in Minnesota Statutes, section 84D.01, unless otherwise noted in this part.

Subp. 1a. Applicant. "Applicant" means a person who applies for a Minnesota Department of Natural Resources prohibited invasive species permit or regulated invasive species permit according to part 6216.0265, a water appropriation permit or public works permit according to Minnesota Statutes, chapter 103G, or an infested water permit according to part 6216.0500, subpart 6, or who requests a determination of the appropriate classification of an unlisted nonnative species for introduction according to Minnesota Statutes, section 84D.06.

Subp. 2. Commissioner. "Commissioner" means the commissioner of natural resources of Minnesota or the commissioner's designated representative.

Subp. 3. Department. "Department" means the Minnesota Department of Natural Resources.

Subp. 3a. Free-living state. "Free-living state" means to be unconfined or outside the control of a person, and:

A. in the case of animals other than fish, includes the ability to fly, walk, or swim out of human control;

B. in the case of a fish or aquatic plants, the following locations shall be considered to be in a free-living state:

(1) waters identified as public waters;

(2) natural or artificial waters that are continually or intermittently connected to public waters; or

(3) water-using facilities, such as fish hatcheries, aquatic farms, zoos, and minnow retail or wholesale operations, with outflows that provide direct access for species to enter public waters; and

C. in the case of a fish or aquatic plant, the following locations are not considered a free-living state:

(1) artificial ponds such as water gardens that have no outlet to public waters;

(2) waters whose shorelines are entirely within the land owned by a person, not continually or intermittently connected to public waters, and not identified by the department as public waters; or

(3) water-using facilities, such as fish hatcheries, aquatic farms, zoos, and minnow retail or wholesale operations, with outflows that do not provide direct access for species to enter public waters.

Subp. 4. Repealed, 1998

Subp. 4a. Introduction. "Introduction" has the meaning given in Minnesota Statutes, section 84D.01, subdivision 9. Introduction does not include the immediate return of a nonnative species to waters of the state from which it was removed. "Introduce" means the act of introduction.

Subp. 5. Littoral area. "Littoral area" means any part of a body of water 15 feet deep or less.

Subp. 6. Person. "Person" has the meaning given in Minnesota Statutes, section 645.44, subdivision 7.

Subp. 7. Public waters. "Public waters" means public waters as defined under Minnesota Statutes, section 103G.005, subdivision 15, that have been designated as public waters under the public waters inventory pursuant to Minnesota Statutes, section 103G.201.

6216.0230 NOMENCLATURE.

The scientific taxonomic nomenclature used in parts 6216.0100 to 6216.0600 follows the nomenclature assigned by the following sources, which are incorporated by reference. The sources are available through the Minnetex interlibrary loan system and are not subject to frequent change:

A. The American Fisheries Society, Common and Scientific Names of Fishes from the United States and Canada (fifth edition 1991);

B. John J. Mayer and I. Lehr Brisbin, Jr., Wild Pigs in the United States (1991);

C. The American Ornithologists' Union, Checklist of North American Birds (sixth edition 1983 and subsequent supplements);

D. John T. Kartesz, A Synonymized Checklist of the Vascular Flora of the United States, Canada, and Greenland (second edition 1994);

E. Ronald M. Nowak, Walker's Mammals of the World (fifth edition 1991);

F. A.J. Healy and Elizabeth Edgar, Flora of New Zealand, volume III (1980);

G. C.J. Webb, W.R. Sykes, and P.J. Garnock-Jones, Flora of New Zealand, volume IV (1988); and

H. Flora of North America Editorial Committee, Flora of North America North of Mexico, volume 3 (1997) (for waterlilies only).

6216.0250 PROHIBITED INVASIVE SPECIES.

Subpart 1. Designation. The species in subparts 2 to 5 and any hybrids, cultivars, or varieties of the species are designated as prohibited invasive species.

Subp. 2. Aquatic plants. The following aquatic plants are designated as prohibited invasive species:

A. African oxygen weed (*Lagarosiphon major*) (Ridley) Moss ex Wagner;

B. aquarium watermoss or giant salvinia (*Salvinia molesta*) Mitchell;

C. Australian stonecrop (*Crassula helmsii*) (Kirk) Cockayne;

D. curly-leaf pondweed (*Potamogeton crispus*) Linnaeus;

E. Eurasian water milfoil (*Myriophyllum spicatum*) Linnaeus;

F. European frog-bit (*Hydrocharis morsus-ranae*) Linnaeus;

G. flowering rush (*Butomus umbellatus*) Linnaeus;

H. hydrilla (*Hydrilla verticillata*) (Carl von Linnaeus) Royle;

I. Indian swampweed (*Hygrophila polysperma*) (Roxburgh) T. Anders;

J. purple loosestrife (*Lythrum salicaria*, *Lythrum virgatum*, or any variety, hybrid, or cultivar thereof) Linnaeus;

- K. water aloe or water soldiers (*Stratiotes aloides*) Linnaeus; and
- L. water chestnut (*Trapa natans*) Linnaeus.

Subp. 2a. Federal noxious weed list. For purposes of this part, the aquatic plants listed in Code of Federal Regulations, title 7, section 360.200, are also designated as prohibited invasive species.

Subp. 3. Fish. The following fish are designated as prohibited invasive species:

- A. bighead carp (*Hypophthalmichthys nobilis*) Richardson;
- B. black carp (*Mylopharyngodon piceus*) (Richardson) Peters;
- C. grass carp (*Ctenopharyngodon idella*) Valenciennes;
- D. round goby (*Neogobius melanostomus*);
- E. rudd (*Scardinius erythrophthalmus*) Linnaeus;
- F. ruffe (*Gymnocephalus cernuus*) Linnaeus;
- G. sea lamprey (*Petromyzon marinus*) Linnaeus;
- H. silver carp (*Hypophthalmichthys molitrix*) Valenciennes;
- I. white perch (*Morone americana*) Gmelin; and
- J. zander (*Stizostedion lucioperca*) Linnaeus.

Subp. 4. Invertebrates. The following invertebrate is designated as a prohibited invasive species: zebra mussel (*Dreissena* spp.).

Subp. 5. Mammals. The following mammals are designated as prohibited invasive species:

- A. Asian raccoon dog, also known as finnraccoon (*Nyctereutes procyonoides*);
- B. Eurasian swine, European wild boar (*Sus scrofa scrofa*) Linnaeus;
- C. European rabbit (*Oryctolagus cuniculus*); and
- D. nutria, any strain (*Myocastor coypu*).

6216.0260 REGULATED INVASIVE SPECIES.

Subpart 1. Designation. The species in subparts 2 to 5 are designated as regulated invasive species.

Subp. 2. Aquatic plants. The following aquatic plants are designated as regulated invasive species:

- A. Carolina fanwort or fanwort (*Cabomba caroliniana*) A. Gray;
- B. parrot's feather (*Myriophyllum aquaticum*) (da Conceicao Vellozo) Verdcourt;
- C. nonnative waterlilies (*Nymphaea* spp.) Linnaeus, or any variety, hybrid, or cultivar thereof. Native Minnesota waterlilies are: *Nymphaea odorata* Aiton subsp. *odorata* Aiton, *N. leibergii* Morong, and *N. odorata* Aiton subsp. *tuberosa* (Paine) Wiersema &> Hellquist; and
- D. yellow iris or yellow flag (*Iris pseudacoris*) Linnaeus.

Subp. 3. Fish. The following fish are designated as regulated invasive species:

- A. alewife (*Alosa pseudoharengus*) Wilson;
- B. common carp, koi (*Cyprinus carpio*) Linnaeus;
- C. goldfish (*Carassius auratus*) Linnaeus;
- D. rainbow smelt (*Osmerus mordax*) Mitchell; and
- E. tilapia (*Tilapia*, *Oreochromis*, *Sartheradon* spp.).

Subp. 4. Invertebrates. The following invertebrates are designated as regulated invasive species:

- A. Chinese mystery snail, Japanese trap door snail (*Cipangopaludina* spp.) Hannibal;
- B. rusty crayfish (*Orconectes rusticus*) Girard; and

C. spiny water flea (*Bythotrephes cederstroemi*) Schoedler.

Subp. 5. Birds. The following birds are designated as regulated invasive species:

- A. Egyptian goose (*Alopochen aegyptia*) Linne;
- B. mute swan (*Cygnus olor*) Gmelin; and
- C. Sichuan pheasant (*Phasianus colchicus strachi*).

6216.0265 PERMITS FOR PROHIBITED AND REGULATED INVASIVE SPECIES.

Subpart 1. Requirement. No person may possess, import, purchase, propagate, or transport a prohibited invasive species without a permit from the commissioner issued according to this part, except as authorized by Minnesota Statutes, section 84D.05. No person may introduce a regulated invasive species without a permit from the commissioner issued according to this part, except as authorized in subpart 2. A regulated invasive species permit is not required for a person to possess, import, purchase, propagate, transport, own, or sell a regulated invasive species.

Subp. 2. Exemptions and alternate permits for regulated invasive species. In lieu of an additional permit issued under Minnesota Statutes, section 84D.11, permits and licenses issued under Minnesota Statutes, sections 17.4981 to 17.4994 and chapter 97C, and rules adopted thereunder, may authorize the introduction of regulated invasive species, provided that the conditions specified in those permits and licenses are in accordance with the conditions specified under this part.

Subp. 3. Prohibited invasive species permit limitation. A person may apply for a permit for prohibited invasive species only for the purposes of disposal, control, research, or education according to Minnesota Statutes, section 84D.11, subdivision 1.

Subp. 4. Eligibility; prohibited invasive species permit. An applicant for a prohibited invasive species permit must:

A. have experience in the skills necessary for handling potentially harmful species, including:

- (1) knowledge of precautions necessary to prevent spread through handling; or
- (2) previous experience handling invasive species without allowing escapes;

B. maintain a facility or transportation equipment that prevents the escape of nonnative species;

C. if the applicant is an individual, be at least 18 years of age at the time the application is received by the department; and

D. if the applicant is a corporation, limited partnership, or other business entity, be qualified to do business in Minnesota as shown by a certificate of authority to transact business in Minnesota or a certificate of limited partnership from the Minnesota Secretary of State.

Subp. 5. Permit application.

A. Written application for a permit for a prohibited or regulated invasive species shall be made on a form prescribed by the commissioner and shall contain the following:

- (1) the legal name, address, daytime and evening telephone numbers, and, if an individual, date of birth of the applicant;
- (2) the scientific and common names of either the prohibited invasive species that the applicant desires to propagate, possess, import, purchase, or

transport or the regulated invasive species that the applicant desires to introduce;

(3) a detailed description of the activity the applicant will be undertaking;

(4) a detailed description of the facilities or transportation equipment to be used and an explanation of how the equipment is sufficient to prevent an unauthorized introduction of a prohibited invasive species;

(5) a description of the applicant's experience in handling the same or similar species;

(6) a written contingency plan for eradication or recapture in the event of an unauthorized introduction of the prohibited invasive species; and

(7) an agreement to comply with the requirements of parts 6216.0100 to 6216.0600.

B. The commissioner may request additional information from the applicant in writing after the application is received if necessary to evaluate the potential risk to the state's resources.

C. The commissioner shall review the permit applications and respond to the applicant within 30 days of receipt of the application or the additional information requested in item B.

Subp. 6. Inspection of facilities or equipment. After receipt of an application for a prohibited invasive species permit, and a determination by the commissioner that the applicant has satisfied all the initial requirements for a permit as described in this part, the commissioner may inspect the applicant's holding facilities or other containment or transportation equipment. Facilities holding prohibited invasive species under permit are subject to inspection by the commissioner at any reasonable time.

Subp. 7. Transferability. A permit issued under this part is not transferable.

Subp. 8. Expiration date and renewal. All prohibited invasive species and regulated invasive species permits expire at midnight on December 31 of each year, unless otherwise specified in the permit. Applications for renewal of permits shall be made by October 1 of the year the permit expires. Applications for renewal shall describe any changes to the information initially required in subpart 5.

Subp. 9. Revocation of permit.

A. The commissioner may revoke all or part of a permit issued under this part when:

(1) the commissioner determines that a permittee has failed to comply with parts 6216.0100 to 6216.0600; or

(2) it is necessary to protect the interests of the public, to protect native plant and animal populations in the state, or to otherwise protect the state's natural resources.

B. Except in an emergency situation when delay would threaten the state's natural resources, the commissioner shall, at least 14 days prior to the effective date of the revocation, inform the permit holder in writing of the nature of the revocation and of the conditions that, in the commissioner's opinion, require revocation.

C. Within 30 days of receipt of a notice of revocation, the permit holder may apply for an amendment to the permit or request a hearing before the commissioner to contest the revocation, to support the permit holder's proposed amendment, or both.

D. The permit shall be revoked on the date stated on the revocation notice until such time that the decision is reversed or modified.

Subp. 10. Disclaimer of liability. A prohibited invasive species permit or regulated invasive species permit issued under this part is permissive only. No liability is assumed by the state or any of its officers, agents, or employees by issuing a prohibited or regulated invasive species permit or by any acts or operations of the permittee or any prohibited or regulated invasive species in possession of the permittee.

Subp. 11. Effective date. A person possessing, importing, purchasing, selling, propagating, transporting, or introducing a prohibited invasive species on June 2, 1998, must apply for a permit within 60 days of June 2, 1998.

6216.0270 UNREGULATED NONNATIVE SPECIES.

Subpart 1. Designation. The species in subparts 2 to 5 are designated as unregulated nonnative species. These nonnative species are not subject to regulation under Minnesota Statutes, chapter 84D.

Subp. 2. Fish. The following fish are designated as unregulated nonnative species:

- A. Atlantic salmon (*Salmo salar*) Linnaeus;
- B. brown trout (*Salmo trutta*) Linnaeus;
- C. coho salmon (*Oncorhynchus kisutch*) Walbaum;
- D. Chinook salmon (*Oncorhynchus tshawytscha*) Walbaum;
- E. pink salmon (*Oncorhynchus gorbuscha*) Walbaum;
- F. rainbow trout (*Oncorhynchus mykiss*) Walbaum; and
- G. subtropical, tropical, and saltwater fish, except anadromous species.

Subp. 3. Invertebrates. The following invertebrates are designated as unregulated nonnative species: subtropical, tropical, and saltwater invertebrates.

Subp. 4. Mammals. The following mammal is designated as an unregulated nonnative species: rat (*Rattus norvegicus* and *Rattus rattus*).

Subp. 5. Birds. The following birds are designated as unregulated nonnative species:

- A. chukar partridge (*Alectoris chukar*) Gray;
- B. helmeted Guinea fowl (*Numida meleagris*) Linnaeus;
- C. house sparrow (*Passer domesticus domesticus*) Linnaeus;
- D. Hungarian partridge, gray partridge (*Perdix perdix*) Linnaeus;
- E. peafowl (*Pavo cristatus*) Linnaeus;
- F. pigeon or rock dove (*Columba livia*) Gmelin;
- G. ring-necked pheasant (*Phasianus colchicus*) Linnaeus; and
- H. starling (*Sturnus vulgaris vulgaris*) Linnaeus.

6216.0280 ESCAPE OF NONNATIVE SPECIES.

Subpart 1. Reporting. To report an unauthorized introduction of prohibited invasive animal species, regulated invasive animal species, or unlisted nonnative animal species, in compliance with Minnesota Statutes, section 84D.08, a person shall notify the department's area or regional conservation officer or the invasive species program staff in the department's St. Paul office by telephone within 48 hours after learning of the unauthorized introduction.

Subp. 2. Information required. The following information shall be provided to the department about the unauthorized introduction:

- A. the quantity and species;
- B. the location of the introduction;
- C. the date and time the introduction occurred or was discovered;
- D. the last known location of the species; and

E. the reporter's address and daytime and evening telephone numbers.

6216.0290 PROCESS FOR REVIEW OF PROPOSED INTRODUCTIONS OF UNLISTED NONNATIVE SPECIES.

Subpart 1. Applications and information required.

A. A person who seeks to introduce an unlisted nonnative species in the state according to Minnesota Statutes, section 84D.06, shall submit an application on a form prescribed by the commissioner. The form shall request the following information:

- (1) the name, address, and telephone number of the applicant;
- (2) the scientific and common names, family, and reference used for the scientific name of the unlisted nonnative species proposed for introduction;
- (3) the number of individual plants or animals proposed for introduction;
- (4) the reason and need for the proposed introduction;
- (5) the potential to use native species for the same purpose;
- (6) the location for the proposed introduction;
- (7) scientific-based information about the native range of the unlisted nonnative species;
- (8) the source of the actual individual organisms proposed to be introduced;
- (9) scientific-based information about the ability of the unlisted nonnative species to naturalize, displace native species, and harm natural resources or their use in similar climates and latitudes; and
- (10) an assessment of the potential adverse impacts on native Minnesota species and ecosystems, including scientific-based information about:
 - (a) the potential to introduce disease or parasites to native fish or wildlife populations;
 - (b) the potential for interbreeding or hybridizing with native fish or wildlife;
 - (c) the potential predation on native fish or wildlife; and
 - (d) any possible competition with native fish, wildlife, or aquatic plants for food, habitat, water, or other resources.

B. The commissioner may request additional information in writing after the application is received if necessary to assess the potential impacts of an introduction.

Subp. 2. Application review. The commissioner shall reject an application within ten working days after receipt of the application if the application does not contain the information required in subpart 1.

Subp. 3. Review period. Within 60 days of receipt of an application that contains the information in subpart 1, the commissioner shall assess the apparent risk of the introduction in the state and classify the species according to Minnesota Statutes, section 84D.04, subdivision 2. If the commissioner determines during the 60-day period that there should be a public comment period for the proposed introduction, or the commissioner determines that additional information is necessary to adequately evaluate the proposed introduction, the commissioner may extend the review period and state the basis of the extension in writing to the applicant. The review period may be extended to a date 30 days from the end of the public comment period or receipt by the department of the additional information requested from the applicant.

Subp. 4. Review process. Prior to classification of an unlisted nonnative species and making a final assessment on a proposed introduction, the commissioner may:

- A. seek information and opinions from technical experts;
- B. solicit public comment and hold public hearings on the proposed introduction;
- C. consult with other potentially affected jurisdictions; and
- D. in the case of an animal species, request a certificate of veterinary inspection or other appropriate certification that the animal is pathogen-free.

Subp. 5. Comment period and comments. If the commissioner determines that a public comment period is necessary on the proposed introduction, the commissioner shall promptly proceed to publish a notice in the EQB Monitor, which is published by the Environmental Quality Board. A 30-day period for review and comment begins the day a notice of the public comment period is published in the EQB Monitor. Written comments to the commissioner during the public comment period may address the accuracy and completeness of material contained in the application, additional information regarding the proposed introduction that is not contained in the application, or potential impacts that may warrant further investigation before the commissioner acts on the proposed introduction.

Subp. 6. Designation and notification. After completion of the review of a proposal to introduce an unlisted nonnative species and making a determination of the appropriate classification, the commissioner shall designate the species and notify the applicant as required under Minnesota Statutes, section 84D.06.

6216.0300 DESIGNATION, NOTICE, AND MARKING OF INFESTED WATERS.

Subpart 1. Designation of infested waters and notice. The commissioner shall designate infested waters. The commissioner shall publish the names of designated water bodies in the State Register before May 1 of each year and provide notice through other available means where practical. The department shall post signs describing the infestation at all public accesses to designated water bodies. At any time, the commissioner may esignate additional water bodies or remove from designation those water bodies which no longer are infested waters.

Subp. 2. Repealed, 2000

Subp. 3. Repealed, 2000

6216.0350 DESIGNATED INFESTED WATERS.

Subpart 1. Listing of waters infested with Eurasian water milfoil. The following water bodies are designated by the commissioner as infested with Eurasian water milfoil (*Myriophyllum spicatum*). Activities at these waters are subject to parts 6216.0100 to 6216.0600, Minnesota Statutes, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
A. Anoka County	
(1) Cenaiko Lake	02-0654
(2) Centerville Lake	02-0006
(3) Crooked Lake	02-0084
(4) Lake George	02-0091

Name	DNR Protected Waters Inventory Number
(5) Otter Lake	02-0003
(6) Unnamed lake in Springbrook Nature Center	02-0688
B. Carver County	
(1) Ann Lake	10-0012
(2) Auburn Lake	10-0044
(3) Bavaria Lake	10-0019
(4) Firemen's Lake	10-0226
(5) Lotus Lake	10-0006
(6) Lake Minnewashta	10-0009
(7) Pierson Lake	10-0053
(8) Riley Lake	10-0002
(9) Schutz Lake	10-0018
(10) Stone Lake	10-0056
(11) Lake Virginia	10-0015
(12) Lake Waconia	10-0059
(13) Lake Zumbra	10-0041
C. Chisago County	
(1) Ellen Lake	13-0047
(2) Green Lake	13-0041
(3) Rush Lake	13-0069
D. Crow Wing County	
(1) Bay Lake	18-0034
(2) Ruth Lake	18-0212
E. Dakota County	
(1) Crystal Lake	19-0027
(2) Lac Lavon	19-0347
(3) Lake Marion	19-0026
(4) Twin Lakes	19-0028
F. Douglas County	
(1) Oscar Lake	21-0257
G. Hennepin County	
(1) Arrowhead Lake	27-0045
(2) Bass Lake	27-0098
(3) Brownie Lake	27-0038
(4) Bryant Lake	27-0067
(5) Bush Lake	27-0047
(6) Lake Calhoun	27-0031
(7) Cedar Lake	27-0039
(8) Christmas Lake	27-0137
(9) Dutch Lake	27-0181
(10) Eagle Lake	27-0111
(11) Fish Lake	27-0118
(12) Forest Lake	27-0139
(13) Gleason Lake	27-0095
(14) Lake Harriet	27-0016
(15) Hiawatha Lake	27-0018
(16) Lake Independence	27-0176
(17) Lake of the Isles	27-0040
(18) Libbs Lake	27-0085

Name	DNR Protected Waters Inventory Number
(19) Little Long Lake	27-0179
(20) Long Lake	27-0160
(21) Medicine Lake	27-0104
(22) Minnehaha Creek	27-0000
(23) Lake Minnetonka	27-0133
(24) Niccum's pond	private
(25) Lake Nokomis	27-0019
(26) Parker's Lake	27-0107
(27) Peavy Lake	27-0138
(28) Lake Rebecca	27-0192
(29) Rice Lake	27-0116
(30) Round Lake	27-0071
(31) Lake Sarah	27-0191
(32) Schmidt Lake	27-0102
(33) Swan Lake	27-0000
(34) Tanager Lake	27-0141
(35) Whaletail Lake	27-0184
(36) Wirth Lake	27-0037
H. Itasca County	
(1) Ice Lake	31-0372
(2) McKinney Lake	31-0370
I. Kanabec County	
(1) Knife Lake	33-0028
J. Meeker County	
(1) Stella Lake	47-0068
(2) Lake Washington	47-0046
K. Mille Lacs County	
(1) Lake Mille Lacs	48-0002
(2) from the mouths of each tributary of Lake Mille Lacs upstream to the first public road	48-0000
L. Olmsted County	
(1) George Lake	55-0008
M. Pope County	
(1) Gilchrist Lake	61-0072
(2) Lake Minnewaska	61-0130
N. Ramsey County	
(1) Bald Eagle Lake	62-0002
(2) Lake Gervais	62-0007
(3) Island Lake	62-0075
(4) Keller Lake	62-0010
(5) Phalen Lake	62-0013
(6) Round Lake	62-0012
(7) Silver Lake	62-0001
(8) Spoon Creek, between Keller and Phalen Lakes	62-0000
(9) Sucker Lake	62-0028
(10) Lake Vadnais	62-0038
(11) Lake Wabasso	62-0082

Name	DNR Protected Waters Inventory Number
O. St. Louis County	
(1) Gilbert Pit Lake	69-1306
P. Scott County	
(1) Lower Prior Lake	70-0026
Q. Stearns County	
(1) unnamed wetland along Clearwater river	73-0312
R. Todd County	
(1) Sauk Lake	77-0150
S. Washington County	
(1) Powers Lake	82-0092
(2) White Bear Lake	82-0167
(3) St. Croix Rive	82-0001
T. Wright County	
(1) Augusta Lake	86-0284
(2) Beebe Lake	86-0023
(3) Buffalo Lake	86-0090
(4) Clearwater Lake	86-0252
(5) Clearwater River, downstream of Clearwater Lake	86-0000
(6) Lake Mary	86-0156
(7) Little Waverly Lake	86-0106
(8) Lake Pulaski	86-0053
(9) Rock Lake	86-0182
(10) Sugar Lake	86-0233
(11) Waverly Lake	86-0114
(12) Weigand Lake	86-0242
U. Multiple counties	
(1) Mississippi River, downstream of St. Anthony Falls	

Subp. 2. Listing of waters infested with round goby. The following water bodies are designated by the commissioner as infested with round goby (*Neogobius melanostomus*). Activities at these waters are subject to parts 6216.0100 to 6216.0600, Minnesota Statutes, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
Multiple Counties	
(1) Lake Superior	16-0001
(2) St. Louis River, downstream of the Fond du Lac dam	

Subp. 3. Listing of waters infested with ruffe. The following water bodies are designated by the commissioner as infested with ruffe (*Gymnocephalus cernuus*). Activities at these waters are subject to parts 6216.0100 to 6216.0600, Minnesota Statutes, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
Multiple Counties	
(1) Lake Superior	16-0001
(2) St. Louis River, downstream of the Fond du Lac dam	

Subp. 4. Listing of waters infested with spiny water flea. The following water bodies are designated by the commissioner as infested with spiny water flea (*Bythotrephes cederstroemi*). Activities at these waters are subject to parts 6216.0100 to 6216.0600, Minnesota Statutes, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
A. St. Louis County	
(1) Fish Lake	69-0491
(2) Island Lake	69-0372
B. Multiple Counties	
(1) Lake Superior	16-0001
(2) Cloquet River from Island Lake to the St. Louis River	
(3) St. Louis River, downstream of the Cloquet River	

Subp. 5. Listing of waters infested with white perch. The following water bodies are designated by the commissioner as infested with white perch (*Morone americana*). Activities at these waters are subject to parts 6216.0100 to 6216.0600, Minnesota Statutes, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
Multiple Counties	
(1) Lake Superior	16-0001
(2) St. Louis River, downstream of the Fond du Lac dam	

Subp. 6. Listing of waters infested with zebra mussels. The following water bodies are designated by the commissioner as infested with zebra mussels (*Dreissena* spp.). Activities at these waters are subject to parts 6216.0100 to 6216.0600, Minnesota Statutes, section 84D.13, and other applicable laws.

Name	DNR Protected Waters Inventory Number
Multiple Counties	
(1) Lake Superior	16-0001
(2) Mississippi River, downstream of St. Anthony Falls	
(3) St. Louis River, downstream of the Fond du Lac dam	

6216.0400 RESTRICTED ACTIVITIES ON INFESTED WATERS; PERMITS.

Subpart 1. Taking bait from infested waters. The taking of wild animals from infested waters for bait or aquatic farm purposes is prohibited, except:

A. by permit according to part 6254.0200 and Minnesota Statutes, sections 84D.03, subdivision 3, and 84D.11, subdivision 2a; and

B. harvest for bait purposes from waters that are designated as infested waters solely because they contain Eurasian water milfoil is allowed for noncommercial personal use.

Subp. 1a. Permit application.

A. Written application for a permit to harvest wild animals from infested waters for bait or aquatic farm purposes shall be made on a form provided by the commissioner and shall contain:

(1) the applicant's legal name, business name, license number, address, and daytime and evening telephone numbers;

(2) the names of the waters and counties where the applicant desires to harvest wild animals for bait or aquatic farm purposes; and

(3) a description of the harvest and transportation equipment to be used, including boats, motors, and trailers.

B. An application for a permit according to part 6254.0200 and Minnesota Statutes, sections 84D.03, subdivision 3, and 84D.11, subdivision 2a, must be mailed or delivered to the Minnesota DNR-Commercial Fisheries Program Coordinator, 500 Lafayette Road, St. Paul, MN 55155-4012.

C. An application for a permit under this part must be submitted by March 1 to be considered for permits that are effective on April 10 of the same year.

Subp. 1b. Expiration; renewal; transferability. Permits issued under this part expire at midnight on April 9 of each year, unless otherwise specified in the permit. An application for renewal shall describe any changes to the information submitted in the prior year. A permit issued under this part is not transferable.

Subp. 1c. Revocation of permit.

A. When the commissioner determines that a permittee has failed to comply with conditions of the permit, the commissioner may issue a warning or, if deemed necessary for the protection of the aquatic resources, revoke all or part of a permit. The commissioner may revoke the permit if deemed necessary for the protection of the aquatic resources. When it is determined that a third offense has occurred, the commissioner must revoke the permit.

B. Except in an emergency situation when delay would threaten the state's natural resources, the commissioner shall, at least seven days before the effective date of the revocation, inform the permit holder in writing of the nature of the revocation and of the conditions that, in the commissioner's opinion, require revocation.

C. Upon notice of revocation, the permit holder may apply for an amendment to the permit or request a contested case hearing to contest the revocation. The permit is revoked on the date stated in the revocation notice until such time that the decision is reversed or modified.

Subp. 2. Restrictions on sport gill netting for whitefish and ciscoe in infested waters. If the commissioner designates waters that are open to sport gill netting for whitefish and ciscoe as infested waters, the commissioner may close the gill netting season for the designated water body, require that gill nets used in the infested waters not be used in other water bodies, or require that nets used in infested waters must be dried for a minimum of ten days or frozen for a minimum of two days before they are used in noninfested

waters. The commissioner shall publish the names of designated water bodies and new requirements or closures in the State Register and provide notice through media releases and other available means where practical. In addition, the commissioner shall post notice of the restrictions at public access points to designated water bodies.

Subp. 3. Repealed, 2004

Subp. 4. Repealed, 2000

6216.0500 TRANSPORTATION AND APPROPRIATION OF WATER FROM INFESTED WATERS.

Subpart 1. Transporting water and wild animals from infested waters.

Water from infested waters may not be used to transport wild animals except as provided in subpart 4. Live fish taken under a commercial fishing license may be transported from infested waters to other waters or holding facilities from May 1 to October 31 with a transportation permit issued by the department pursuant to Minnesota Statutes, section 17.4985.

Subp. 2. Disposition of water used to transport wild animals from infested waters.

Water used to transport wild animals from infested waters pursuant to subpart 1, including water from waters or facilities permitted to hold fish from infested waters, may be disposed of only at sites approved in writing by the commissioner.

Subp. 3. Persons leaving select infested waters. A person leaving infested waters designated as having populations of zebra mussel or spiny water flea must drain bait containers, other boating-related equipment holding water excluding marine sanitary systems, and livewells and bilges by removing the drain plug before transporting the watercraft and associated equipment on public roads.

Subp. 4. Diversion, appropriation, and transportation of infested waters.

Infested waters may not be transported on a public road or off property riparian to infested waters except:

- A. in emergencies, such as fire emergencies;
- B. as specified in a water appropriation or public waters work permit issued by the commissioner pursuant to Minnesota Statutes, chapter 103G; or
- C. under a permit issued pursuant to this part.

Infested waters may not be diverted to other waters without a permit issued pursuant to this part, or as authorized in a public waters work permit or water appropriation permit issued by the commissioner pursuant to Minnesota Statutes, chapter 103G.

Subp. 5. Fish hatchery or aquatic farm operations in infested waters.

A. Natural lakes or wetland basins that are designated as infested waters will not be licensed by the department pursuant to Minnesota Statutes, section 17.4984, for aquatic farms or pursuant to Minnesota Statutes, section 97C.211, as private fish hatcheries.

B. Artificial water basins that have populations of prohibited or regulated invasive species may be used for aquatic farm or private hatcheries under license by the department. After notifying a licensee that an artificial water basin has a prohibited or regulated invasive species, the commissioner may require that nets, traps, buoys, stakes, and lines that have been used in such artificial water basins must be dried for a minimum of ten days, or frozen for a minimum of two days, before they are used in noninfested waters. All aquatic plants must be removed from nets and other equipment that are removed from the artificial water basins.

C. The commissioner may license aquatic farm or private fish hatchery facilities to use infested waters as a source for the facilities' water. The commissioner may require that the waters be treated to eliminate prohibited or regulated invasive species.

D. Fish raised in artificial water basins that have populations of prohibited or regulated invasive species, or in any facility using infested water as a source, must be sold directly to a wholesale buyer for processing, except:

(1) the commissioner may by permit allow the stocking or transport of such fish where the receiving waters contain populations of the same prohibited or regulated invasive species as the source facility's waters; or

(2) the commissioner may by permit allow the stocking or transport of such fish in water bodies that do not contain populations of prohibited or regulated invasive species if the source facility uses adequate treatment to remove the prohibited or regulated invasive species from the facility.

Subp. 6. Infested waters diversion or transportation permits.

Applications for permits issued pursuant to this part, to divert or transport water from infested waters, shall be made on forms obtained from the commissioner and shall contain information as the commissioner may prescribe. The department shall act upon the application within 90 days of receipt. Failure on the part of the department to act upon the permit within the required time shall not be construed as approval of the application. Permits shall state all the conditions and limitations upon which they are based. A permit may be modified at any time by the department.

6216.0600 VIOLATIONS; CONFISCATIONS.

Unless a different penalty is prescribed, a violation of parts 6216.0265, 6216.0280 to 6216.0290, or 6216.0400 to 6216.0500 is a misdemeanor as set forth in Minnesota Statutes, section 84D.13. Where a violation has occurred, the department may confiscate the prohibited invasive species, regulated invasive species, or unlisted nonnative species immediately upon discovery wherever found and, at the department's discretion, destroy it. Where infested water is being appropriated, or diverted or transported without a permit, or otherwise contrary to the provisions of parts 6216.0100 to 6216.0600, the department may order that the activities cease. Any expense or loss in connection with enforcement of the order shall be borne by the permittee or responsible person.

WILDLIFE MANAGEMENT CHAPTER 6230

6230.0100 DEFINITIONS.

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 2. Special goose season. "Special goose season" means an open season for the taking of geese where quotas exist on the numbers of hunters or harvest or a season that is restricted in area or time from the regular statewide seasons.

Subp. 3. Waterfowl season. "Waterfowl season" means any open season for the taking of migratory waterfowl.

6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.

Subpart 1. Areas requiring a permit to trap. The following wildlife management areas are open to trapping with a permit:

- A. Carlos Avery in Anoka and Chisago Counties;
- B. Hubbel Pond in Becker County;
- C. Red Lake in Beltrami and Lake of the Woods Counties;
- D. Talcot Lake in Cottonwood and Murray Counties;
- E. Mille Lacs in Mille Lacs and Kanabec Counties;
- F. Lac qui Parle in Big Stone, Lac qui Parle, Swift, and Chippewa Counties;
- G. Roseau River in Roseau County;
- H. Thief Lake in Marshall County; and
- I. Whitewater in Olmsted, Wabasha, and Winona Counties.

Subp. 2. Trapping permits. On areas where trapping permits are required, the number of trapping permits may be limited to avoid undue depletion of the furbearer resources or to prevent excessive crowding of trappers. The wildlife manager may establish a method, including a drawing, for impartially selecting the persons who may trap. An application for a trapping permit may be rejected if the trapper has failed to submit a trapping report for the previous season. Permits may be revoked at any time if the permittee violates any law or regulation or fails to comply with the requirements of the permit.

Subp. 3. Areas closed to migratory waterfowl hunting. The Gordon F. Yeager Wildlife Management Area and the Eastside Wildlife Management Area in Olmsted County and the Carl Schmidt Wildlife Management Area in Morrison County are closed to the taking of migratory waterfowl. On the Gordon F. Yeager Wildlife Management Area, small game taken by firearms may only be taken with shotguns using No. 4 or smaller diameter shot.

Subp. 4. Areas with hunting, trapping, and firearms restrictions. The Bayport Wildlife Management Area in Washington County and the Raguet Wildlife Management Area in Scott and Carver Counties are:

- A. closed to the trapping of unprotected mammals, except when there is an open trapping season for a protected species;
- B. closed to the possession of firearms unless unloaded and contained in a case, except that shotguns with only No. 4 buckshot or smaller diameter shot may be used during the small game season in posted areas; and
- C. open to the possession and use of lawful archery equipment in designated hunting areas during established hunting seasons.

In the Bayport Wildlife Management Area, all firearms will be allowed on the specified rifle range when supervised by the Minnesota Department of Corrections.

Subp. 5. Areas closed to hunting and trapping. The Boerner Wildlife Management Area in Sibley County, the Buelow Wildlife Management Area in Steele County, the Bryson Wildlife Management Area in Freeborn County, the Chapa-Kak-Say-Za Wildlife Management Area in Steele County, and the Hutchinson Wildlife Management Area in McLeod County are closed to the hunting and trapping of all species. The Sand Prairie Wildlife Management Area in Sherburne County is closed to the hunting and trapping of all species, except hunting by individuals with disabilities participating in a special hunt.

Subp. 6. Areas closed to hunting only. The Hearing Island Wildlife Management Area in St. Louis County, the Pine City Wildlife Management Area in Pine County, and the Carl and Verna Schmidt and Bur Oak Wildlife Management Areas in LeSueur County are closed to the hunting of all species.

Subp. 7. Areas open to waterfowl hunting only. The Gold Portage Wildlife Management Area in Koochiching and St. Louis Counties is open to waterfowl hunting during the established season. It is closed to all other hunting and to trapping.

Subp. 8. Areas open to hunting beginning with the opening of waterfowl season. The Uppgaard Wildlife Management Area in Crow Wing County is open to hunting and trapping beginning on the opening date of the regular migratory waterfowl season. Unprotected species may not be taken, except during the same time and by the same methods legal to take protected species.

Subp. 9. Areas closed to firearms deer hunting. The Lake Blanche Wildlife Management Area in Otter Tail County and a portion of the Timber Lake Wildlife Management Area (as posted) in Jackson County are closed to firearms deer hunting.

Subp. 10. Areas closed to trapping only. The Pike Bay Wildlife Management Area in St. Louis County is closed to the trapping of all species.

Subp. 11. Areas with other restrictions.

A. The Schrafel Wildlife Management Area in Mower County is closed to trapping and firearms hunting. It is open to archery deer hunting.

B. The Hvoslef Wildlife Management Area in Fillmore County is open to archery hunting only from September 1 to October 31 and during the spring wild turkey seasons. Firearms hunting, except the use of centerfire rifles, is allowed from November 1 to December 15.

Subp. 12. Sanctuary areas open to hunting. The following sanctuary areas of wildlife management areas posted with "Wildlife Sanctuary Do Not Trespass" signs are open for hunting as specified:

A. The Talcot Lake Wildlife Management Area Sanctuary is open for deer hunting by persons with disabilities at designated stands, by permit, during the established state seasons.

B. The Carlos Avery Wildlife Management Area sanctuaries are open for:

(1) hunting by persons with disabilities at designated stands, by permit; and

(2) taking wild turkeys during the spring wild turkey season in those portions of the sanctuaries that lie within an open spring wild turkey hunting zone.

6230.0250 GENERAL PROVISIONS FOR USE OF WILDLIFE MANAGEMENT AREAS.

Subpart 1. Waterfowl season, defined. For the purposes of this part, "waterfowl season" means any day that there is an open season for the taking of migratory waterfowl.

Subp. 2. Reporting. The commissioner may require persons to report animals taken within wildlife management areas and submit them for inspection.

Subp. 3. Nuisance animals. Unprotected wild animals may not be taken within wildlife management areas from March 1 to August 31, except by a person lawfully hunting a protected species. Nuisance animals in wildlife management areas may be controlled under permits issued by a wildlife manager.

Subp. 4. Compatible uses and exceptions. Wildlife management areas may be used for wildlife observation, sport fishing, hiking, snowshoeing, and other resource-related uses if the uses are not inconsistent with parts 6230.0250 to 6230.0270. Exceptions to this part for specific wildlife management areas are provided by parts 6230.0100 and 6230.0200.

Subp. 5. Entry and hours of use. A person may not enter a portion of a wildlife management area posted closed to trespass, except as posted or as otherwise authorized by an agent of the commissioner. Wildlife management areas may not be entered or used during closed hours posted at the major access points, except by permit.

Subp. 6. Harvest of bait. Taking minnows, leeches, and other live bait for noncommercial use is allowed. Harvest of live bait for commercial purposes within a wildlife management area is allowed only under permit issued by the wildlife manager.

Subp. 7. Overnight use. A person may not camp on or remain in a vehicle overnight in any wildlife management area, except by permit or where posted for this use by the commissioner. A person may not leave a vehicle, trailer, or tent overnight within a wildlife management area, except by permit or in areas and at times designated by signs for overnight use. A vehicle, trailer, or tent lawfully left overnight must be occupied or attended.

Subp. 8. Alcoholic beverages. A person may not consume alcoholic beverages within a wildlife management area, except when lawfully occupying an overnight use area.

Subp. 9. Use of motorboats. Motorboat use is prohibited within a wildlife management area, except where posted or as provided in this subpart. For purposes of this chapter, "motorboat" includes motorboats as defined in Minnesota Statutes, section 86B.005, subdivision 9, and duckboats with motors attached.

A. Gores Wildlife Management Area in Dakota and Goodhue Counties: motorboats may be used with no limit on size.

B. Lac qui Parle Wildlife Management Area in Big Stone, Chippewa, Lac qui Parle, and Swift Counties: motorboats may be used with no limit on size.

C. Mud-Goose Wildlife Management Area in Cass County: motorboats of ten horsepower or less may be used, except during any waterfowl season.

D. Orwell Wildlife Management Area in Ottertail County: motorboats of ten horsepower or less may be used.

E. Roseau River Wildlife Management Area in Roseau County: motorboats may be used in the main channel and oxbows of the Roseau River.

Motorboats of ten horsepower or less may be used elsewhere within the area only during a waterfowl season.

F. Talcot Lake Wildlife Management Area in Cottonwood and Murray Counties: motorboats may be used on Talcot Lake, except watercraft are not permitted on the north one-half of Talcot Lake during any waterfowl season. Only nonmotorized watercraft are permitted on the river and marshes within the areas open to public hunting.

G. Thief Lake Wildlife Management Area in Marshall County: motorboats of ten horsepower or less may be used.

H. Walnut Lake Wildlife Management Area in Faribault County: motorboats of ten horsepower or less may be used in that portion of the area known as South Walnut Lake.

I. Gold Portage Wildlife Management Area in Koochiching and St. Louis Counties: motorboats may be used with no limit on size.

J. Swamp River Wildlife Management Area in Cook County: motorboats may be used with no limit on size.

K. Chub Lake Wildlife Management Area in Dakota County: motorboats may be used with no limit on size.

Subp. 10. General restrictions on vehicles.

A. A person may not operate an all-terrain vehicle, hang glider, air boat, hover craft, or personal watercraft defined in Minnesota Statutes, section 86B.005, within the boundaries of a wildlife management area. Exceptions for all-terrain vehicle use include:

(1) use during deer seasons as provided in part 6232.0300, subpart 7, item B;

(2) use by a hunter with a disability who has a permit approved by the area wildlife manager under Minnesota Statutes, section 97A.137, subdivision 3;

(3) use for ice fishing as provided in item C; and

(4) use on designated trails as provided in Minnesota Statutes, section 97A.133, subdivision 3.

For purposes of this chapter, all-terrain vehicle means vehicles as defined in part 6232.0300, subpart 7, item C.

B. A person may not operate a snowmobile in a wildlife management area in that part of the state lying south and west of the line described in this item, except as provided in part 6232.0300, subpart 7, by permit from the area wildlife manager, as provided in item C, or as otherwise posted:

U.S. Highway 2 from East Grand Forks east to Bemidji; thence south along U.S. Highway 71 to Wadena; thence east along U.S. Highway 10 to Staples and U.S. Highway 210 to Carlton; thence east in a straight line to the easterly boundary of the state.

C. A person may use a motor vehicle, for ice fishing purposes only, on the following lakes, except where posted closed to motor vehicles:

(1) Rice Lake in the Rice-Skunk Wildlife Management Area, Morrison County;

(2) Marsh Lake and Lac qui Parle Lake in the Lac qui Parle Wildlife Management Area, Big Stone, Lac qui Parle, Swift, and Chippewa Counties;

(3) Talcot Lake in the Talcot Lake Wildlife Management Area, Cottonwood County;

(4) Walnut Lake in the Walnut Lake Wildlife Management Area, Faribault County;

(5) North Lake in the Gores Pool Wildlife Management Area, Goodhue County; and

(6) Boot Lake in the Bootleg Lake Wildlife Management Area, Jackson County.

D. A vehicle may not be parked in a wildlife management area in front of a gate or in a manner that obstructs travel.

Subp. 11. Motor vehicles on major areas. Motor vehicles licensed for use on a public highway may be operated up to 20 miles per hour within the following wildlife management areas, unless posted otherwise:

A. Carlos Avery Wildlife Management Area in Anoka and Chisago Counties;

B. Talcot Lake Wildlife Management Area in Cottonwood and Murray Counties;

C. Mille Lacs Wildlife Management Area in Kanabec and Mille Lacs Counties;

D. Red Lake Wildlife Management Area in Beltrami and Lake of the Woods Counties;

E. Roseau River Wildlife Management Area in Roseau County;

F. Thief Lake Wildlife Management Area in Marshall County;

G. Lac qui Parle Wildlife Management Area in Big Stone, Chippewa, Lac qui Parle, and Swift Counties; and

H. Whitewater Wildlife Management Area in Olmsted, Wabasha, and Winona Counties.

Vehicles may be operated only on established roads and may not be driven beyond signs prohibiting vehicular use, beyond any constructed vehicle barrier, or in a reckless or careless manner.

Subp. 12. Motor vehicles within other areas. Motor vehicles licensed for use on a public highway are prohibited within all other wildlife management areas, except that they may be operated up to 20 miles per hour on those routes designated by signs for travel purposes.

Subp. 13. Aircraft. Aircraft activities that chase, herd, scare, or otherwise disturb wildlife are prohibited over wildlife management areas, except in emergencies or by authorization of the wildlife manager.

Subp. 14. Firearms and target shooting. Target, trap, skeet, or indiscriminate shooting is prohibited within a wildlife management area except as authorized by the commissioner. A person may not possess an uncased or loaded firearm or an uncased and strung bow, except when lawfully taking a wild animal or by permit from the area wildlife manager. Discharge of firearms or bows and arrows or possession of uncased firearms or bows is prohibited in areas posted closed to discharge or possession of firearms and bows. A person training a dog on a wildlife management area may not use live ammunition or blank cartridges, including the use of blanks in dummy launchers or similar devices designed to use an explosive charge to propel a retrieving dummy or similar object.

Subp. 15. Structures. A person may not construct or maintain a building, dock, fence, billboard, sign, or other structure within a wildlife management area. Temporary waterfowl blinds may be erected but may not be used to preempt a hunting location. Materials brought into the area for the construction of blinds must be removed from the area each day at the close of shooting hours.

Subp. 16. Stands. It is unlawful to construct, occupy, or use any elevated scaffold or stand to watch for or take wild animals in a wildlife management area, except that portable stands may be used if they are removed each day at the close of shooting hours and do no permanent damage. Spikes or nails

driven into trees are prohibited but screwing or clamping devices are allowed if removed each day at the close of shooting hours.

Subp. 17. Commercial and private business prohibited. A person may not conduct any commercial operation, solicit business, farm, or keep bees within a wildlife management area, except as provided in subpart 6 or by contract, lease, permit, or written agreement with the department.

Subp. 18. Disorderly conduct. Disorderly conduct, as defined in Minnesota Statutes, section 609.72, is prohibited within a wildlife management area.

Subp. 19. Abandonment of trash and property. The disposal or abandonment of garbage, trash, spoil, sludge, rocks, vehicles, carcasses, or other debris and the abandonment or storage of property within a wildlife management area is prohibited. Boats, decoys, or other property may not be left unattended overnight, except as follows:

A. traps lawfully placed; and

B. fish houses or dark houses on the following lakes:

(1) Rice Lake in the Rice-Skunk Wildlife Management Area, Morrison County;

(2) Marsh Lake and Lac qui Parle Lake in the Lac qui Parle Wildlife Management Area, Big Stone, Lac qui Parle, Swift, and Chippewa Counties;

(3) Talcot Lake in the Talcot Lake Wildlife Management Area, Cottonwood County;

(4) Walnut Lake in the Walnut Lake Wildlife Management Area, Faribault County;

(5) North Lake in the Gores Pool Wildlife Management Area, Goodhue County; and

(6) Boot Lake in the Bootleg Lake Wildlife Management Area, Jackson County.

Subp. 20. Destruction or removal of property. A person may not destroy, disturb, or remove any plants, trees, or other vegetative material, or signs, posts, fences, gates, buildings, or other property in a wildlife management area, except that wetland vegetation may be used to build blinds and edible fruits or seeds and decorative portions of plants may be removed for personal use. A person may not destroy or remove threatened or endangered plants or animals as defined in chapter 6134. Wild rice may not be harvested unless the area is specifically opened by rule.

Subp. 21. Introduction of plants or animals. A person may not release, place, or transplant in a wildlife management area any plant or animal life within a wildlife management area that did not originate within the area, unless approved by the wildlife manager.

Subp. 22. Animal trespass. A person may not permit or allow livestock, horses, or other domestic animals within a wildlife management area, except:

A. dogs accompanied by or under the control of the owner, except from April 16 through July 14 when dogs must be on a leash; or

B. under a cooperative agreement or permit approved by the wildlife manager. Field trials are prohibited, except by permit from the wildlife manager.

Subp. 23. Department operations excluded. This part does not apply to persons lawfully engaged in the performance of their duties in the management and administration of wildlife management areas, including agents of the commissioner, persons operating under permit or contract with the department, and law enforcement officers. Subparts 5 and 8 do not apply to resident managers or their guests while at their residences.

6230.0260 RED LAKE WILDLIFE MANAGEMENT AREA, BELTRAMI AND LAKE OF THE WOODS COUNTIES.

The Red Lake Wildlife Management Area in Beltrami and Lake of the Woods Counties, consists of that part of the state lying within the following described boundary:

All of Townships 155 and 156 North, Ranges 34 and 35 West: and All of Townships 157 and 158 North, Ranges 34 and 35 West and those parts of Township 159 North, Ranges 34, 35, and 36 West, Townships 157, 158, and 159 North, Range 36 West, and Township 157 North, Ranges 32 and 33 West included in the following described boundary to wit:

Beginning at the southeast corner of Section 36, Township 157 North, Range 36 West; thence westerly along the line common to Townships 156 and 157 North to the easterly right-of-way line of State Forest Road 49 known as Dick's Parkway; thence in a generally northerly direction along the easterly boundary of said road as it crosses Townships 157, 158, and 159 North, Range 36 West to the northwest corner of Section 20, Township 159 North, Range 36 West: thence along the southerly right-of-way line of State Forest Road 58 known as the Hogsback-O'Brian Road extending in a generally easterly direction across Township 159 North, Ranges 36, 35, 34 West to the northeast corner of Section 24, Township 159 North, Range 34 West: thence southerly along the westerly right-of-way line of State Forest Road 94 known as the Range Line Road following in general the line common to Ranges 33 and 34 West to the northeast corner of Section 13, Township 157 North, Range 34 West; thence along the southerly right-of-way line of State Forest Road 60 known as the Rapid River Road extending in a generally easterly, southerly, and northeasterly direction to the northeast corner of Section 12, Township 157 North, Range 32 West: thence southerly along the line common to Ranges 31 and 32 West to the southeast corner of Section 36, Township 157 North, Range 32 West, thence westerly along the line coin to Townships 156 and 157 North to the point of beginning.

6230.0270 GOLD PORTAGE WILDLIFE MANAGEMENT AREA, KOOCHICHING AND ST. LOUIS COUNTIES.

Subpart 1. Gold Portage Wildlife Management Area description. The Gold Portage Wildlife Management Area, Koochiching and St. Louis Counties, consists of that part of the following described lands and waters:

All water areas of Rainy Lake within the fluctuating waterline level and located within Sections 7 and 18 in Township 70 North, Range 21 West of the Fourth Principal Meridian, and within Sections 12, 13, and 24 in Township 70 North, Range 22 West of the Fourth Principal Meridian. All islands within the above water areas of Rainy Lake, which would be definable as islands at a water level of 1,108.1 feet mean sea level, or higher, are also included in the management zone even though not technically islands below the referenced level.

Subp. 2. Special provisions for Gold Portage Wildlife Management Area. Taking species other than migratory birds and fish within the Gold Portage Wildlife Management Area is prohibited and portable stands may not be erected or used within the wildlife management area.

6230.0280 ROTHSAY WILDLIFE MANAGEMENT AREA.

The Rothsay Wildlife Management Area Sanctuary in Wilkin County is open to deer hunting during the established seasons in the zones in which it is located.

6230.0300 PERMIT REQUIRED TO TRAP BEAVER AND OTTER.

A person may not trap beaver or otter within any state-owned game refuge without first obtaining a permit from the appropriate wildlife manager.

6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

Subpart 1. Albert Lea Game Refuge, Freeborn County. The Albert Lea Game Refuge in Freeborn County is open to:

- A. small game hunting, except waterfowl;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 2. Bemidji Game Refuge, Beltrami County. The Bemidji Game Refuge in Beltrami County is open to:

- A. small game hunting, except waterfowl, through the Thursday nearest November 4;
- B. Canada goose hunting during the early goose season, except on Lake Bemidji, the Mississippi River, and Stump Lake;
- C. trapping for beaver, mink, otter, and muskrat only; and
- D. deer and bear hunting by archery.

Subp. 3. Camp Ripley State Game Refuge, Morrison County. Hunting in the Camp Ripley State Game Refuge in Morrison County is allowed only by permit as provided by parts 6232.0900 to 6232.1100.

Subp. 4. Claremont Game Refuge, Dodge County. The Claremont Game Refuge in Dodge County is open to:

- A. small game hunting, except ducks and mergansers;
- B. trapping;
- C. deer hunting by muzzleloader during the muzzleloader season; and
- D. deer and bear hunting by archery.

Subp. 5. Clay County Game Refuge, Clay County. The Clay County Game Refuge in Clay County is open to:

- A. prairie chickens;
- B. deer and bear hunting by firearms;
- C. deer and bear hunting by archery; and
- D. Canada goose hunting during the early goose season.

Subp. 6. Clearbrook Game Refuge, Clearwater County. The Clearbrook Game Refuge in Clearwater County is open to:

- A. small game hunting, except waterfowl, through December 31;
- B. trapping through December 31;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 7. Cross Lake Game Refuge, Crow Wing County. The Cross Lake Game Refuge in Crow Wing County is open to:

- A. trapping; and
- B. deer and bear hunting by archery.

Subp. 8. East Minnesota River Game Refuge, Blue Earth and Le Sueur Counties. The East Minnesota River Game Refuge in Blue Earth and Le Sueur Counties is open to deer, wild turkey, and bear hunting by archery.

Subp. 9. Elizabeth Lake Game Refuge, Isanti County. The Elizabeth Lake Game Refuge in Isanti County is open to:

- A. small game hunting, except waterfowl;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 10. Erhard's Grove Game Refuge, Otter Tail County. The Erhard's Grove Game Refuge in Otter Tail County is open to:

- A. deer and bear hunting by firearms; and
- B. deer and bear hunting by archery.

Subp. 11. Evansville Game Refuge, Douglas County. The Evansville Game Refuge in Douglas County is open to:

- A. trapping;
- B. Canada goose hunting during the early goose season; and
- C. deer and bear hunting by firearms.

Subp. 12. Fish Lake-Ann River Game Refuge, Kanabec County. The Fish Lake-Ann River Game Refuge in Kanabec County is open to trapping.

Subp. 13. Fox Lake Game Refuge, Martin County. The Fox Lake Game Refuge in Martin County is open to:

- A. small game hunting, except waterfowl;
- B. trapping;
- C. special goose hunts;
- D. deer and bear hunting by firearms; and
- E. deer and bear hunting by archery.

Subp. 14. German Lake Game Refuge, Isanti County. The German Lake Game Refuge in Isanti County is open to:

- A. small game hunting, except waterfowl;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 15. Glencoe Izaak Walton League Game Refuge, McLeod County. The Glencoe Izaak Walton League Game Refuge in McLeod County is open to trapping.

Subp. 16. Gopher Campfire Game Refuge, McLeod County. The Gopher Campfire Game Refuge in McLeod County is open to trapping.

Subp. 17. Hanley Falls Game Refuge, Yellow Medicine County. The Hanley Falls Game Refuge in Yellow Medicine County is open to deer and bear hunting by archery.

Subp. 18. Hiawatha Game Refuge, Pipestone County. The Hiawatha Game Refuge in Pipestone County is open to:

- A. small game hunting, except waterfowl, by shotgun only;
- B. trapping; and
- C. deer and bear hunting by archery.

Subp. 19. Howard Lake Game Refuge, Wright County. The Howard Lake Game Refuge in Wright County is open to trapping.

Subp. 20. Itasca State Park, Becker, Clearwater, and Hubbard Counties. Itasca State Park in Becker, Clearwater, and Hubbard Counties is open to firearms deer hunting, except where posted as closed.

Subp. 21. Lac qui Parle Game Refuge, Chippewa and Lac qui Parle Counties. The following special provisions apply to the Lac qui Parle Game Refuge, Chippewa and Lac qui Parle Counties:

A. Those portions within the Lac qui Parle State Recreational Area, Mission Site, or that are posted to prohibit trespass are closed to hunting. The remainder of the refuge is open to:

(1) waterfowl hunting only during the open Canada goose season in the West Central Goose Zone, only at designated hunting stations as provided by parts 6230.0500 to 6230.1100;

(2) deer hunting; and

(3) small game hunting other than waterfowl, except from the first day of the open Canada goose season through the last day of the open Canada goose season in the West Central Goose Zone, when small game hunting is allowed only at designated hunting stations as provided by parts 6230.0500 to 6230.1100. Small game hunting is not allowed on closed Canada goose hunting days during a split goose season.

B. A person may not trespass on any part of the refuge which is posted with signs prohibiting trespass during the dates posted, except that fishing is permitted in the posted closed area within the Lac qui Parle Goose Zone on any day when goose hunting in the zone is closed.

C. A person may not enter onto Rosemoen Island at any time during the year, except as specifically authorized.

D. Designated hunting stations within the refuge must be spaced no less than 200 yards apart and must be no more than 125 yards inside the refuge, as measured from the posted boundary.

Subp. 22. Lake Ripley Game Refuge, Meeker County. The Lake Ripley Game Refuge in Meeker County is open to:

A. small game hunting, except waterfowl, after the duck season; and

B. trapping after the duck season.

Subp. 23. Lake Winona Game Refuge, Douglas County. The Lake Winona Game Refuge in Douglas County is open to trapping.

Subp. 24. Linn Lake Game Refuge, Chisago County. The Linn Lake Game Refuge in Chisago County is open to:

A. small game hunting, except waterfowl;

B. trapping;

C. deer and bear hunting by firearms; and

D. deer and bear hunting by archery.

Subp. 25. Little Pine Lake Game Refuge, Otter Tail County. The Little Pine Lake Game Refuge in Otter Tail County is open to trapping.

Subp. 26. Lost Lake Game Refuge, Fillmore County. The Lost Lake Game Refuge in Fillmore County is open to:

A. small game hunting;

B. trapping;

C. deer and bear hunting by firearms; and

D. deer and bear hunting by archery.

Subp. 27. Lower Pigeon Lake Game Refuge, Itasca County. The Lower Pigeon Lake Game Refuge in Itasca County is open to:

A. deer and bear hunting by firearms; and

B. deer and bear hunting by archery.

Subp. 28. Madelia Game Refuge, Watonwan County. The Madelia Game Refuge in Watonwan County is open to:

A. small game hunting;

B. trapping;

C. deer and bear hunting by firearms; and

D. deer and bear hunting by archery.

Subp. 29. Repealed, 2005

Subp. 30. Moscow Game Refuge, Freeborn County. The Moscow Game Refuge in Freeborn County is open to:

- A. small game hunting, except ducks and mergansers;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 31. Nerstrand Woods Game Refuge, Rice County. That portion of the Nerstrand Woods Game Refuge in Rice County that is within the Nerstrand Big Woods State Park and the Prairie Creek Woods Scientific and Natural Area is open to deer hunting by muzzleloader special permit only. The remainder of the refuge is open to:

- A. small game hunting, except waterfowl;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 32. Oak Lake Game Refuge, Polk County. The Oak Lake Game Refuge in Polk County is open to trapping.

Subp. 33. Ocheda Lake Game Refuge, Nobles County. The Ocheda Lake Game Refuge in Nobles County is open to trapping.

Subp. 34. Park Rapids Game Refuge, Hubbard County. The Park Rapids Game Refuge in Hubbard County is open to trapping.

Subp. 35. Paul Bunyan Game Refuge, Hubbard County. The Paul Bunyan Game Refuge in Hubbard County is open to:

- A. small game hunting, except waterfowl, through the Thursday nearest November 4;
- B. trapping;
- C. deer hunting by muzzleloader during the muzzleloader season; and
- D. deer and bear hunting by archery.

Subp. 36. Pigeon River Flowage Game Refuge, Itasca County. The Pigeon River Flowage Game Refuge in Itasca County is open to:

- A. deer and bear hunting by firearms; and
- B. deer and bear hunting by archery.

Subp. 37. Pine County Game Refuge Unit 2, Pine County. The Pine County Game Refuge Unit 2 in Pine County is open to:

- A. small game hunting;
- B. trapping; and
- C. deer and bear hunting by archery.

Subp. 38. Polk-Clearwater Game Refuge, Polk and Clearwater Counties. The Polk-Clearwater Game Refuge in Polk and Clearwater Counties is open to:

- A. trapping; and
- B. deer and bear hunting by archery.

Subp. 39. Rochester Refuge, Olmsted County. The Rochester Refuge in Olmsted County is open to:

- A. small game hunting, except waterfowl;
- B. trapping;
- C. deer and bear hunting by firearms and bow and arrow; and
- D. the taking of unprotected wild animals at any time and by any legal method.

Subp. 40. St. Croix River Game Refuge, Washington County. The St. Croix Game Refuge in Washington County is open to:

- A. small game hunting;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 41. St. James Game Refuge, Watonwan County. The St. James Game Refuge in Watonwan County is open to:

- A. trapping; and
- B. special goose hunts.

Subp. 42. Sand Dunes Game Refuge, Sherburne County. The Sand Dunes Game Refuge in Sherburne County is open to:

- A. small game hunting;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 43. Schoolcraft Game Refuge, Hubbard County. The Schoolcraft Game Refuge in Hubbard County is open to:

- A. small game hunting, except waterfowl, through the Thursday nearest November 4;
- B. trapping; and
- C. deer and bear hunting by archery.

Subp. 44. Stearns County Game Refuge, Stearns County. The Stearns County Game Refuge in Stearns County is open to:

- A. small game hunting;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 45. Stillwater Game Refuge, Washington County. The Stillwater Game Refuge in Washington County is open to:

- A. small game hunting;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 46. Sunnyside Township Game Refuge, Wilkin County. The Sunnyside Township Game Refuge in Wilkin County is open to trapping.

Subp. 47. Swan Lake Number 2 Game Refuge, Nicollet County. The Swan Lake Number 2 Game Refuge in Nicollet County is open to:

- A. small game hunting;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

Subp. 48. Talcot Lake Waterfowl Refuge, Cottonwood County.

A. Waterfowl hunting, in an area adjacent to the Talcot Lake Waterfowl Refuge in Cottonwood County, is prohibited within the right-of-way of State Trunk Highway 62 from the Cottonwood-Murray county line on the west to the junction with County State Aid Highway 7, Cottonwood County, on the east.

B. The Talcot Lake State Waterfowl Refuge is open to goose hunting by persons with disabilities at designated hunting stations. Hunters with disabilities may reserve designated stations according to regulations available at the Talcot Lake Wildlife Management Area Headquarters. All other applicable controlled hunt regulations in parts 6230.0500 and 6230.1100 apply to persons hunting at these stations.

Subp. 49. Warroad Game Refuge, Roseau County. The Warroad Game Refuge in Roseau County is open to trapping.

Subp. 50. Whitewater Game Refuge, Winona County. The Whitewater Game Refuge in Winona County is open to:

- A. small game hunting, except waterfowl;
- B. trapping by permit; and
- C. firearms deer hunting only by permit.

Subp. 51. Bellwood Game Refuge, Dakota County. The Bellwood Game Refuge in Dakota County is open to:

- A. trapping; and
- B. deer and bear hunting by archery.

Subp. 52. Anoka and Isanti Counties Game Refuge, Anoka and Isanti Counties. The Anoka and Isanti Counties Game Refuge in Anoka and Isanti Counties is open to firearms deer hunting by permit.

Subp. 53. Austin Game Refuge, Mower County. The Austin Game Refuge in Mower County is open to deer hunting by archery.

Subp. 54. Mud-Bardwell Game Refuge, Martin County. The Mud-Bardwell Game Refuge in Martin County is open to special goose hunts.

Subp. 55. Collegeville (St. John's) Game Refuge, Stearns County. The Collegeville (St. John's) Game Refuge in Stearns County is open to firearms deer and bear hunting during the established seasons, by written permission of the landowner.

Subp. 56. Carleton Game Refuge, Dakota and Rice Counties. The Carleton Game Refuge in Dakota and Rice Counties is open for deer hunting by archery from the fourth Thursday in November to December 31, by written permission of the landowner.

Subp. 57. Talcot Lake Game Refuge, Cottonwood County. The following special provisions apply to the Talcot Lake Game Refuge, Cottonwood County.

A. Those portions within the Talcot Lake Game Refuge that are posted to prohibit trespassing are closed to hunting. The remainder of the refuge is open to waterfowl hunting during the open Canada goose seasons only at designated hunting stations as provided by parts 6230.0500 to 6230.1100.

B. Designated hunting stations within the refuge must be spaced no less than 200 yards apart and must be no more than 100 yards inside the refuge, as measured from the posted boundary.

Subp. 58. Clear Lake Game Refuge, Sherburne County. The Clear Lake Game Refuge in Sherburne County is open to:

- A. deer hunting by firearms; and
- B. deer hunting by archery.

6230.0600 DESCRIPTIONS OF CONTROLLED HUNTING ZONES.

Subpart 1. Establishment of controlled hunting zones. Controlled hunting zones with designated hunting stations are established on portions of or adjacent to certain wildlife management areas and game refuges as described.

Subp. 2. Thief Lake Zone, Marshall County. On the Thief Lake Wildlife Management Area in Marshall County, the controlled hunting zone includes the following:

The Southwest Quarter of Section 8, the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 9, the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 11, the West Half (W 1/2) of Section 17, and the Northwest Quarter (NW 1/4)

of Section 20; as well as portions of the South Half of the Southeast Quarter (S 1/2 SE 1/4) of Section 8, the South Half of the South Half (S 1/2 S 1/2) of Section 9, the South Half (S 1/2) of Section 10, the South Half of the South Half (S 1/2 S 1/2) of Section 11, the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 20, Township 158 North, Range 41 West.

Subp. 3. Lac qui Parle Zone, Chippewa, Swift, Big Stone, and Lac qui Parle Counties. The following areas are included in controlled hunting zones in the Lac qui Parle Zone in Chippewa, Swift, Big Stone, and Lac qui Parle Counties:

A. On the Lac qui Parle Wildlife Management Area in Chippewa, Swift, Big Stone, and Lac qui Parle Counties, the controlled hunting zone includes the following:

The Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 32, Township 119 North, Range 42 West, and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) and the East Half of the Northwest Quarter (E 1/2 NW 1/4) of Section 5, Township 118 North, Range 42 West, all in Lac qui Parle County.

And also the East Half of the Northwest Quarter (E 1/2 NW 1/4), the East Half of the Southwest Quarter (E 1/2 SW 1/4) and the West Half of the West Half of the Southeast Quarter (W 1/2 W 1/2 SE 1/4) of Section 12, Township 118 North, Range 42 West, the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4), the Northeast Quarter (NE 1/4) except that part lying northeasterly of State Highway 7, the East Half of the Southeast Quarter (E 1/2 SE 1/4), and those parts of the Northwest Quarter (NW 1/4) owned by the state and posted as "Wildlife Management Area, Controlled Hunting Zone," all in Section 1, Township 118 North, Range 42 West, all in Chippewa County.

And also all state owned land posted as "Wildlife Management Area, Controlled Hunting Zone" located between U.S. Highway 59 and County State Aid Highway 33, Chippewa County, in Sections 6 and 7, Township 118 North, Range 41 West, all in Chippewa County.

And also the West Half of the Northwest Quarter (W 1/2 NW 1/4), the Southwest Quarter (SW 1/4), the West Half of the Southeast Quarter (W 1/2 SE 1/4) and the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 36, Township 119 North, Range 42 West, all in Chippewa County.

B. On the Lac qui Parle Game Refuge in Chippewa and Lac qui Parle Counties, the controlled hunting zone includes the 200 yard wide area which is outside of and immediately adjacent to the area within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 13, Chippewa County, and CSAH 33, Lac qui Parle County, thence East along CSAH 13 to the southeast corner of Section 13, Township 118 North, Range 42 West, thence North along the township road to the northeast corner of said Section 13, thence West along the township road to the southeast corner of the West Half of the West Half of the

Southeast Quarter (W 1/2 W 1/2 SE 1/4) of Section 12, Township 118 North, Range 42 West; and beginning at the northeast corner of the West Half of the Southwest Quarter (W 1/2 SW 1/4) of Section 12, Township 118 North, Range 42 West, thence West along the North side of said West Half of the Southwest Quarter (W 1/2 SW 1/4) of Section 12, Township 118 North, Range 42 West, to County Road 32, Chippewa County, thence North along County Road 32 to the intersection of CSAH 12, Chippewa County, thence West along CSAH 12 to the intersection of County Road 31, Chippewa County, thence along County Road 31 to State Trunk Highway 40; and beginning at the intersection of State Trunk Highway 40 and CSAH 33 in Lac qui Parle County, thence southeasterly along CSAH 33 to the intersection with CSAH 13, Chippewa County, the point of beginning.

C. Designated hunting stations are also established in Lac qui Parle State Recreation Area, Lac qui Parle County, where waterfowl hunting is permitted subject to the provisions of part 6230.0700.

Subp. 4. Elm Lake Zone, Marshall County. On the Elm Lake Wildlife Management Area in Marshall County, the controlled hunting zone includes the following:

The North 200 yards of Sections 1 and 2, Township 155 North, Range 41 West, adjacent to the South boundary of the Agassiz National Wildlife Refuge.

Subp. 5. Roseau River Zone, Roseau County. The following areas are included in the controlled hunting zones in the Roseau River Zone in Roseau County as posted:

A. On the Roseau River Wildlife Management Area in Roseau County, the controlled hunting area includes the following:

The South Half of the South Half (S 1/2 S 1/2) of Section 12, and the South Half of the South Half (S 1/2 S 1/2) of Section 11, Township 163 North, Range 42 West.

B. On the Roseau River Game Refuge in Roseau County, the controlled hunting zone includes the 200 yard wide area which is east of and immediately adjacent to the following described portion of the refuge boundary:

Beginning at the northeast corner of Section 1, Township 163 North, Range 42 West; thence South 1-3/4 miles along County State Aid Highway 3 to the southeast corner of the North Half of the Southeast Quarter (N 1/2 SE 1/4) of Section 12, Township 163 North, Range 42 West.

Subp. 6. Rochester Zone, Olmsted County. On the Rochester Game Refuge in Olmsted County, the controlled hunting zone includes the 200 yard wide area lying outside of the refuge and immediately adjacent to the following described portion of the refuge boundary:

Beginning at the intersection of County State Aid Highway 117 and County Road 8; thence along the southern, western and northern boundaries of the refuge to the center of Section 18, Township 107 North, Range 13 West.

Subp. 7. Talcot Lake Zone, Cottonwood County. On the Talcot Lake Game Refuge and Sanctuary in Cottonwood County, the controlled hunting zones include the East Side Zone and the West Side Zone:

A. The East Side Zone is:

(1) the 200 yard wide area which is east of the west right-of-way boundary of that portion of County State-Aid Highway (CSAH) 7, Cottonwood County, described as follows:

Beginning at the center of Section 17, Township 105 North, Range 38 West; thence south along CSAH 7 to State Trunk Highway (STH) 62; and

(2) the West Half of the East Half of Section 29, Township 105 North, Range 38 West, Cottonwood County.

B. The West Side Zone is the 200 yard wide area which is west and north of and immediately adjacent to the following described boundaries as posted:

Starting at a point on the north shore of Talcot Lake 600 feet east of the west line of Section 19, Cottonwood County, Township 105 North, Range 38 West; thence North to the north line of Section 19, Township 105 North, Range 38 West; thence North to a point 325 feet north of the south line and 600 feet east of the west line of Section 18, Cottonwood County, Township 105 North, Range 38 West; thence due East to the north-south refuge line.

Subp. 8. Orwell Zone. On the Orwell Wildlife Management Area Sanctuary in Otter Tail County, the controlled hunting zone includes the following:

The west 200 yards of Section 26, Township 132 North, Range 44 West, adjacent to County Road 15 from the northwest corner of the Orwell Wildlife Sanctuary South to the Otter Tail River.

6230.0700 LAC QUI PARLE SPECIAL PROVISIONS.

Subpart 1. Time periods for special provisions. In addition to the regulations provided by part 6230.0500, the following subparts apply to all persons in the Lac qui Parle Controlled Hunting Zones during the open season for taking Canada geese in the Lac qui Parle Goose Zone.

Subp. 2. Hunting stations. Waterfowl and small game hunters may reserve designated hunting stations in accordance with regulations available at the Lac qui Parle Wildlife Management Area headquarters. Reservation dates may not be changed. Only one hunting group, consisting of no more than three hunters, may occupy a designated hunting station at one time. Not more than six hunting groups per day may occupy a designated hunting station.

Subp. 3. Entry permit required. On public lands, a person may not hunt migratory waterfowl or small game in the controlled hunting zone without first registering at the check station and obtaining an entry permit. Entry permits must be displayed as specified on the permit. Hunters age 18 or older will be charged a \$3 daily fee for the Lac qui Parle entry permit. Failure to comply with the provisions of the permit or special provisions relating to the controlled hunt will result in immediate revocation of the permit for that day.

Subp. 4. Limitation on number of shells possessed. Only persons hunting may bring shotgun shells into the controlled hunting zone. A waterfowl or small game hunter may not bring in more than six shells per day or have in possession more than six shells at any one time.

Subp. 5. Firearms must be cased. Waterfowl and small game hunters must have firearms cased, except within ten feet of assigned hunting stations.

Subp. 6. Actions after taking bag limit. Within one hour of hunt completion each party member must submit any geese taken for inspection at the Lac qui Parle Wildlife Management Area headquarters and, if hunting on public lands, personally return their entry permit to the check station.

Subp. 7. Limitation on number of trips. Waterfowl and small game hunters are limited to three trips per season either as a guest or a successful applicant except when vacancies exist. Hunters are limited to one trip per day to the hunting stations.

6230.0800 THIEF LAKE SPECIAL PROVISIONS.

Subpart 1. Time period for special provisions. In addition to the regulations provided by part 6230.0500, the following subparts apply to waterfowl and small game hunters in the Thief Lake Controlled Hunt Zone during all open waterfowl seasons, except that restrictions on small game hunting apply only from the opening of the regular waterfowl season through the Monday nearest October 22.

Subp. 2. Designated hunting station. Hunters must use designated hunting stations and on a first come first served basis. Hunters are limited to one trip to the hunting stations before noon and one trip after noon each day.

Subp. 3. Repealed, 2005

Subp. 4. Firearms must be cased. All firearms must be cased except within ten feet of the designated hunting station.

Subp. 5. Limitation on number of shells possessed. Only persons hunting may bring shotgun shells into the controlled hunting zone. A hunter may not bring more than six shells per trip into the controlled hunting zone or have more than six shells in possession at any one time.

Subp. 6. Restrictions on occupancy of designated parking lots and hunting stations. A person may not park in or otherwise occupy any designated controlled hunting zone parking lot or occupy any hunting station from 10:00 p.m. to 5:00 a.m.

Subp. 7. Closed hunting stations. A person may not occupy or hunt from any hunting station that is posted closed.

6230.0900 ORWELL SPECIAL PROVISIONS.

Subpart 1. Time period for special provisions. The general regulations in part 6230.0500 and the following subparts apply to all persons in the Orwell Controlled Hunting Zone during a migratory waterfowl season.

Subp. 2. Designated hunting stations. Hunters may hunt only at the designated hunting stations having numbers corresponding to their parking stall number.

Subp. 3. Restrictions on entry to zone. Persons may not enter the controlled hunting zone except when their vehicles are occupying numbered parking stalls in the designated parking lot in the controlled hunting zone. Persons other than those hunting at a designated station in the controlled hunting zone may not occupy a numbered stall in a designated parking lot.

Subp. 4. Firearms must be cased. All firearms must be cased except within ten feet of a hunting station.

Subp. 5. Restrictions on occupancy of designated parking lot and hunting stations. A person may not park in or otherwise occupy any parking stall in the designated parking lot or occupy any designated hunting station during any two consecutive days or from one hour after the close of daily waterfowl shooting hours to 8:00 p.m.

Subp. 6. Hunting prohibited. Hunting, other than for waterfowl, is prohibited in the Orwell controlled hunting zone.

6230.1000 ROSEAU RIVER AND ROCHESTER REGULATIONS.

Subpart 1. Time period for special provisions. In addition to the general regulations, the following subparts apply to all persons in the Roseau River and Rochester Controlled Hunting Zones during the open goose seasons.

Subp. 2. Limitations on persons hunting. The wildlife manager may limit persons hunting to one day of hunting in every three if the manager determines that it is necessary to provide for the equitable allocation of hunting opportunities. If hunting is limited, the manager will stamp the date on the small game hunting license or firearms safety certificate of each person at a restricted hunting station. Persons may hunt at any restricted station on the day stamped but may not occupy a restricted station for the next two days. Restricted stations will be posted.

Subp. 3. Restrictions on occupancy of designated parking lot and hunting stations. A person may not occupy a hunting station or a designated parking lot from one hour after the close of daily waterfowl shooting hours to 8:00 p.m.

Subp. 4. Firearms must be cased. All firearms must be cased except within ten feet of a hunting station.

6230.1100 TALCOT LAKE SPECIAL PROVISIONS.

Subpart 1. Time period for special provisions. In addition to the general regulations, the following subparts apply to all persons in the Talcot Lake Controlled Hunting Zones during open Canada goose seasons.

Subp. 2. Hunting. In the Talcot Lake Controlled Hunting Zones, waterfowl hunting is allowed only at designated hunting stations. Hunting species other than waterfowl is prohibited on public land in the Talcot Lake Controlled Hunting Zones.

Subp. 3. Limitations on persons hunting. The wildlife manager may limit persons to one day of hunting in every three if the manager determines that it is necessary to provide for the equitable allocation of hunting opportunities. If hunting is limited, the manager will stamp the date on the small game hunting license or firearms safety certificate of each person at a restricted hunting station. Persons may hunt at any restricted station on the day stamped but may not occupy a restricted station for the next two days. Restricted stations will be posted.

Subp. 4. Designated hunting stations. Waterfowl hunters on public lands must hunt only at the designated hunting stations having numbers corresponding to their parking stall number.

Subp. 5. Restrictions on entry to zone. Persons may not occupy a hunting station on public land within the controlled hunting zone except when their vehicles are occupying numbered parking stalls in a designated parking lot in the controlled hunting zone. Persons other than those hunting at a designated hunting station may not occupy a numbered stall or park in a designated parking lot.

Subp. 6. Restrictions on occupancy of designated parking stall and hunting stations. A person may not park in or otherwise occupy any parking stall in the designated parking lot or occupy any designated hunting station from 10:00 p.m. to 5:00 a.m.

Subp. 7. Firearms must be cased. All firearms must be cased except within ten feet of a hunting station.

6230.1200 GENERAL REGULATIONS FOR NATIONAL WILDLIFE REFUGES AND FEDERAL WATERFOWL PRODUCTION AREAS.

Subpart 1. Waterfowl production areas open unless posted. Unless otherwise posted, waterfowl production areas are open to hunting and trapping.

Subp. 2. Refuges closed to taking of otter. National wildlife refuges are closed to the taking of otter.

6230.1300 SPECIAL PROVISIONS FOR NATIONAL WILDLIFE REFUGES.

Subpart 1. National wildlife refuges open to hunting. The national wildlife refuges described in the following subparts are open to the hunting and trapping of protected wild animals during the state seasons and subject to special federal regulations, except as otherwise provided.

Subp. 2. Agassiz National Wildlife Refuge, Marshall County. Portions of Agassiz National Wildlife Refuge in Marshall County are open to firearm hunting of deer and moose. Areas closed to hunting are posted as "Area Beyond This Sign Closed," or as shown on maps available at Refuge Headquarters.

Subp. 3. Big Stone National Wildlife Refuge, Big Stone and Lac qui Parle Counties. Portions of Big Stone National Wildlife Refuge in Big Stone and Lac qui Parle Counties are open to firearm and archery hunting of deer, muzzleloader hunting of deer by permit, and firearm hunting of cottontail rabbit, jack rabbit, gray squirrel, fox squirrel, red and gray fox, gray partridge, and pheasant in areas posted as "Public Hunting Area" or as shown on maps available at parking areas and Refuge Headquarters.

Subp. 4. Rice Lake National Wildlife Refuge, Aitkin and Pine Counties. Portions of Rice Lake National Wildlife Refuge in Aitkin and Pine Counties are open to firearm hunting of deer by special permit, archery hunting for deer in designated areas, cottontail rabbit, snowshoe hare, gray squirrel, fox squirrel, ruffed grouse, spruce grouse, woodcock, and snipe in areas posted as "Public Hunting Area" or as shown on maps available at Refuge Headquarters.

Subp. 5. Sherburne National Wildlife Refuge, Sherburne County. Portions of Sherburne National Wildlife Refuge in Sherburne County are open to firearm and archery hunting of deer and firearm hunting of cottontail rabbit, jack rabbit, snowshoe hare, gray squirrel, fox squirrel, ruffed grouse, pheasant, woodcock, Wilson's snipe, sora rail, and Virginia rail. Hunting in closed areas and target shooting are prohibited. Maps of hunting areas are available at Refuge Headquarters.

Subp. 6. Tamarac National Wildlife Refuge in Becker County. Portions of Tamarac National Wildlife Refuge in Becker County are open to firearm and archery hunting of deer and firearm hunting of cottontail rabbit, jack rabbit, snowshoe hare, gray squirrel, fox squirrel, ruffed grouse, snipe, woodcock, rails, coots, and waterfowl in areas posted as "Public Hunting Area" or as shown on maps available at Refuge Headquarters.

Subp. 7. Upper Mississippi River National Wildlife and Fish Refuge, Wabasha, Winona, and Houston Counties. Portions of the Upper Mississippi River National Wildlife and Fish Refuge located in Wabasha, Winona, and Houston Counties are open to hunting except as follows: Hunting is prohibited between March 1 and September 1, except that hunting of wild turkey is permitted during the spring turkey seasons. In areas posted closed, hunting of all protected species, except geese, is permitted beginning the day

after the close of the duck season. For more information contact Refuge Headquarters.

Subp. 8. Minnesota Valley National Wildlife Refuge, Carver, Dakota, Hennepin, and Scott Counties. Portions of the Minnesota Valley National Wildlife Refuge known as Louisville Swamp located near Carver in Scott County, and the Wilkie Unit in Scott County, are open to deer hunting in accordance with state and special regulations. Portions of the refuge in Hennepin, Scott, Carver, and Dakota Counties may be open to waterfowl hunting. Areas open will be posted with signs saying "Open to Waterfowl Hunting - Special Regulations in Effect - Consult Refuge Manager." Other areas may be open to waterfowl hunting by special use permit.

6230.1400 HUNTING RESTRICTIONS FOR RICHARD J. DORER MEMORIAL HARDWOOD STATE FOREST.

A person may not hunt with firearms in those portions of the Brightsdale Management Unit of the Richard J. Dorer Memorial Hardwood State Forest surrounding the forest resource center in Fillmore County that are posted closed to firearms hunting.

6230.1500 TRANSFER OF WILD ANIMALS BY GIFT.

Subpart 1. Requirements for receipt of gifted animals. Lawfully taken protected wild animals may be transferred by gift. Unless otherwise provided by this part, the donor must prepare a receipt containing the following information and give it to the recipient at the time of transfer:

- A. name and address of donor;
- B. name and address of recipient;
- C. date of transfer;
- D. description of gift, including number and species; and

E. license number under which the animal was taken, or, if acquired by the donor other than by taking, a description of how the animal was acquired.

Subp. 2. Retention of receipt with gift. Lawfully taken protected wild animals and their parts may be acquired by gift. Unless otherwise provided by this part, the recipient of these animals may possess them only if a receipt has been received from the donor and retained in possession as described in this part.

Subp. 3. Gift by members of same household. A receipt is not required if both the donor and the recipient are members of the same household and the transferred animal is stored in that household.

6230.1600 AIRBOAT USE ON DESIGNATED WILDLIFE MANAGEMENT LAKES.

The use of airboats is prohibited at all times on the lakes listed below that have been designated for wildlife management purposes, except as otherwise authorized by posting or permit:

Lake Name	County	DNR Lake Inventory Number (Bulletin 25)	Location
Cottonwood	Blue Earth	70024	T.106N, R.25W
Perch	Blue Earth	70058	T.106N, R.25,26W
Eagle	Blue Earth	70060	T.108,109N, R.25,26W
Buffalo	Waseca	810083	T.107N, R.24W

Lake Name	County	DNR Lake Inventory Number (Bulletin 25)	Location
Rice	Faribault	220075	T.104N, R.27W
Bear	Freeborn	240028	T.101N, R.22W
Swan	Nicollet	520034	T.109,110N, R.28,29W
Lower Twin	Freeborn	240027	T.101N, R.22W
Heron	Jackson	320057	T.103,104N, R.36,37W
Pierce	Martin	460076	T.102N, R.31W
Geneva	Freeborn	240015	T.104N, R.20,21W
Upper Twin	Freeborn	240031	T.101,102N, R.22W
Pelican	Wright	860031	T.120,121N, R.24,25W
Goose	Waseca	810016	T.107N, R.22W
Patterson	Carver	100086	T.116N, R.25W
Rice	Blue Earth	70059	T.107N, R.25W
Big Rice	Cass	110073	T.140,141N, R.26W
Sanborn	LeSueur	400027	T.112N, R.23W
Christina	Douglas,		
	Grant	21037	T.130N, R.40,41W
Ash	Grant	260294	T.130N, R.43,44W
Sand	Sibley	720069	T.112N, R.29,30W
Hanska	Brown	80026	T.108N, R.31,32W
Augusta	Cottonwood	170033	T.106N, R.37W
Rice	Steele,		
	Dodge	740001	T.107N, R.18,19W
Tiger	Carver	100108	T.115N, R.26W
Hassel	Swift	76008	T.122N, R.39W
Dog	Crow Wing	180107	T.45N, R.29W
Onamia	Mille Lacs	480009	T.42N, R.26,27W
South Badger	Murray	510049	T.105N, R.41W
North Badger	Murray	510050	T.105N, R.41W
White Elk	Aitkin	101481	T.50N, R.26,27W
North and	Yellow		
South	Medicine		
Spellman		870060	T.114N, R.41W
Maria	Murray	510062	T.108N, R.41W
Minnesota	Faribault	220033	T.104,105N, R.25W
Little Rice	St. Louis	690612	T.60,61N, R.16,17W
Big Rice	St. Louis	690669	T.60N, R.70W

BIG GAME CHAPTER 6232

6232.0100 GENERAL RESTRICTIONS FOR TAKING BIG GAME.

Subpart 1. Inspection. All big game must be transported in such a manner that inspection by registration agents or conservation officers is readily accomplished.

Subp. 2. Animal possession. Persons taking big game must retain any required license, permit, seal, or tag as long as any of the meat is in their possession.

Subp. 3. Repealed, 1995/1996

Subp. 4. Elevated stands in state parks. It is unlawful to construct, occupy, or use any elevated blind or stand for the purpose of hunting, observing, or killing big game in state parks, when opened to hunting, except that portable stands or blinds may be used for this purpose provided they are removed each day at the close of hunting hours and do no permanent damage.

Subp. 5. Removal from site of kill. A person may field-dress or hang a big game animal at the site of the kill, but may not remove it from the site without the tag being attached.

Subp. 6. Wounded game included in bag limit. Wounded or captured game reduced to possession must be killed before being removed from the site where taken, and once reduced to possession must be included in a person's daily bag limit.

Subp. 7. Legal bows and arrows. Bows and arrows used for taking big game must meet the criteria in items A to C.

A. Bows must have a pull of no less than 40 pounds at or before full draw.

B. Arrowheads must meet the requirements of Minnesota Statutes, section 97B.211, subdivision 2. Nonretractable arrowheads are barbless if the trailing edge of the blade creates a 90 degree or greater angle with the shaft of the arrow.

C. Retractable broadheads may be used if they meet the following criteria:

(1) they are at least seven-eighths of an inch in width and no more than two inches in width at or after impact with a big game animal; and

(2) they are a barbless design and function in a barbless manner. Retractable arrowheads are a barbless design if the trailing edge of each blade creates a 90 degree or greater angle with the shaft when the blades are fully retracted. Retractable arrowheads function in a barbless manner if, when withdrawn from a big game animal, the blades retract so that the trailing edge of each blade is at a 90 degree or greater angle to the arrow shaft.

6232.0200 DEFINITIONS.

Subpart 1. Scope. The terms used in parts 6232.0200 to 6232.2500 have the meanings given them in this part.

Subp. 2. Antlerless deer. "Antlerless deer" means does, fawns, and bucks with no antler three inches or more in length.

Subp. 3. Repealed, 2005

Subp. 4. Bait. "Bait" means grains, fruits, vegetables, nuts, hay, or other food that is capable of attracting or enticing deer and that has been transported and placed by a person. Liquid scents, salt, and minerals are not bait.

Subp. 4a. Deer permit area. "Deer permit area" means an area of the state consisting of one or more deer registration blocks. Deer permit areas open for taking legal bucks and antlerless deer during the regular firearms deer season are defined as follows:

A. "intensive deer permit area" means a deer permit area where taking deer of either sex is authorized by a regular firearms license, except a multizone buck license, and where multiple bonus permits are authorized;

B. "managed deer permit area" means a deer permit area where taking deer of either sex is authorized by a regular firearms license, except a multizone buck license, and where one bonus permit is authorized; and

C. "lottery deer permit area" means a deer permit area where taking legal bucks is authorized by a regular firearms license and taking antlerless deer is authorized by an either-sex permit.

Subp. 5. Bonus permit. "Bonus permit" means a license to take and tag deer by archery or firearms, in addition to deer authorized to be taken under regular archery or firearms licenses. It is available for one-half the cost of a regular resident or nonresident license and is valid immediately upon issuance, as long as the purchaser has a valid regular license. Deer taken and tagged with a bonus permit must be antlerless unless otherwise prescribed by the commissioner.

Subp. 5a. Repealed, 2005

Subp. 6. Legal buck. "Legal buck" means a deer having at least one antler three inches or more in length.

Subp. 7. Registration block. "Registration block" means a geographic area designated for the registration of harvested deer and bear as provided by part 6232.4700.

Subp. 8. Regular firearms season. The regular firearms season means the seasons described in part 6232.1300.

Subp. 9. Regular licenses. "Regular firearms license" means a license valid for taking a deer by firearms in the regular firearms or muzzleloader season, except bonus permits. "Regular archery license" means a license valid for taking a deer by archery in the archery season, except bonus permits.

6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER.

Subpart 1. Zone and date options. A firearm deer hunter may purchase a firearm license valid for the regular firearms deer season or muzzleloader season, a multizone buck license to take antlered deer in more than one zone, an all-season deer license, or a resident youth license. A hunter purchasing a resident youth license or a regular firearm license, including a hunter choosing a muzzleloader option, must select only one of the zone and date options listed on the license. For the regular firearm season, this choice will be printed on the license at the time of purchase. A person may only hunt deer by firearms within the zone and date options indicated on the person's firearm license.

Subp. 2. Modification of quota numbers for group applications. The quota of licenses or permits for a drawing may be increased to accommodate group members if the last applicant to be selected is a member of a group.

Subp. 3. Party hunting. A party is a group of two or more licensed deer hunters who are afield hunting together and are all using firearms or all using archery equipment. A member of a party may kill a deer for another member of the party who has an unused tag valid for that deer, except as provided by Minnesota Statutes, section 97B.301. A mixed-weapons group is considered

two separate parties. Multizone buck licensees may party hunt with regular firearms licensees. Persons issued permits under Minnesota Statutes, section 97B.055, subdivision 3, who are hunting in a lottery deer permit area and do not have an either-sex permit may not tag antlerless deer for another member of the party.

Subp. 4. Baiting. A person may not hunt deer (1) with the aid or use of bait, (2) in the vicinity of bait if the person knows or has reason to know that bait is present, or (3) in the vicinity of where the person has placed bait or caused bait to be placed within the previous ten days. This restriction does not apply to food resulting from normal or accepted farming, forest management, wildlife food plantings, orchard management, or other similar land management activities.

Subp. 5. Tagging. The tag of the license valid for the taking of the deer must be affixed around the tendon or bone of a hind leg, around the base of an antler, or through a slit cut in either ear so that the tag cannot be readily removed.

Subp. 6. License purchase and validation.

A. A bonus permit may be purchased any time throughout the open deer seasons. Bonus permits are valid immediately upon purchase, as long as the purchaser has a valid regular license. When a regular license is purchased after the start of the season for that license, a bonus permit is not valid until the waiting period has expired for the regular license.

B. At the time a deer is tagged at the site of kill, the tag must be validated. Validation consists of using a knife or similar sharp object to cut out or a pen to indelibly mark the appropriate notches on the tag indicating:

- (1) the month the deer was taken;
- (2) the date the deer was taken; and
- (3) the time of day the deer was taken.

Subp. 7. All-terrain vehicle or snowmobile use by licensed hunters.

A. A person licensed to take deer must not operate an all-terrain vehicle or snowmobile in an area open for the taking of deer by firearms during legal shooting hours on a day that they are licensed to take deer within that area except from 11:00 a.m. to 2:00 p.m. each day.

B. A person licensed to take deer who does not possess a firearm, either cased or uncased, may use an all-terrain vehicle or snowmobile to retrieve and transport a deer that is known to be dead from the close of shooting hours to two hours after the close of shooting hours during the regular firearms deer season and for one day after the season on wildlife management areas north and west of a line described as follows:

State Trunk Highway (STH) 1 from the west boundary of the state to STH 89; then north along STH 89 to Fourtown; then north on County State Aid Highway (CSAH) 44, Beltrami County, to County Road 704, Beltrami County; then north on County Road 704 to Dick's Parkway State Forest Road; then north on Dick's Parkway to CSAH 5, Roseau County; then north on CSAH 5 to Warroad; then north on STH 11 to STH 313; then north on STH 313 to the north boundary of the state.

C. For purposes of this chapter, all-terrain vehicles are vehicles, including trail bikes, three-wheelers, four-wheelers, tracked vehicles, or other manufactured or homemade vehicles, not licensed for highway use. Motor vehicles licensed for and being lawfully operated on a public road or highway, or farm tractors being used for agricultural purposes, are exempt from this

subpart. This subpart applies to all lands and waters regardless of ownership except as provided in item B, and except that:

(1) the owner of the land on which the all-terrain vehicle or snowmobile is operated is exempt; and

(2) a person with the landowner's permission to operate an all-terrain vehicle or snowmobile on the land is exempt.

A permit to operate these vehicles during the restricted hours may be issued by a conservation officer in the event of an emergency or other unusual conditions. Legal use of snowmobiles during the open deer season is governed by part 6100.5100.

Subp. 8. Bag limit. A person may not tag more than one deer during a license year by any method, except as authorized in items A to D.

A. In Marshall, Kittson, Roseau, Lake of the Woods, and Pennington Counties, a person may tag one deer with a regular archery license and another with a regular firearms license, including the muzzleloader option or multizone buck license. Both deer must be taken and registered in this five-county area.

B. A person may tag a second, third, fourth, or fifth deer by archery, firearm, or muzzleloader with a bonus permit in specified areas as prescribed in this chapter.

C. In no case may a person tag more than five deer per year by firearms, archery, or both methods combined, except a sixth deer may be tagged if the person takes a deer with a free landowner permit.

D. Total bag limits by deer permit area are as follows:

(1) the total bag limit for lottery deer permit areas is one deer, except all-season license holders may take two deer;

(2) the total bag limit for managed deer permit areas is two deer, except all-season license holders may take up to three deer. Archery, firearms, and muzzleloader hunters using bonus permits may not harvest antlerless deer in more than one managed deer permit area;

(3) the total bag limit for intensive deer permit areas is five deer; and

(4) in addition to the total bag limits under subitems (1) to (3), a person with a free landowner deer license may take one additional antlerless deer on land owned or leased by the person in managed and intensive deer permit areas.

Subp. 9. Alternative color prescribed. Persons whose sincerely held religious beliefs do not permit them to wear the color prescribed in Minnesota Statutes, section 97B.071, may wear bright red as an alternative color in the same manner as the prescribed color.

6232.0400 REGISTRATION OF DEER.

Subpart 1. Repealed, 1995/1996

Subp. 2. Registration requirements. Persons taking a deer must present the deer for registration at a designated deer registration station or agent of the commissioner and obtain a big game possession tag:

A. before the deer is processed either privately or commercially; and

B. within 24 hours after the close of the season in which the deer was taken.

All deer taken in special hunt areas must be registered as specified in the materials provided to all special hunt permittees.

Subp. 3. Repealed, 1995/1996

Subp. 4. General provisions for registration of deer. The deer license number and the year for which the possession tag is issued must be recorded in the appropriate place on the possession tag in indelible ink. If a mistake is made in writing the license number, the agent must reissue a correct possession tag. Registration agents are not required to inspect deer at registration stations. Legally registered deer may be transported anytime during or after the deer hunting season. No part of the carcass, except skin or entrails, may be removed until after the possession tag has been affixed, except that deer may be quartered prior to registration as long as all parts remain together and are presented for registration and the head of the deer remains attached to one quarter. The possession tag must be affixed securely to the deer at any of the locations specified in part 6232.0300, subpart 5. A person may not process a deer unless it has been registered as evidenced by an attached possession tag.

6232.0500 DEER LICENSES FOR MILITARY PERSONNEL.

Military personnel and disabled veterans may obtain a license to hunt deer as authorized by Minnesota Statutes, sections 97A.441 and 97A.465, under the conditions in this part.

A. The free license, either-sex permit, and tag must be obtained from an electronic license system special agent or the Department of Natural Resources License Center.

B. The zone and the date option selected by the applicant shall be printed on the license.

C. The license entitles the holder to take a deer of either sex in the zone and during the date option selected. A license is not valid in the special areas provided in this chapter. Military or disabled veteran licensees are not eligible for free bonus permits, all-season deer licenses, or multizone buck licenses.

D. If the muzzleloader season is selected, hunting must be confined to those areas as provided by this chapter and is subject to all other provisions applying to the muzzleloader hunt.

E. If an archery license is obtained, hunting is subject to all other provisions which apply to archery deer hunting.

F. The license and official leave papers or evidence of disability must be carried on the person of the licensee while hunting deer and transporting any deer taken.

G. All persons hunting deer under this subpart must comply with all provisions of this chapter not inconsistent with this part.

6232.0600 SEASONS AND ZONES FOR TAKING DEER BY ARCHERY.

Subpart 1. Open dates. Except as provided in subpart 2, the open dates for taking deer by archery are from the Saturday nearest September 16 through December 31.

Subp. 2. Northeast Border Zone. The following provisions apply to the taking of deer by archery in the Northeast Border Zone:

A. The open area consists of: Registration Blocks 116 and 127.

B. Open dates are from the Saturday nearest September 16 through the last day of the regular Zone 1 firearms deer season.

Subp. 3. Repealed, 1995/1996

6232.0700 LEGAL DEER BY ARCHERY.

Antlerless deer and legal bucks may be taken by archery, except that archery hunters may not take antlerless deer in lottery deer permit areas that have no either-sex permit quota or in lottery deer permit areas that have a quota of youth antlerless permits for firearms deer hunters under part 6232.1800, subpart 9.

6232.0800 ARCHERY SPECIAL HUNT AREAS AND PROCEDURES.

Subpart 1. Procedures. The special bow and arrow hunt permit application procedure, except the Camp Ripley archery hunt, is described in this subpart.

A. Hunters must send a stamped, self-addressed business-sized envelope to the headquarters of the appropriate special bow hunt unit with a request for the application form and instructions. A person may not apply more than once for a hunt, whether as an individual or as a member of a group.

B. Up to four persons may apply as a group by mailing all applications in one envelope. Either the entire group will be selected by the drawing or none will be selected.

C. Incomplete or improperly completed applications will be rejected.

D. The application deadline for special hunts is the first Thursday following Labor Day.

E. Hunters may not apply for more than one of the hunts conducted in the Hennepin County Park system.

Subp. 2. Areas. Special bow and arrow permits are valid in areas designated by the commissioner and published in the annual hunting regulations booklet.

6232.0900 CAMP RIPLEY ARCHERY HUNT.

Subpart 1. Deer season and hunter quota. Camp Ripley may be open, by permit only, for the taking of deer by archery. Open dates are the two-day period beginning the third Thursday in October and the two-day period beginning the last Saturday in October.

Subp. 2. Permit required to hunt. Only persons possessing a valid Minnesota archery or all-season deer hunting license, an unused possession tag valid for taking a deer by archery, and a permit validated for the Camp Ripley archery hunt will be permitted to enter Camp Ripley. Permits are not transferable between individuals or hunting dates. The permit for the Camp Ripley archery hunt authorizes the permit holder to take one deer at Camp Ripley, unless otherwise authorized by the commissioner. A permit holder may not take any species other than deer at Camp Ripley.

6232.1000 APPLICATION PROCESS FOR CAMP RIPLEY ARCHERY HUNT

Subpart 1. Preference drawing. If the number of applications for Camp Ripley archery hunt permits exceeds the quota in the annual hunting regulations, a preference drawing shall be used to select permit holders. A person may enter the preference drawing by supplying the person's driver's license number, official state identification number, or 13-digit firearms safety identification number on the application. Applicants establish a preference rating based on the number of times they have applied in previous years and have not obtained a permit. The preference rating increases each year the applicant applies unsuccessfully. Persons applying for the first time have no preference. Applicants receiving a permit lose their accrued preference.

Subp. 2. Group selection. Up to four persons may apply as a group. Either all members of a group will be selected or none will be selected. The preference rating of applicants who apply as a group is based on the individual in the group with the lowest preference. All group members must apply for the same time period.

Subp. 3. Application requirements. Applicants for permits must:

- A. be at least 12 years of age prior to the third Thursday in October;
- B. apply for only one of the hunting periods;
- C. submit no more than one application per year;
- D. apply by the Friday nearest August 17; and
- E. pay a nonrefundable application fee as provided by statute.

6232.1100 SPECIAL RESTRICTIONS FOR CAMP RIPLEY ARCHERY HUNT.

Subpart 1. Access to Camp Ripley. This subpart applies to access into Camp Ripley during the archery hunt.

A. Archers with valid permits must enter and leave Camp Ripley only by way of the southeast railroad gate and only from noon on the day before the hunt to 8:00 p.m. on the last day of the hunt.

B. Permittees will be issued a current map of Camp Ripley showing areas of Camp Ripley that are closed to hunting. A person may not enter any closed area, except for the road from the southeast railroad gate through the checkpoint to the open hunting area. A zoning system may be used to regulate access into various portions of the open areas of Camp Ripley.

C. Permittees must register at the department checkpoint prior to hunting each day.

D. Permittees will be allowed beyond the department checkpoint only from one hour before sunrise to 1-1/2 hours after sunset on each day open for hunting, or as otherwise authorized by the commissioner.

E. Hunters may not pursue wounded deer into closed areas, except with prior approval and when escorted by an agent of the commissioner.

F. Persons or vehicles, while on any road or trail, may not pass beyond any barrier, gate, or warning sign.

G. All-terrain vehicles are not permitted in Camp Ripley during the Camp Ripley archery hunt, except as authorized by permit for hunters with disabilities. All vehicles are restricted to operating only on designated roads, except as authorized by permit.

H. Vehicles in line at the checkpoint must be occupied. Permittees must stay with their vehicles.

Subp. 2. Tree stands and blinds in Camp Ripley. Only portable stands or blinds may be used and must be removed each day at the close of hunting hours and do no permanent damage.

Subp. 3. Transportation of deer. Deer may not be removed from Camp Ripley or transported beyond the department checkpoint until registered at the checkpoint.

Subp. 4. Closing of season. The commissioner may close the season without prior notice, if necessary to accommodate military training priorities or in case of weather emergency.

Subp. 5. Repealed, 2005

6232.1200 REPEALED, 2005

6232.1250 TAKING DEER BY ARCHERY UNDER BONUS PERMITS.

Subpart 1. Purchase. The purchase of a bonus permit is authorized for any person who has purchased a valid archery deer license for the current year. Bonus permits may be purchased from electronic license system agents, the Department of Natural Resources License Center, and other authorized agents.

Subp. 2. Restrictions. Bonus permits may be used to take antlerless deer in managed and intensive deer permit areas and in special hunt areas prescribed by the commissioner. In managed deer permit areas, one bonus permit may be used to take an antlerless deer. In intensive deer permit areas and special hunt areas, up to four bonus permits may be used to take antlerless deer.

6232.1300 SEASONS FOR TAKING DEER BY FIREARMS.

Subpart 1. Zone 1. Legal bucks may be taken in Zone 1 for a 16-day period beginning the Saturday nearest November 6. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for Zone 1 may take an antlerless deer without a permit in any Zone 1 deer permit area, except in those lottery deer permit areas where no either-sex permits are offered.

Subp. 2. Zone 2. Legal bucks may be taken in Zone 2 for a nine-day period beginning the Saturday nearest November 6. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for Zone 2 may take an antlerless deer without a permit in any Zone 2 deer permit area, except in those lottery deer permit areas where no either-sex permits are offered.

Subp. 3. Zone 3. This subpart applies to season dates in Zone 3.

A. Legal bucks may be taken in the early Zone 3A season for a seven-day period beginning the Saturday nearest November 6. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for Zone 3A may take an antlerless deer without a permit in any Zone 3A deer permit area, except in those lottery deer permit areas where no either-sex permits are offered.

B. Legal bucks may be taken during the late Zone 3B season for a nine-day period beginning the Saturday nearest November 20. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of

either sex without an either-sex permit and who is licensed for Zone 3B may take an antlerless deer without a permit in any Zone 3B deer permit area, except in those lottery deer permit areas where no either-sex permits are

Subp. 4. Zone 4. This subpart applies to season dates in Zone 4.

A. Legal bucks may be taken in the early Zone 4A season for a two-day period beginning the Saturday nearest November 6. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for Zone 4A may take an antlerless deer without a permit in any Zone 4A deer permit area, except in those lottery deer permit areas where no either-sex permits are offered.

B. Legal bucks may be taken in the late Zone 4B season for a four-day period beginning the Saturday nearest November 13. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for Zone 4B may take an antlerless deer without a permit in any Zone 4B deer permit area, except in those lottery deer permit areas where no either-sex permits are offered.

Subp. 5. Taking antlerless deer on firearms licenses. The provisions for taking antlerless deer in this part apply to the use of a regular firearms, all-season, or youth deer license tag. In addition, antlerless deer may be taken and tagged with bonus permits as prescribed in parts 6232.1900 and 6232.1950.

Subp. 6. Permit quota adjustments. The commissioner may reduce either-sex and special hunt permit quotas for permit areas wholly or partially within the 1837 Ceded Territory at the time the computerized drawing is conducted to accommodate tribal declarations for antlerless deer harvest in the 1837 Ceded Territory in compliance with *Mille Lacs Band of Chippewa v. Minnesota*, 119 S. Ct. 1187 (1999).

6232.1400 ZONE DESCRIPTIONS.

Subpart 1. Zone 1. Zone 1 is that portion of the state lying within the following described boundary:

Beginning on State Trunk Highway (STH) 72 at the northern boundary of the state; thence along STH 72 to the Tamarac River, Beltrami County; thence along the southerly shore of the Tamarac River to Upper Red Lake; thence along the easterly and southerly shores of Upper Red Lake to the easterly boundary of the Red Lake Indian Reservation; thence along the easterly boundary of said reservation to STH 1; thence along STH 1 to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to County State-Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to CSAH 20, Beltrami County; thence along CSAH 20 to the junction with CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 12, Beltrami

County; thence along CSAH 12 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 8, Beltrami County; thence along CSAH 8 to CSAH 25, Beltrami County; thence along CSAH 25 to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 46, Hubbard County; thence along CSAH 46 to U.S. Highway 2; thence along U.S. Highway 2 to CSAH 45, Hubbard County; thence along CSAH 45 to CSAH 9, Hubbard County; thence along CSAH 9 to CSAH 69, Cass County; thence along CSAH 69 to CSAH 5, Hubbard County; thence along CSAH 5 to CSAH 39, Hubbard County; thence along CSAH 39 to County Road (CR) 94, Hubbard County; thence along CR 94 to CSAH 31, Hubbard County; thence along CSAH 31 to STH 200; thence along STH 200 to STH 371; thence along STH 371 to STH 84; thence along STH 84 to CSAH 2, Cass County; thence along CSAH 2 to CSAH 1, Crow Wing County; thence along CSAH 1 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence due east from said junction to the west shore of Mille Lacs Lake; thence along the westerly and southerly shores of said lake to a point due north of the junction of U.S. Highway 169 and STH 27; thence due south to said junction; thence along U.S. Highway 169 to STH 23; thence along STH 23 to STH 65; thence along STH 65 to STH 70; thence along STH 70 to the east boundary of the state; thence along the easterly and northerly boundaries of the state to the point of beginning.

Subp. 2. Zone 2. Zone 2 is that portion of the state lying within the following described boundary:

Beginning on State Trunk Highway (STH) 72 at the northern boundary of the state; thence along STH 72 to the Tamarac River, Beltrami County; thence along the southerly shore of the Tamarac River to Upper Red Lake; thence along the easterly and southerly shores of Upper Red Lake to the easterly boundary of the Red Lake Indian Reservation; thence along the easterly boundary of said reservation to STH 1; thence along STH 1 to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to County State-Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to CSAH 20, Beltrami County; thence along CSAH 20 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 12, Beltrami County; thence along CSAH 12 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 8, Beltrami County; thence along CSAH 8 to CSAH 25, Beltrami County; thence along CSAH 25 to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 46, Hubbard County; thence along CSAH 46 to U.S. Highway 2; thence along U.S. Highway 2 to CSAH 45, Hubbard County; thence along CSAH 45 to CSAH 9, Hubbard County; thence along CSAH 9 to CSAH 69, Cass County; thence along CSAH 69 to the junction of CSAH 5, Hubbard County; thence along CSAH 5 to CSAH 39, Hubbard County; thence along CSAH 39 to County Road (CR) 94, Hubbard County; thence along CR 94 to CSAH 31, Hubbard County; thence along CSAH 31 to STH 200; thence along STH 200 to STH 371; thence along STH 371 to STH 84; thence along STH 84 to CSAH 2, Cass County; thence along CSAH 2 to CSAH 1, Crow Wing County; thence along CSAH 1 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence due east from said junction to the west shore of Mille Lacs Lake; thence along the westerly and southerly shores of said lake to a point due north of the junction of

U.S. Highway 169 and STH 27; thence due south to said junction; thence along U.S. Highway 169 to STH 23; thence along STH 23 to STH 65; thence along STH 65 to STH 70; thence along STH 70 to the eastern boundary of the state; thence along the easterly boundary of the state to the junction of the St. Croix and Mississippi Rivers; thence along the easterly bank of the Mississippi River to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 71; thence along U.S. Highway 71 to STH 87; thence along STH 87 to U.S. Highway 59; thence along U.S. Highway 59 to the southern boundary of the White Earth Indian Reservation; thence along the southern, western, and northern boundaries of said reservation to STH 59; thence along STH 59 to the northern boundary of the state to the point of beginning.

Subp. 3. Zone 3. Zone 3 is that portion of the state lying within the following described boundary:

Beginning at the junction of the Mississippi River and the mouth of the Crow River, Wright County; thence along the easterly bank of the Crow River to the mouth of the South Fork of the Crow River; thence along the easterly bank of the South Fork of the Crow River to State Trunk Highway (STH) 25; thence along STH 25 to the Minnesota River; thence along the easterly bank of the Minnesota River to STH 19; thence along STH 19 to U.S. Highway 52; thence along U.S. Highway 52 to STH 57; thence along STH 57 to U.S. Highway 14; thence along U.S. Highway 14 to County State-Aid Highway (CSAH) 13, Dodge County; thence along CSAH 13 to STH 30; thence along STH 30 to U.S. Highway 63; thence along U.S. Highway 63 to the south boundary of the state; thence along the southerly and easterly boundaries of the state to the junction of the St. Croix and Mississippi Rivers; thence along the easterly bank of the Mississippi River to the point of beginning.

Subp. 4. Zone 4. Zone 4 is that portion of the state lying within the following described boundary:

Beginning on U.S. Highway 59 at the north boundary of the state; thence along U.S. Highway 59 to the north boundary of the White Earth Indian Reservation; thence along the north, west, and south boundaries of said reservation to U.S. Highway 59; thence along U.S. Highway 59 to U.S. Highway 10; thence along U.S. Highway 10 to State Trunk Highway (STH) 87; thence along STH 87 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 10; thence along U.S. Highway 10 to the easterly bank of the Mississippi River; thence along the easterly bank of the Mississippi River to the mouth of the Crow River, Wright County; thence along the easterly bank of the Crow River to the mouth of the South Fork of the Crow River; thence along the easterly bank of the South Fork of the Crow River to STH 25; thence along STH 25 to the Minnesota River; thence along the easterly bank of the Minnesota River to STH 19; thence along STH 19 to U.S. Highway 52; thence along U.S. Highway 52 to STH 57; thence along STH 57 to U.S. Highway 14; thence along U.S. Highway 14 to County State-Aid Highway (CSAH) 13, Dodge County; thence along CSAH 13 to STH 30; thence along STH 30 to U.S. Highway 23 to STH 95; thence along STH 95 to U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence along the east, south, west, and north boundaries of the state to the point of beginning.

6232.1500 ARMS USE AREAS AND RESTRICTIONS.

Subpart 1. Shotgun use area. During the firearms season in the shotgun use area, only legal shotguns loaded with single-slug shotgun shells, legal muzzleloading long guns, and legal handguns may be used for taking deer. Legal shotguns include those with rifled barrels.

The shotgun use area is that portion of the state lying within the following described boundary:

Beginning on the north boundary of the state at U.S. Highway 75; thence along U.S. Highway 75 to U.S. Highway 2; thence along U.S. Highway 2 to State Trunk Highway (STH) 9; thence along STH 9 to STH 102; thence along STH 102 to STH 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to County State Aid Highway (CSAH) 40, Douglas County; thence along CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22, Todd County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71 to STH 27; thence along STH 27 to the Mississippi River; thence along the east bank of the Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence along the east, south, west, and north boundaries of the state to the point of beginning.

Subp. 2. All legal firearms use area. The all legal firearms use area is that part of the state lying outside of the shotgun zone.

6232.1600 SPECIAL HUNT PROCEDURES.

Subpart 1. Deer license and permit required for special hunt permit area. Before applying to hunt in a special hunt permit area, a person must purchase a deer hunting license. A firearms deer license validated for the proper zone and time period and a permit valid for that area is required to hunt deer in firearms special hunt areas. Special hunt permit applications must be made at an electronic license system agent or the Department of Natural Resources License Center.

Subp. 2. Application process. Applications for all firearms special hunt permits must be made according to this subpart and according to application instructions provided by the commissioner.

A. Each person must apply at an electronic license system agent or the Department of Natural Resources License Center. A person may not apply more than once for a hunt, whether as an individual or as a member of a group.

B. Up to four persons desiring to hunt as a group may apply together. Group applications will either all be selected or none selected.

C. The preference rating of applicants who apply as a group will be based on the individual in the group with the lowest preference.

D. The application deadline is the first Thursday following Labor Day.

E. If the number of applications for permits in any area exceeds the quota determined by the commissioner, a preference drawing will be held to determine who will be issued permits as provided by part 6232.1800.

Subp. 3. Notification of drawing results. Only successful applicants will be notified.

Subp. 4. Second choice for unsuccessful applicants. Unsuccessful applicants for special hunt areas may, at the discretion of the commissioner, be given a second choice for undersubscribed special hunt areas.

Subp. 5. Undersubscribed areas. For those special hunt areas that are undersubscribed after provisions of subpart 4 are implemented, the commissioner may issue remaining permits over-the-counter on a first-come first-serve basis to individuals possessing a firearms license validated for the proper zone and time period.

6232.1700 REPEALED, 1996

6232.1750 DEER PERMIT AREA DESIGNATION.

The commissioner shall annually designate all deer permit areas as intensive, managed, or lottery and shall establish permit quotas for taking deer of either sex in lottery deer permit areas.

6232.1800 EITHER SEX PERMITS AND PREFERENCE DRAWINGS.

Subpart 1. Procedures for applying for an either-sex permit. Residents and nonresidents are eligible for either-sex permits. A person may not apply for an either-sex deer permit without first purchasing a firearms or all-season deer license. The application may be made for only one of the deer permit areas described in this part, and must be for the zone and dates on the applicant's deer license. A person may not submit more than one application for an either-sex permit. A person may apply for an either-sex permit or a special hunt permit, but not both.

The application deadline is the first Thursday following Labor Day.

Subp. 2. Preference drawings for either-sex permits in lottery deer permit areas and special hunt area permits. If the number of applications for either-sex permits in a lottery deer permit area or for permits in a special hunt area exceeds the quota set forth in the annual hunting regulations, a preference drawing will be used to select permit holders. Persons 12 years of age or older may enter the preference drawing by supplying their driver's license number, official state of Minnesota Identification Number, or 13-digit Firearms Safety Identification Number on the application, except that resident hunters under age 16 on the Saturday nearest November 6 may not apply for either-sex permits. All applicants who have reached their 18th birthday by the first Thursday following Labor Day must provide one of these three numbers to qualify. Applicants under 18 years of age who do not submit one of these numbers will be assigned a number and will be entered into the preference drawing. Applicants establish a preference rating based upon the number of times they have applied in previous years and have not obtained an either-sex or special hunt area permit. The preference rating will increase each year the applicant applies unsuccessfully for either an either-sex or special hunt area permit. Persons applying for the first time have no preference. Applicants receiving either-sex or special hunt area permits lose their accrued preference.

Subp. 3. Deer permit areas. Deer permit areas are comprised of registration blocks of the same number.

6232.1900 REPEALED, 2005

6232.1950 TAKING DEER BY FIREARMS UNDER BONUS PERMITS.

Subpart 1. Purchase. The purchase of a bonus permit is authorized for any person who has purchased and presents a regular firearms deer license for the current year. Bonus permits may be purchased for one-half the cost of a regular license from electronic license system agents, the Department of Natural Resources License Center, and other authorized agents.

Subp. 2. Restrictions. Bonus permits may be used to take antlerless deer by firearms during the regular firearms and muzzleloader seasons as follows:

A. for the regular firearms season, hunters must have a regular firearms license valid for the appropriate zone and time option, except the muzzleloader option, to take deer under a bonus permit in the respective zone and time period for which the license is valid. One bonus permit may be used to take an antlerless deer in one managed deer permit area as prescribed in part 6232.1750. Up to four bonus permits may be used to take antlerless deer in intensive deer permit areas as prescribed in part 6232.1750 and in special hunt areas as prescribed in part 6232.1600; and

B. for the muzzleloader season, one bonus permit may be used to take an antlerless deer in one managed deer permit area as prescribed in part 6232.1750. Up to four bonus permits may be used to take antlerless deer in intensive deer permit areas as prescribed in part 6232.1750 and in special hunt areas prescribed by the commissioner.

6232.2000 MULTIZONE BUCK LICENSE.

Subpart 1. Season and open area. A multizone buck license allows a hunter to hunt and tag a legal buck during any open firearms zone and time period except the late Zone 3B and the muzzleloader seasons.

Subp. 2. Antlerless deer and special hunts. Multizone buck license holders may not apply for lottery either-sex permits or special hunt area permits. Multizone buck licensees may purchase and use bonus permits to take antlerless deer in managed and intensive deer permit areas or special hunt areas prescribed by the commissioner. Bonus permits for multizone buck hunters are valid during any open firearms zone or time period, except the late Zone 3B and the muzzleloader seasons. Multizone buck licensees may not take antlerless deer under Minnesota Statutes, section 97B.055, subdivision 3, or 97B.301, subdivision 6.

6232.2050 ALL-SEASON DEER LICENSE.

Subpart 1. Season and open area.

A. An all-season deer license allows a hunter to take and tag one legal buck and one antlerless deer per year. All-season deer license holders may hunt deer in any of the following seasons, according to all rules and laws for methods of taking in each respective season and zone:

- (1) the archery deer season;
- (2) the muzzleloader deer season; and

(3) the regular firearms season during any open firearms zone and time period, except the Zone 3B season.

B. In lottery deer permit areas, all-season deer hunters must apply for and receive authorization to take and tag an antlerless deer by firearms.

C. In managed or intensive deer permit areas, all-season deer hunters may take and tag an antlerless deer with the antlerless tag accompanying the license.

D. A person who is authorized by statute to take an antlerless deer without an either-sex permit and who purchases an all-season deer license may take antlerless deer during the firearms season as authorized in part 6232.1300.

Subp. 2. Bonus permits. All-season deer license holders may use one bonus permit in a managed deer permit area and may use up to three bonus permits in intensive deer permit areas, as prescribed in part 6232.1750.

6232.2100 MUZZLELOADER SEASON AND AREAS.

Subpart 1. Season. The muzzleloader season is the 16-day deer season beginning the Saturday nearest November 27. Special permit areas may be open for less than 16 days. Persons selecting this season may not hunt deer by firearms during the regular firearms season.

Subp. 2. Open zone. The muzzleloader season is open statewide, except that the following deer permit areas are closed: permit areas 116, 126, 127, 203, 224, and 287.

Subp. 3. Legal deer by muzzleloader. Antlerless deer and legal bucks may be taken by muzzleloader during the muzzleloader season.

6232.2200 ARMS USE AREAS AND RESTRICTIONS FOR MUZZLELOADERS.

Only legal muzzleloaders with open or peep type sights may be used for taking deer during the muzzleloader season.

6232.2400 MUZZLELOADER SPECIAL HUNT PROCEDURES.

Subpart 1. Deer license required. Purchase of a resident or nonresident firearms deer license validated for the muzzleloader season is required to apply for and to hunt deer in a muzzleloader special hunt area.

Subp. 2. Special hunt application procedure. Applications for all special permit area hunts must be made as provided by part 6232.1600.

6232.2450 REPEALED, 2005

6232.2500 DISABLED HUNT.

Subpart 1. Requirements. Hunters must be participants in a program for physically disabled hunters sponsored by a nonprofit organization and must be referred by an organization prior to being issued a permit. Permittees must purchase an archery or firearms deer hunting license. Each permittee may be accompanied by one or more assistants named by the nonprofit organizations and approved by the commissioner. Assistants are not required to purchase licenses and may assist permittees in taking deer. Both permittees and assistants must meet the blaze orange requirement for deer hunters.

Subp. 2. Open areas. Disability permittees may hunt in open areas and seasons as designated by the commissioner and published in the annual hunting regulations booklet.

6232.2550 YOUTH SPECIAL DEER HUNTS.

Subpart 1. General requirements. Youth special deer hunt permittees may hunt in open areas and times designated by the commissioner. All participating youths must attend a mandatory orientation and must be accompanied by at least one adult mentor who is at least 18 years of age and authorized by the youth's parent or guardian. The accompanying adult may not hunt. Party hunting is not allowed. Persons participating in youth archery

special deer hunts must obtain a valid license for taking deer by archery by the beginning date of the respective hunt. Persons participating in youth firearms special deer hunts must obtain a license for taking deer by firearms, valid for any zone or season option, by the beginning date of the respective hunt. The blaze orange requirements in Minnesota Statutes, section 97B.071, paragraph (a), apply to all hunters and trappers, and all adult mentors of youth hunters, in areas open to youth firearms deer hunting during the open hunting dates established in this part.

Subp. 2. Application requirements. Applications for youth special hunts must be made according to this part and according to application instructions provided by the commissioner. Applicants for youth firearms special hunts must be at least 12 years old and under age 16 by the beginning hunt date. Applicants for youth archery special hunts must be at least 12 years old and under age 18 by the beginning hunt date. Each person must apply at an electronic license system agent or the Department of Natural Resources License Center. Group applications are not allowed. If the number of eligible applicants exceeds the quota established by the commissioner, the commissioner shall conduct a drawing to determine eligible participants. Preference for the youth special hunt drawing is given to applicants based on the number of years they have correctly applied for a youth special hunt permit but have been unsuccessful. Upon issuance of a youth special hunt permit, all accumulated preference is lost. The application deadline is the Friday nearest August 17.

6232.2560 YOUTH SPECIAL DEER SEASONS.

Youths participating in youth special deer seasons must obtain a license for taking deer by firearms, valid for any zone or season option, by the beginning date of the special season. A youth special season participant may take one deer, which must be antlerless. One bonus permit may be used. An adult mentor age 18 or older authorized by the youth's parent or guardian must accompany the youth hunter at all times during the hunt. The accompanying adult may not hunt. Party hunting is not allowed. The blaze orange requirements in Minnesota Statutes, section 97B.071, paragraph (a), apply to all hunters and trappers, and all adult mentors of youth hunters, in the areas open to firearms deer hunting during the youth special seasons established in this part.

6232.2600 DEFINITIONS.

Subpart 1. Scope. The terms used in parts 6232.2600 to 6232.3500 have the meanings given them in this part.

Subp. 2. Bait. "Bait" means materials placed for the purpose of attracting or attempting to attract bears.

Subp. 3. Bear bait station. "Bear bait station" means a location at which bait is placed for the purpose of hunting. Bear bait station does not include materials that are at all times attended by the hunter.

Subp. 4. Bear cub. "Bear cub" means a bear less than one year of age.

Subp. 5. Garbage dump. "Garbage dump" means a site regularly and primarily used for the disposal of garbage or other refuse.

Subp. 6. No-quota area. "No-quota area" means that part of this state not included within the boundaries of bear hunt permit areas.

Subp. 7. Registration block. "Registration block" means a geographic area designated for the registration of harvested deer and bear as provided by part 6232.4700.

6232.2700 SEASONS AND DATES TO TAKE BEARS.

Bears may be taken by licensed hunters using legal firearms or legal bow and arrow from September 1 through the Sunday nearest October 15.

6232.2800 GENERAL REGULATIONS FOR TAKING BEARS.

Subpart 1. Bag limit. A person may not take more than one bear during any calendar year whether by firearm or archery. Bears taken may be of either sex or any age except that bear cubs may not be taken.

Subp. 2. Party hunting. Party hunting for bears is not permitted. A person may not shoot a bear for another person or tag a bear shot by another person.

Subp. 3. Dens. A person may not take or disturb any bear in a den.

Subp. 4. Tagging and license validation. Persons taking a bear must affix a tag and validate their license at the site of kill as provided below:

A. Persons killing a bear must affix to the carcass the site tag provided with their bear hunting license. The tag must be fastened around the bear's sternum (breast bone), through an ear, or around a leg bone or tendon so that the tag cannot be readily removed. A hunter may not possess or use the site tag of another, except when transporting a bear as provided by Minnesota Statutes, section 97A.535.

B. At the time a bear is tagged at the site of kill, the license of the person whose tag is affixed to the bear must be validated. Validation consists of using a knife or similar sharp object to cut out or a pen to indelibly mark the appropriate notches on the registration slip indicating:

- (1) the date of kill;
- (2) whether taken by firearms or archery; and
- (3) the sex of the bear harvested.

Subp. 5. Skinning and quartering bears. Bears may be skinned, quartered, or further divided prior to transportation and registration, but all edible meat and all other parts of the bear retained by the hunter must be presented for registration at the same time.

Subp. 6. Registration. Every person taking a bear must present it for registration at a designated bear registration station or, in the case of a nuisance bear authorization, to the authorizing wildlife manager or officer, within 48 hours after taking and obtain a big game possession tag. Prior to transporting the bear from the registration station, the possession tag must be attached to the bear in the same manner as the site tag provided with the license.

Subp. 7. Sample collection. A person taking a bear must submit samples to the department in the envelope provided at bear registration stations according to instructions of the department. It is the responsibility of each person taking a bear to mail the envelope to the department, except in those cases where a bear registration station is collecting the samples.

Subp. 8. White bears protected. A person may not take a white bear.

6232.2900 BEAR PERMIT PROCEDURES.

Subpart 1. Limit on number of applications. A person may not apply more than once per season, whether as an individual or as a member of a group.

Subp. 2. Drawings. Drawings will be conducted by the department to determine those eligible to purchase a bear license within the bear quota areas. Preference in the drawings will be given to applicants based upon the number of times they have correctly applied for a license in a quota area in previous years but have not been selected. Upon issuance of a quota area license, all accumulated preference will be lost. Obtaining a no-quota bear license will have no effect upon eligibility or preference in the drawings. In quota areas with fewer applicants than available licenses, the remaining available licenses may be first offered to unsuccessful applicants for other quota areas on a first-come, first-served basis. To obtain a remaining available license, an eligible person must apply individually and in person at an electronic license system agent location or individually through the ELS-Internet or ELS-Telephone system. Any remaining available licenses not purchased by unsuccessful applicants may then be issued to any eligible person as prescribed by the commissioner on a first-come, first-served basis. Individuals who purchase these remaining available licenses will retain their accumulated preference.

Subp. 3. Required identification number, eligibility. A person whose big game hunting privileges are not suspended and, if born after December 31, 1979, has successfully completed a firearms safety course approved by the commissioner prior to the opening day of the bear season, is eligible to purchase a bear license for the no-quota area or to enter a drawing for a permit area license. All applicants who will have reached their 18th birthday by September 1 must provide a driver's license number, a Minnesota identification card number issued by the Department of Public Safety, or a 13-digit Firearms Safety Certificate number. Eligible applicants under this age who do not submit one of these numbers will be assigned a number and entered into the preference drawing.

Subp. 4. Application deadline. Applications must be returned to the License Bureau. The application deadline is the first Friday of May.

Subp. 5. Group application. Persons may apply individually or as part of a group totaling no more than four persons. Those who wish to apply as a group must submit their applications for the drawing together in one envelope. All applications in a group must be for the same permit area. The individual within a group with the lowest preference rating will determine the preference rating of the group. Either all members of the group or none will be drawn. Improperly completed applications will be rejected but will not disqualify other members of the group.

Subp. 6. Modification of quota numbers for group applications. The quota of licenses or permits for a drawing may be increased to accommodate group members if the last applicant to be selected is a member of a group.

Subp. 7. Notification of drawing results. Successful applicants will receive a notice, with instructions, authorizing them to obtain a license. Successful applicants who do not purchase a license according to the instructions or who do not provide all of the requested information will be disqualified. All accumulated preference is lost upon issuance of a license.

6232.3000 BEAR QUOTA AREAS.

Subpart 1. Quota area licenses. Licenses for bear quota areas are limited in number and are issued through a drawing as provided in part 6232.2900. Quota area licenses are valid only in the quota area specified on the license.

Subp. 1a. Bear Quota Area 12. Bear Quota Area 12 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 72 and the northern boundary of the state; thence along STH 72 to the Tamarac River; thence along the southerly shore of said river to Upper Red Lake; thence along the southeasterly shore of said lake to the eastern boundary of the Red Lake Indian Reservation; thence along the easterly, southerly, and westerly boundaries of said Reservation to the point where the Clearwater River leaves the Reservation boundary; thence along the south shore of said river to County State Aid Highway (CSAH) 2, Polk County; thence along CSAH 2 to CSAH 27, Pennington County; thence along CSAH 27 to STH 1; thence along STH 1 to CSAH 28, Pennington County; thence along CSAH 28 to CSAH 54, Marshall County; thence along CSAH 54 to CSAH 6, Marshall County; thence along CSAH 6 to STH 89; thence along STH 89 to County Road (CR) 134, Marshall County; thence along CR 134 to STH 54; thence along STH 54 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 2, Roseau County; thence along CSAH 2 to STH 89; thence along STH 89 to STH 310; thence along STH 310 to the Roseau River; thence along the south shore of said river to STH 89; thence along STH 89 to the northern boundary of the state; thence along the northern boundary of the state to the point of beginning.

Subp. 2. Bear Quota Area 13. Bear Quota Area 13 consists of that portion of the state lying within the following described boundary:

Beginning on the northern boundary of the state at State trunk Highway (STH) 72; thence along the northern boundary of the state to a point due north of the intersection of STH 11 and U.S. Highway 71; thence due south to U.S. Highway 71; thence along U.S. Highway 71 to STH 6; thence along STH 6 to STH 1; thence along STH 1 to STH 72; thence north along STH 72 to the point of beginning.

Subp. 3. Bear Quota Area 22. Bear Quota Area 22 consists of that portion of the state known as the Boundary Waters Canoe Area (BWCA) but excluding the detached part of the BWCA lying south of the Echo Trail, St. Louis County, and known as the Trout Lake unit or block.

Subp. 4. Bear Quota Area 24. Bear Quota Area 24 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 2 and State Trunk Highway (STH) 65; thence along STH 65 to STH 1; thence along STH 1 to STH 135; thence along STH 135 to County State Aid Highway (CSAH) 21, St. Louis County; thence along CSAH 21 to the Soudan-Two Harbors Branch of the Duluth, Missabe and Iron Range Railway Company (DM&IR); thence along said railroad to CSAH 16, St. Louis County; thence along CSAH 16 to U.S. Highway 53; thence along U.S. Highway 53 to CSAH 133, St. Louis County; thence along CSAH 133 to CSAH 25, Itasca County; thence along CSAH 25 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Subp. 5. Bear Quota Area 25. Bear Quota Area 25 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of State Trunk Highway (STH) 1 and STH 65; thence along STH 1 to STH 169; thence along STH 169 to the first Shagawa River bridge at Winton; thence along the northerly shore of said river to Fall Lake; thence along the westerly and northerly shores of Fall Lake to the southern boundary of the Boundary Waters Canoe Area (BWCA); thence westward along the southerly boundary of the BWCA to the intersection with the northern boundary of the state; thence along the northern boundary of the state to a point due north of the junction of U.S. Highway 71 and STH 11 at Pelland; thence due south to said junction; thence along U.S. Highway 71 to STH 6; thence along STH 6 to STH 1; thence along STH 1 to the point of beginning.

Subp. 6. Bear Quota Area 26. Bear Quota Area 26 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 2 and State Trunk Highway (STH) 65; thence along STH 65 to STH 1; thence along STH 1 to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Subp. 7. Bear Quota Area 31. Bear Quota Area 31 consists of that portion of the state lying within the following described boundary:

Beginning on U.S. Highway 53 at the eastern boundary of the state; thence along U.S. Highway 53 to County State Aid Highway (CSAH) 16, St. Louis County; thence along CSAH 16 to the Soudan-Two Harbors Branch of the Duluth, Missabe and Iron Range Railway Company (DM&IR); thence along said railroad to CSAH 21, St. Louis County; thence along CSAH 21 to State Trunk Highway (STH) 135; thence along STH 135 to STH 169; thence along STH 169 to the first Shagawa River bridge at Winton; thence along the northerly shore of said river to Fall Lake; thence along the westerly and northerly shores of Fall Lake to the southern boundary of the Boundary Waters Canoe Area (BWCA); thence easterly along said boundary of the BWCA to the northern boundary of the state at Magnetic Lake; thence easterly along the northern boundary of the state to the boundary of the BWCA on the south shore of North Lake; thence along the boundaries of this detached part of the BWCA to the northern boundary of the state at South Fowl Lake; thence along the northern and eastern boundaries of the state to the point of beginning.

Subp. 8. Bear Quota Area 41. Bear Quota Area 41 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of the northern boundary of the White Earth Indian Reservation and County State Aid Highway (CSAH) 7, Clearwater County; thence along CSAH 7 to CSAH 6, Clearwater County; thence along CSAH 6 to State Trunk Highway (STH) 92; thence along STH 92 to STH 223; thence along STH 223 to CSAH 14, Clearwater County; thence along CSAH 14 to CSAH 4, Clearwater County; thence along CSAH 4 to the west boundary of Clearwater County; thence along said boundary to the southern boundary of the Red Lake Indian Reservation; thence along the southern and eastern boundaries of said reservation to the southeasterly shore of Upper Red Lake; thence along said lakeshore to the Tamarac River; thence along the southerly shore of said river to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 2;

thence along U.S. Highway 2 to STH 92; thence along STH 92 to the northern boundary of the White Earth Indian Reservation; thence west along said reservation boundary to the point of beginning.

Subp. 9. Bear Quota Area 43. Bear Quota Area 43 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 59 and the northern boundary of the White Earth Indian Reservation; thence along said boundary to State Trunk Highway (STH) 92; thence along STH 92 to U.S. Highway 2; thence along U.S. Highway 2 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence along U.S. Highway 169 to STH 23; thence along STH 23 to the Mississippi River; thence upstream along the easterly shore of said river to STH 27 at Little Falls; thence along STH 27 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

The Tamarac National Wildlife Refuge within Area 43 is not open for bear hunting.

Subp. 9a. Bear Quota Area 44. Bear Quota Area 44 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 59 and the northern boundary of the White Earth Indian Reservation; thence along said boundary to State Trunk Highway (STH) 92; thence along STH 92 to U.S. Highway 2; thence along U.S. Highway 2 to STH 6; thence along STH 6 to County State Aid Highway (CSAH) 1, Crow Wing County; thence along CSAH 1 to CSAH 2, Cass County; thence along CSAH 2 to STH 371; thence along STH 371 to STH 87; thence along STH 87 to U.S. along U.S. Highway 10 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 9b. Bear Quota Area 45. Bear Quota Area 45 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and State Trunk Highway (STH) 87; thence along STH 87 to STH 371; thence along STH 371 to County State Aid Highway (CSAH) 2, Cass County; thence along CSAH 2 to CSAH 1, Crow Wing County; thence along CSAH 1 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence along U.S. Highway 169 to STH 23; thence along STH 23 to the Mississippi River; thence upstream along the Mississippi River along the easterly shore of said river to STH 27; thence along STH 27 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 10. Bear Quota Area 51. Bear Quota Area 51 consists of that portion of the state lying within the following described boundary:

Beginning on U.S. Highway 53 on the eastern boundary of the state; thence along U.S. Highway 53 to County State Aid Highway (CSAH) 133, St. Louis County; thence along CSAH 133 to CSAH 25, Itasca County; thence along CSAH 25 to U.S. Highway 2; thence along U.S. Highway 2 to State Trunk Highway (STH) 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence along U.S. Highway 169 to STH 23; thence along STH 23 to STH 47; thence along STH 47 to STH 27; thence along STH 27 to STH 65; thence along STH 65 to STH 18; thence along STH 18 to the western boundary of Pine

County; thence along the western and northern boundaries of Pine County to STH 23; thence along STH 23 to CSAH 22, Pine County; thence along CSAH 22 to CSAH 32; thence along CSAH 32 to the eastern boundary of the state; thence along the eastern boundary of the state to the point of beginning.

6232.3100 BEAR NO-QUOTA AREA.

Licenses for the no-quota area are not limited in number and may be purchased from a county auditor's office, county auditor's subagents in Pine, Kanabec, Roseau, and Marshall Counties, or the License Bureau. A person may not purchase a license for both a quota area and the no-quota area in the same year. No-quota licenses are valid only in the no-quota area.

6232.3200 BAIT STATIONS AND GARBAGE DUMPS.

Subpart 1. Bait station restriction. A person may not establish, service, maintain, or sign any bear bait station prior to the Friday nearest August 14.

Subp. 2. Registration of bait station. A person may not establish a bear bait station without registering the site as provided in this subpart.

A. The following information must be provided on a form provided by the commissioner or on an 8-1/2 inch by 11 inch sheet of paper:

(1) name, address, and telephone number of person who established the bear bait station; and

(2) county, township, range, and section in which the bear bait station is established.

B. The form must be mailed to the Division of Enforcement no later than the next postal service day following establishment of the bear bait station.

Subp. 3. Display of sign. A person establishing a bear bait station must display a sign at the site meeting the following requirements.

A. The sign must be made of plastic, wood, or metal and must be at least six inches by ten inches in size.

B. The sign must contain the full name and Minnesota driver's license number or the full name, address, and telephone number of the person placing the bait.

C. Letters and numbers must be legibly printed and either painted or impressed on the sign material.

D. The sign must be prominently displayed between six and ten feet above the natural ground level and within 20 feet of the bait.

E. The person who placed the signs is responsible for their removal within 48 hours of the close of the bear season.

Subp. 4. Restriction on hunting near bear bait station. A person may not hunt bear within 100 yards of a bear bait station unless it is registered and marked with a sign as required by this part.

Subp. 5. Bear bait stations near garbage dumps. A person may not take bear or establish a bear bait station within one-half mile of a garbage dump.

Subp. 6. Bear bait stations near previously baited areas. A person may not establish a bear bait station within 100 yards of a site where bait has been placed prior to the Friday nearest August 14.

Subp. 7. Bear bait stations near campsites and in bear quota area 22. A person may not establish a bear bait station within 150 yards of a campsite or in bear quota area 22.

6232.3300 NUISANCE BEARS.

Nuisance bears may be taken by licensed bear hunters from July 1 to August 31 under the conditions in this part.

A. Wildlife managers or conservation officers may authorize licensed hunters to take nuisance bears after the manager or officer has verified that a nuisance problem exists.

B. Only hunters licensed for the area where damage is occurring will be authorized to take bears. Only one hunter may hunt under a license. Authorized hunters are restricted to the location specified on the license.

C. A licensee taking a nuisance bear prior to the season must register it with the authorizing wildlife manager or conservation officer within 48 hours after taking.

D. A licensee who takes a nuisance bear may not take another bear in that year.

E. A licensee taking a nuisance bear is subject to all provisions of parts 6232.2600 to 6232.3500 not inconsistent with this subpart and all laws relating to the taking of wild animals.

6232.3400 RESTRICTION ON TAKING RESEARCH BEARS.

A licensed bear hunter may not take a bear being studied under a research permit issued by the commissioner if the permit holder or designee is accompanying the bear and has identified the bear to the hunter as a research animal.

6232.3500 BEAR GUIDING.

Subpart 1. Application for bear guide licenses. An application for a bear hunting guide license can be obtained from the License Bureau.

Subp. 2. Deadline for license issuance. A bear hunting guide license may not be issued after August 31 in any year.

Subp. 3. Required reporting by bear guides. All licensed bear hunting guides must complete the report form provided with the license and return it to the specified address no later than ten days after the close of the bear season. Failure to submit this report or failure to provide all requested information may result in ineligibility for a bear hunting guide license for the following bear season.

6232.3600 SEASONS AND DATES FOR TAKING MOOSE.

Moose may be taken by licensed hunters, in those years when a moose season is authorized by the commissioner, using legal firearm or legal bow and arrow within the following seasons:

A. in the Northwest Area (except the Agassiz Area) consisting of Moose Zones 1 to 17, when opened by the commissioner, for the nine-day period beginning the Saturday nearest October 11;

B. in the Agassiz Area consisting of Moose Zone 2, when opened by the commissioner, for the nine-day period beginning the Saturday nearest December 3; and

C. in the Northeast Area consisting of Moose Zones 20 to 80, when opened by the commissioner, for the 16-day period beginning the Saturday nearest October 1.

Open zones and date changes, if any, can be found in the annual hunting regulations.

6232.3700 GENERAL REGULATIONS FOR TAKING MOOSE.

Subpart 1. Party hunting. Licensees may not hunt moose without having the unused seal in their possession. Licensed parties may not assist other licensed parties in taking moose.

Subp. 2. Mixed-weapons parties. Licensed moose hunt parties may consist of individuals hunting with bow and arrow and individuals hunting with firearms.

Subp. 3. Blaze orange requirement. The visible portion of the hunter's cap, if worn, and outer garments, above the waist excluding sleeves and gloves, must be blaze orange or be covered by blaze orange. Blaze orange includes a camouflage pattern of at least 50 percent blaze orange within each square foot. Persons whose sincerely held religious beliefs do not permit them to wear blaze orange may wear bright red as an alternative color in the same manner as blaze orange.

Subp. 4. Registration. Moose must be registered, at a designated moose registration station in the area, within 48 hours after taking.

Subp. 5. Dividing of moose. Moose may be skinned, quartered, or further divided prior to transportation and registration, but all edible meat, and all other parts of the moose not left in the field, must be presented at the same time.

Subp. 6. Orientation required. Persons licensed to take moose must attend an orientation session and have their licenses validated prior to hunting. Members of a party need not attend the same orientation session.

Subp. 7. Tagging. A moose may not be transported or possessed unless the seal bearing the license number of the party taking the moose and the year of its issue has been affixed to the carcass by attaching it between the tendon and the bone of a hind leg and fastened around either the bone or the tendon, around the base of either antler, or through a slit cut through either ear.

The seal must be fastened so that it cannot be readily removed.

Subp. 8. License requirement. A moose license is valid for a party of two, three, or four persons only for the zone selected.

Subp. 9. Bag limit. The bag limit of moose is one of any age or sex per licensed party of hunters. Only one moose may be taken by a party.

6232.3800 APPLICATION PROCEDURES FOR A MOOSE LICENSE.

Subpart 1. General procedures. The provisions in this part apply to applications for moose licenses.

A. A person may apply for only one of the open zones.

B. A person may apply only once and must apply in a party of two, three, or four. All party members must apply for the same zone.

C. Up to 20 percent of the licenses in each zone of the Northwest Area may be issued in a separate landowner and tenant drawing. The following persons are eligible for this separate drawing:

(1) owners of at least 160 acres of agricultural or grazing land, within the zone applied for;

(2) tenants living on at least 160 acres of agricultural or grazing land, within the zone applied for; or

(3) family members of qualifying landowners and tenants, if they live on the qualifying property and are part of the farming operation. Family members include those related by blood, marriage, or adoption.

Applicants unsuccessful in the landowner and tenant drawing will be included in the selection process for the remaining licenses in the same zone.

Landowner and tenant party applications that include individuals who do not meet the requirements for this license will be removed from the landowner and tenant drawing and will not be entered into the general drawing.

D. Twenty percent of the moose licenses to be issued each year are available in a separate selection for individuals who have applied at least ten times for a moose license and who have never received a license. If the 20 percent of licenses exceeds the number of eligible applicants, the remaining permits shall be made available in the regular drawing. Evidence of unsuccessful application for purposes of this drawing is the application history database retained by the commissioner.

E. Applications for all drawings must be made in accordance with instructions.

F. The application deadline is the Friday nearest June 15.

G. An application fee, as prescribed in Minnesota Statutes, section 97A.431, subdivision 3, must accompany each party's application. Any check returned to the department for nonpayment invalidates the application and will be destroyed. Refunds of application fees may not be made for any reason.

H. Successful applicants will receive instructions for obtaining their licenses.

Subp. 2. Repealed, 2005

6232.3900 MOOSE HUNTING ON REFUGES.

The Clay County Refuge in Zone 15 and the sanctuary within the Rothsay Wildlife Management Area in Zone 16 are open for the taking of moose during an authorized season.

6232.4000 NUISANCE MOOSE.

Nuisance moose may be taken under special authorization by licensed moose hunters from September 1 to December 31 under the following conditions:

A. Conservation officers may authorize licensed hunters to take nuisance moose after the officer has verified that a nuisance problem exists.

B. An authorized party taking a nuisance moose must register it with the authorizing conservation officer within 48 hours after taking.

C. Once a party has taken a nuisance moose, the moose license is no longer valid.

D. Hunters authorized to take nuisance moose are subject to all provisions of parts 6232.3600 to 6232.4100 not inconsistent with this part and all laws relating to taking wild animals.

E. Authorization may only be granted to a party of hunters that has a valid moose hunting license. Priority must be given to parties with licenses valid for the zone in which the damage is occurring. Authorization may be granted for nuisance moose outside zones open to hunting. Only one party may hunt under an authorization. Each authorization is restricted to a specified location.

6232.4100 MOOSE ZONES.

Subpart 1. Moose Zone 1A. Moose Zone 1A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 89 and County State Aid Highway (CSAH) 42, Beltrami County; thence along STH 89 to CSAH 44, Beltrami County; thence along CSAH 44 to County Road (CR) 704, Beltrami County; thence along CR 704 to Dick's

Parkway Forest Road, Beltrami County; thence along Dick's Parkway Forest Road to CSAH 5, Roseau County; thence along CSAH 5 to the Tangnes Forest Road, Roseau County; thence along the Tangnes Forest Road to the Krull Forest Road; thence in a southeasterly direction along the Krull Forest Road to CSAH 2, Lake of the Woods County; thence along CSAH 2 to STH 11; thence along STH 11 to STH 89; thence along STH 89 to CSAH 20, Roseau County; thence along CSAH 20 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 54, Marshall County; thence along CSAH 54 to CSAH 2, Marshall County; thence along CSAH 2 to CSAH 42, Beltrami County; thence along CSAH 42 to the point of beginning.

Subp. 2. Moose Zone 1B. Moose Zone 1B consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 11 and STH 313; thence along STH 313 to the northern boundary of the state; thence west along the north boundary of the state to STH 310; thence along STH 310 to STH 11; thence along STH 11 to the point of beginning.

Subp. 3. Moose Zone 2. Moose Zone 2 consists of the Agassiz National Wildlife Refuge and the State Eckvold, Elm Lake, and Mud Lac Wildlife Management Areas in Marshall County.

Subp. 4. Moose Zone 3. Moose Zone 3 consists of that portion of the state lying within the following described boundary, except that part comprising Moose Zone 2:

Beginning at the intersection of State Trunk Highway (STH) 11 and STH 32; thence along STH 11 to STH 89; thence along STH 89 to County State Aid Highway (CSAH) 20, Roseau County; thence along CSAH 20 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 54, Marshall County; thence along CSAH 54 to CSAH 28, Pennington County; thence along CSAH 28 to STH 1; thence along STH 1 to STH 32; thence along STH 32 to the point of beginning.

Subp. 5. Moose Zone 4. Moose Zone 4 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 11 and U.S. Highway 59; thence along STH 11 to STH 32; thence along STH 32 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 6. Moose Zone 5. Moose Zone 5 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 11 and U.S. Highway 59; thence along STH 11 to STH 310; thence along STH 310 to the northerly boundary of the state; thence west along the northerly boundary of the state to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 7. Moose Zone 6. Moose Zone 6 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 59 and State Trunk Highway (STH) 11; thence along U.S. Highway 59 to the northerly boundary of the state; thence west along the northerly boundary of the state to U.S. Highway 75; thence along U.S. Highway 75 to STH 11; thence east along STH 11 to the point of beginning.

Subp. 8. Moose Zone 7. Moose Zone 7 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 11 and U.S. Highway 75; thence along STH 11 to U.S. Highway 59; thence along U.S. Highway 59 to County State Aid Highway (CSAH) 28, Marshall County; thence along CSAH 28 to CSAH 4, Marshall County; thence along CSAH 4 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Subp. 9. Repealed, 1994/1995

Subp. 9a. Moose Zones 8A and 8B. Moose Zones 8A and 8B consist of that portion of the state lying within the following described boundaries:

A. Moose Zone 8A:

Beginning at the intersection of County State Aid Highway (CSAH) 28, Marshall County and CSAH 11, Marshall County; thence along CSAH 28 to U.S. Highway 59; thence along U.S. Highway 59 to State Trunk Highway (STH) 32; thence along STH 32 to CSAH 3, Pennington County; thence along CSAH 3 to CSAH 10, Pennington County; thence along CSAH 10 to STH 1; thence along STH 1 to CSAH 11, Pennington County; thence along CSAH 11 to CSAH 11, Marshall County; thence along CSAH 11 to the point of beginning.

B. Moose Zone 8B:

Beginning at the intersection of County State Aid Highway (CSAH) 4, Marshall County and U.S. Highway 75; thence along CSAH 4 to CSAH 28, Marshall County; thence along CSAH 28 to CSAH 11, Marshall County; thence along CSAH 11 to CSAH 11, Pennington County; thence along CSAH 11 to State Trunk Highway (STH) 1; thence along STH 1 to CSAH 10, Pennington County; thence along CSAH 10 to CSAH 3, Pennington County; thence along CSAH 3 to CSAH 21, Polk County; thence along CSAH 21 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Subp. 10. Moose Zone 9. Moose Zone 9 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 2 and U.S. Highway 75; thence along U.S. Highway 75 to County State Aid Highway (CSAH) 21, Polk County; thence along CSAH 21 to CSAH 3, Pennington County; thence along CSAH 3 to State Trunk Highway (STH) 32; thence on STH 32 to CSAH 1, Polk County; thence along CSAH 1 to STH 9; thence along STH 9 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Subp. 11. Moose Zone 10. Moose Zone 10 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 41, Polk County and State Trunk Highway (STH) 59; thence along CSAH 41 to STH 32; thence along STH 32 to STH 1; thence along STH 1 to CSAH 27, Pennington County; thence along CSAH 27 to CSAH 2, Polk County; thence along CSAH 2 to STH 92; thence along STH 92 to CSAH 6, Polk County; thence along CSAH 6 to the south boundary of Polk County; thence along the south boundary of Polk County to STH 59; thence along STH 59 to the point of beginning.

Subp. 12. Moose Zone 11. Moose Zone 11 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway 11 and County State Aid Highway (CSAH) 17, Lake of the Woods County; thence along CSAH 17 to the north boundary line of Section 8, Township 163 N, Range 34 W; thence west along said section boundary line to the shore of Lake of the Woods; thence easterly along the south shoreline of said lake to the intersection of said shoreline with the line between Range 32 West and Range 33 West; thence along said range line to County State Aid Highway (CSAH) 4, Lake of the Woods County; thence along CSAH 4 to State Trunk Highway 11; thence along State Trunk Highway 11 to the point of beginning.

Subp. 13. Moose Zone 12. Moose Zone 12 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 75 and the northern boundary of the state; thence along U.S. Highway 75 to County State Aid Highway (CSAH) 5, Marshall County; thence along CSAH 5 to its intersection with State Trunk Highway (STH) 220; thence due west from said intersection to the west boundary of the state; thence along the west and north boundaries of the state to the point of beginning.

Subp. 14. Moose Zone 13. Moose Zone 13 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 75 and County State Aid Highway (CSAH) 19, Polk County; thence along CSAH 19, Polk County, to its junction with CSAH 64, Polk County; thence due west to the western boundary of the state; thence northward along the west boundary of the state to a point due west of the junction of CSAH 5, Marshall County and State Trunk Highway (STH) 220; thence due east to said junction; thence along CSAH 5 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Subp. 15. Moose Zone 14. Moose Zone 14 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 1, Polk County and State Trunk Highway (STH) 32; thence along CSAH 1 to STH 9; thence along STH 9 to CSAH 39, Norman County; thence along CSAH 39 to STH 113; thence along STH 113 to the west boundary of the White Earth Indian Reservation; thence along the west and north boundaries of said Reservation to U.S. Highway 59; thence along U.S. Highway 59 to CSAH 41, Polk County; thence along CSAH 41 to STH 32; thence along STH 32 to the point of beginning.

Subp. 16. Moose Zone 15. Moose Zone 15 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and County State Aid Highway (CSAH) 39, Norman County; thence along CSAH 39 to STH 9; thence along STH 9 to U.S. Highway 10; thence along U.S. Highway 10 to STH 32; thence along STH 32 to the point of beginning.

Subp. 17. Moose Zone 16. Moose Zone 16 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and U.S. Highway 10; thence along STH 32 to County State Aid Highway (CSAH) 35, Clay County; thence along CSAH 35 to CSAH 21, Otter Tail County; thence along CSAH 21 to STH 108; thence along STH 108 to CSAH 21, Wilkin County; thence along CSAH 21 to CSAH 16, Wilkin

County; thence along CSAH 16 to CSAH 15, Wilkin County; thence along CSAH 15 to CSAH 20, Wilkin County; thence along CSAH 20 to CSAH 11, Wilkin County; thence along CSAH 11 to CSAH 21, Clay County; thence along CSAH 21 to CSAH 10, Clay County; thence along CSAH 10 to STH 9; thence along STH 9 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 18. Moose Zone 17. Moose Zone 17 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 3, Mahnomen County and the north boundary of Mahnomen County; thence along the north, west, and south boundaries of Mahnomen County to CSAH 13, Mahnomen County; thence along CSAH 13 to State Trunk Highway (STH) 113; thence along STH 113 to CSAH 3, Mahnomen County; thence along CSAH 3 to the point of beginning.

Subp. 19. Moose Zone 20. Moose Zone 20 consists of that portion of the state lying within the following described boundary:

Beginning at the campground on Kawishiwi Lake; thence in a southerly direction along Forest Road 354 to Hog Creek; thence downstream in a southwesterly direction along Hog Creek to Perent Lake; thence in a westerly direction through the center of Perent Lake to the outlet of the Perent River; thence in a westerly direction along the Perent River to Isabella Lake; thence in a westerly direction along the south shore of Isabella Lake to the Isabella River; thence in a westerly direction along the Isabella River to Bald Eagle Lake; thence in a northwesterly direction through the center of Bald Eagle, Gabbro and Little Gabbro Lakes to the westernmost outlet of Little Gabbro Lake; thence downstream in a northerly direction to the South Kawishiwi River; thence in a northeasterly direction along the South Kawishiwi River to the Kawishiwi River; thence in an easterly direction along the Kawishiwi River to County State-Aid Highway (CSAH) 18 (Fernberg Road), Lake County; thence in a northerly direction along CSAH 18 to Forest Trail 147 (Kekekabic Trail); thence in a northeasterly direction along Forest Trail 147 to intersection of Forest Trail 147 and portage to an unnamed lake in Section 29 of Township 64 North, Range 7 West; thence southeast along said portage to an unnamed lake; thence across middle of unnamed lake to portage to Thomas Lake; thence southeast across said portage to Thomas Lake; thence south along the west shore of Thomas Lake to portage to Kiana Lake; thence south across said portage to Kiana Lake; thence south along east shore of Kiana Lake to portage to Insula Lake; thence south on portage to Insula Lake; thence south on Insula Lake (east shore) then east (north shore) to the Kawishiwi River portage; thence southeast on said portage to Kawishiwi River; thence southeast (west shore) and then northeast (south shore) including a small segment of the south shore of Alice Lake and two (2) portages back to the Kawishiwi River in Section 22 of Township 63 North, Range 7 West; thence northeast on Kawishiwi River along west shore to portage to River Lake; thence northeast across said portage to River Lake; thence northeast on River Lake (west shore) to drainage in Southeast Quarter of Section 14 of Township 63 North, Range 7 West; thence easterly along south shore of said drainage to Record Lake; thence northeast on west shore of Record Lake to northeast corner of lake; thence overland

approximately 1300 feet at a northeast bearing to south shore of Malberg Lake; thence northeast then south along south shore of Malberg Lake; thence through Koma Lake, and along the Kawishiwi River to Lake Polly; thence in a southwesterly direction through the center of Lake Polly to the Kawishiwi River; thence upstream in a southerly direction along the Kawishiwi River, through Kawasachong and Square Lakes to Kawishiwi Lake; thence in a southeasterly direction through the center of Kawishiwi Lake to the point of beginning.

Subp. 20. Moose Zone 21. Moose Zone 21 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of State Trunk Highway (STH) 169 and the Superior National Forest boundary in Township 62 North, Range 13 West, Sections 3 and 4; thence south along said boundary to Muckwa Lake; thence along the west shore of Muckwa Lake to the Superior National Forest boundary; thence along said boundary to Bear Island Lake; thence along the west shore of Bear Island Lake to the public access on the south shore; thence southerly along County State Aid Highway (CSAH) 490, St. Louis County; thence along CSAH 490 to CSAH 904, St. Louis County; thence along CSAH 904 to CSAH 21, St. Louis County; thence along CSAH 21 to CSAH 70, St. Louis County; thence along CSAH 70 to Forest Road (FR) 112; thence along FR 112 to FR 424; thence along FR 424 to the Erie Mining Company Railroad; thence along said railroad to FR 116; thence along FR 116 to FR 114; thence along FR 114 to FR 112; thence along FR 112 to FR 1431; thence along FR 1431 to FR 424; thence along FR 424 to FR 178; thence along FR 178 to FR 1860; thence along FR 1860 to the shore of Birch Lake; thence along the east shore of Birch Lake to the South Kawishiwi River; thence along the east and south shore of said river to the Kawishiwi River; thence westerly along the southerly shores of said river to Farm Lake; thence along the east and south shores of Farm Lake to the boat ramp on the west shore of Farm Lake; thence along the boat ramp road to Section Thirty Road; thence along said road to STH 169; thence along STH 169 to the point of beginning.

Subp. 21. Moose Zone 22. Moose Zone 22 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and County State Aid Highway (CSAH) 2, Lake County; thence in a southerly direction along CSAH 2 to the Erie Mining Company Railroad; thence in a westerly direction along the Erie Mining Company Railroad to the Reserve Mining Company Railroad; thence in a northerly direction along the Reserve Mining Company Railroad to Forest Road (FR) 116; thence along FR 116 to FR 114; thence along FR 114 to FR 112; thence along FR 112 to FR 1431; thence along FR 1431 to FR 424; thence along FR 424 to FR 178; thence along FR 178 to FR 1860; thence along FR 1860 to the shore of Birch Lake; thence in a northerly direction along the east shore of Birch Lake to the South Kawishiwi River; thence upstream in a northeasterly direction along the east and south shore of the South Kawishiwi River to the westernmost outlet of Little Gabbro Lake; thence upstream in a southerly direction to Little Gabbro Lake; thence in an easterly direction through the center of Little Gabbro Lake to Gabbro Lake; thence in an easterly and

southeasterly direction through the center of Gabbro Lake to Bald Eagle Lake; thence in a southeasterly direction through the center of Bald Eagle Lake to the southernmost portion of Bald Eagle Lake at the inlet of the Snake River; thence upstream in a southerly direction along the Snake River to FR 173; thence along FR 173 to STH 1; thence along STH 1 to the point of beginning.

Subp. 22. Moose Zone 23. Moose Zone 23 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and Forest Road (FR) 173; thence in an easterly direction along FR 173 to the Snake River; thence in a northerly direction along the Snake River to Bald Eagle Lake; thence in a northerly direction along the east shore of Bald Eagle Lake to the Isabella River; thence upstream in an easterly direction along the Isabella River to Isabella Lake; thence in an easterly direction along the southwest shore of Isabella Lake to Forest Center Landing and FR 377; thence along FR 377 to FR 373; thence along FR 373 to FR 173; thence along FR 173 to FR 369; thence along FR 369 to FR 172; thence along FR 172 to STH 1; thence along STH 1 to the point of beginning.

Subp. 23. Moose Zone 24. Moose Zone 24 consists of that portion of the state lying within the following described boundary:

Beginning at the Forest Center Landing on the south shore of Isabella Lake; thence in an easterly direction along the south shore of Isabella Lake to the Perent River; thence upstream in an easterly direction along the Perent River to Perent Lake; thence in an easterly direction through the center of Perent Lake to the east shore of Perent Lake at Hog Creek; thence upstream in a northeasterly direction along Hog Creek to Forest Road (FR) 354; thence along Forest Road 354 to County State Aid Highway (CSAH) 7, Lake County; thence along CSAH 7 to FR 172; thence along FR 172 to FR 369; thence along FR 369 to FR 173; thence along FR 173 to FR 373; thence along FR 373 to FR 377; thence along FR 377 to the point of beginning.

Subp. 24. Moose Zone 25. Moose Zone 25 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 2, Cook County, and Forest Road (FR) 166; thence along FR 166 to CSAH 7, Lake County; thence along CSAH 7 to FR 354; thence along FR 354 to the south shore of Kawishiwi Lake; thence in a northeasterly direction along the shore of Kawishiwi Lake to the eastern-most point on Kawishiwi Lake; thence overland in a northeasterly direction to a small bay on the southwestern shore of Watonwan Lake in the Northeast Quarter of the Northeast quarter of Section 21, Township 62 North, Range 6 West; thence in a southeasterly direction along the southwest shore of said lake to its southeastern-most point; thence overland in a northeasterly direction to Cat Eyes Lake; thence in an easterly direction through Cat Eyes Lake to the stream at the eastern-most point on the lake; thence in an easterly direction along said stream to Phoebe Lake; thence along the west and north shore of Phoebe Lake to the unnamed flowage which enters Phoebe Lake from Grace Lake; thence upstream in an easterly direction along the unnamed flowage to Grace Lake; thence along the southwest shore of Grace Lake to the portage connecting Grace and Beth Lakes; thence in

an easterly direction along said portage to Beth Lake; thence in an easterly direction through the center of Beth Lake to the east shore and the portage connecting Beth and Alton Lakes; thence in an easterly direction along said portage to Alton Lake; thence in an easterly and northerly direction along the south and east shores of Alton Lake to the portage connecting Alton and Sawbill Lakes; thence in an easterly direction along said portage to Sawbill Lake; thence in a southerly direction along the west shore of Sawbill Lake to the Sawbill Campground and CSAH 2, Cook County; thence along CSAH 2 to the point of beginning.

Subp. 24a. Moose Zone 26. Moose Zone 26 consists of that portion of the state lying within the following described boundary:

Beginning where the Horse River meets the Canadian border near the southeastern tip of Crooked Lake; thence southwesterly along the Horse River to Horse Lake; thence along the east shore of Horse Lake to the portage to Tin Can Mike Lake; thence along the portage and streams connecting Tin Can Mike, Sandpit, and Range Lakes to the access trail on the south shore of Range Lake; thence southerly along the access trail to the Range Lake access road; thence along the Range Lake access road to Forest Road (FR) 1036; thence along FR 1036 to FR 459; thence along FR 459 to County State-Aid Highway (CSAH) 116 (Echo Trail), St. Louis County; thence along CSAH 116 to CSAH 88, St. Louis County; thence along CSAH 88 to State Trunk Highway (STH) 169; thence along STH 169 to CSAH 58, St. Louis County; thence along CSAH 58 to CSAH 16, Lake County (Section Thirty Road); thence along CSAH 16 to the public access on Farm Lake; thence along the east shore of Farm Lake to the North Kawishiwi River; thence easterly along the North Kawishiwi River to the public access on Lake One and the junction with CSAH 18, Lake County (Fernberg Road); thence along CSAH 18 to the former access point for Forest Trail (FT) 147 (Kekekabic Trail); thence northeasterly along the Kekekabic Trail to the Snowbank Trail junction; thence northerly on the Snowbank Trail (paralleling the east shore of Parent Lake) to the Parent Lake-Disappointment Lake portage; thence easterly on said portage to Disappointment Lake; thence northwesterly on portage to Snowbank Lake; thence northerly along shoreline of Snowbank Lake to Boot Lake portage; thence easterly on Boot Lake portage to Boot Lake; thence following the west shore of Boot Lake to Ensign Lake portage; thence northerly on said portage to Ensign Lake; thence westerly along south shore of Ensign Lake to Splash Lake portage; thence west on Splash Lake portage to Splash Lake; thence along south shore of Splash Lake to Newfound Lake portage; thence along portage to Newfound Lake; thence follow the north shore of bay (Newfound L.) into Sucker Lake; thence follow southeast shoreline and north shoreline of Sucker Lake to the Canada-United States international boundary; thence follow said border westerly to Prairie Portage; thence along portage (U.S. side of falls) to Basswood Lake; thence westerly along the United States-Canada international boundary to point of origin.

Subp. 24b. Moose Zone 27. Moose Zone 27 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of County State Aid Highway (CSAH) 116, St. Louis County (Echo Trail) and Forest Road (FR) 459; thence along CSAH 116 to CSAH 88, St. Louis County; thence along CSAH 88 to State Trunk Highway (STH) 169; thence along STH 169 to Old STH 169; thence northwesterly along Old STH 169 for 0.7 miles to a point south of Armstrong Bay of Lake Vermillion; thence north to said bay; thence along the east and north shore of Lake Vermillion to the portage to Trout Lake; thence along the portage and the east shore of Trout and Little Trout Lakes to the portage to the Little Indian Sioux River; thence along the portage and the Little Indian Sioux River to Otter Lake; thence through Otter and Cummings Lakes to Forest Trail (FT) 163; thence easterly along FT 163 to CSAH 644, St. Louis County; thence along CSAH 644 to CSAH 116, St. Louis County; thence along CSAH 116 to the point of beginning.

Subp. 24c. Moose Zone 28. Moose Zone 28 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 2, Lake County and Superior National Forest Road (NFR) 122; thence along NFR 122 to CSAH 44, St. Louis County; thence along CSAH 44 to County Road (CR) 266 (Fox Farm Road), St. Louis County; thence along CR 266 to the North Shore snowmobile trail; thence in a northeasterly direction along the North Shore snowmobile trail to CSAH 2, Lake County; thence along CSAH 2 to the point of beginning.

Subp. 25. Moose Zone 29. Moose Zone 29 consists of that portion of the state lying within the following described boundary:

Beginning on State Trunk Highway (STH) 1 at Isabella; thence in a southerly direction along State Trunk Highway 1 to the Erie Mining Company Railroad; thence in a westerly direction along the Erie Mining Company Railroad to Forest Road (FR) 102; thence along FR 102 to FR 104; thence along FR 104 to County State Aid Highway (CSAH) 2, Lake County; thence along CSAH 2 to STH 1; thence along STH 1 to the point of beginning.

Subp. 26. Moose Zone 30. Moose Zone 30 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 2, Lake County and Forest Road (FR) 122; thence along FR 122 to CSAH 44, St. Louis County; thence along CSAH 44 to CSAH 16, St. Louis County; thence along CSAH 16 to the Soudan Branch of the Duluth, Missabe and Iron Range Railway Company (DM&IR); thence along said railroad to Wyman Creek; thence along Wyman Creek to the Erie Mining Company Railroad in Section 17, T. 59N, R. 14W; thence eastward along said railroad to CSAH 2, Lake County; thence along CSAH 2 to the point of beginning.

Subp. 27. Moose Zone 31. Moose Zone 31 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and County State Aid Highway (CSAH) 4, Lake County; thence in a southwesterly direction along CSAH 4 to CSAH 3, Lake County; thence along CSAH 3 to Silver Creek Township Road (TR) 24 (Alger Grade); thence along TR 24 to CSAH 2, Lake County; thence along CSAH 2 to Forest Road (FR) 104; thence along FR 104 to FR 102; thence along FR 102 to the Erie Mining Company Railroad; thence along the Erie

Mining Company Railroad to STH 1; thence along STH 1 to the point of beginning.

Subp. 28. Moose Zone 32. Moose Zone 32 consists of that portion of the state lying within the following described boundary:

Beginning on the Little Indian Sioux River at its intersection with County State Aid Highway (CSAH) 116 (Echo Trail) St. Louis County; thence in a northerly direction along the Little Indian Sioux River to Lower Pauness Lake; thence along the east shore of Lower Pauness Lake to the portage to Shell Lake; thence along said portage and the south shore of Shell Lake to the portage to Little Shell Lake; thence through Little Shell Lake to the portage to Lynx Lake; thence along the portage and through Lynx Lake to the portage to Ruby Lake; thence along the portage and east and north along the south shore of Ruby Lake to the portage to Hustler Lake; thence along the portage and the south shore of Hustler Lake to the portage to Oyster Lake; thence along the portage and the south shore of Oyster Lake to the portage to Oyster River; thence along the portage and southerly along the Oyster River to its junction with the Nina Moose River; thence east along the Nina Moose River to its confluence with Lake Agnes; thence along the south shore of Lake Agnes to the portage to Boulder River; thence along the portage to and easterly along the Boulder River to its confluence with the Dahlgren River; thence southerly along the Dahlgren River to its confluence with Stuart Lake; thence along the south shore of Stuart Lake to the portage to Nibin Lake; thence along the portage and along the south shore of Nibin and Bibon Lakes to the portage to Sterling Lake; thence along the portage and the south shore of Sterling Lake to Sterling Creek; thence easterly along Sterling Creek to its confluence with the Beartrap River; thence easterly and southerly along the Beartrap River through Sunday Lake to Beartrap Lake; thence along the south shore of Beartrap Lake to Thunder Lake; thence south along the west shore of Thunder Lake to the portage to Mud Hole Lake; thence along the portage and through Mud Hole Lake to the portage to Gull Lake; thence along the portage and the north shore of Gull Lake to the portage to Gun Lake; thence along the portage and the west shore of Gun Lake to the portage to Fairy Lake; thence along the portage and the west shore of Fairy Lake to the portage to Boot Lake; thence along the portage and the west and south shores of Boot Lake to the portage to Fourtown Lake; thence along the portage and the west, south, and east shores of Fourtown Lake to the portage to Horse Lake; thence along the portage and the west shore of Horse Lake to the portage to Tin Can Mike Lake; thence along the portage to Tin Can Mike Lake; thence in a southwesterly direction across all portages and along all streams connecting Tin Can Mike, Sandpit, and Range Lakes, thence to the access trail on the south shore of Range Lake; thence in a southerly direction along the access trail to the Range Lake access road; thence along said road in a southwesterly direction to Forest Road (FR) 1036; thence along FR 1036 to FR 459; thence along FR 459 to CSAH 116 (Echo Trail), St. Louis County; thence along CSAH 116 to the point of beginning.

Subp. 29. Moose Zone 33. Moose Zone 33 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of County State Aid Highway (CSAH) 116 (Echo Trail), St. Louis County, and Forest Road 200; thence in a southerly direction along Forest Road 200 to Hilda Creek; thence upstream in an easterly and southerly direction along Hilda Creek to Oriniack Lake; thence in a southerly direction along the north and east shore of Oriniack Lake to the portage connecting Oriniack and Trout Lakes; thence in a southeasterly direction across said portage to Trout Lake; thence in an easterly direction along the north shore of Trout Lake to the portage connecting the north arm of Trout Lake to Little Trout Lake; thence in a southeasterly direction across said portage to Little Trout Lake; thence in an easterly direction along the north shore of Little Trout Lake to the portage connecting Little Trout Lake and the Little Indian Sioux River; thence in an easterly direction across said portage to the Little Indian Sioux River; thence upstream in an easterly direction along the Little Indian Sioux River to Otter Lake; thence in an easterly direction through Otter and Cummings Lake to Forest Trail 163; thence in an easterly direction along Forest Trail 163 to CSAH 644, St. Louis County; thence along CSAH 644 to CSAH 116, St. Louis County; thence along CSAH 116 to the point of beginning.

Subp. 29a. Moose Zone 34. Moose Zone 34 consists of that portion of the state lying within the following described boundaries:

Beginning at the intersection of County State Aid Highway (CSAH) 116 (Echo Trail), St. Louis County and Forest Road (FR) 200; thence along FR 200 to Hilda Creek; thence along Hilda Creek to Oriniack Lake; thence along the north and east shore of Oriniack Lake to the portage connecting Oriniack Lake and Trout Lake; thence along said portage to Trout Lake; thence along the north and east shores of Trout Lake to the portage connecting Trout Lake and Vermilion Lake; thence along said portage to Vermilion Lake; thence along the north shore of Vermilion Lake to the Vermilion River; thence along the Vermilion River to CSAH 24, St. Louis County; thence along CSAH 24 to CSAH 116; St. Louis County; thence along CSAH 116 to the point of beginning.

Subp. 29b. Moose Zone 35. Moose Zone 35 consists of that portion of the state lying within the following described boundaries:

Beginning at the intersection of the Little Indian Sioux River and County State Aid Highway (CSAH) 116 (Echo Trail), St. Louis County; thence along the Little Indian Sioux River to Upper Pauness Lake; thence along the east shore of Upper Pauness Lake to the outlet of Upper Pauness Lake; thence along said outlet to Lower Pauness Lake; thence along the east shore of Lower Pauness Lake to the Little Indian Sioux River; thence along the Little Indian Sioux River to the Canadian border; thence along the Canadian border through Loon, Loon River, Little Vermilion, and Sand Pit Lakes; thence through King Williams Narrows to the east shore of Crane Lake; thence along the east and south shore of Crane Lake to the Vermilion River; thence along the Vermilion River to CSAH 24, St. Louis County; thence along CSAH 24 to CSAH 116, St. Louis County; thence along CSAH 116 to the point of beginning.

Subp. 29c. Moose Zone 36. Moose Zone 36 consists of that portion of the state lying within the following described boundary:

Beginning at the south tip of Horse Lake, St. Louis County; thence along the east shore of Horse Lake to the Horse River; thence along the Horse River to the Canadian border; thence along the Canadian border through Crooked, Iron, Bottle, Lac La Croix, and Loon Lakes to the confluence with the Little Indian Sioux River; thence along the Little Indian Sioux River to Lower Pauness Lake; thence along the east shore of Lower Pauness Lake to the portage to Shell Lake; thence along said portage and the south shore of Shell Lake to the portage to Little Shell Lake; thence through Little Shell Lake to the portage to Lynx Lake; thence along the portage and through Lynx Lake to the portage to Ruby Lake; thence along the portage and east and north along the south shore of Ruby Lake to the portage to Hustler Lake; thence along the portage and the south shore of Hustler Lake to the portage to Oyster Lake; thence along the portage and the south shore of Oyster Lake to the portage to Oyster River; thence along the portage and southerly along the Oyster River to its junction with the Nina Moose River; thence east along the Nina Moose River to its confluence with Lake Agnes; thence along the south shore of Lake Agnes to the portage to Boulder River; thence along the portage to and easterly along the Boulder River to its confluence with the Dahlgren River; thence southerly along the Dahlgren River to its confluence with Stuart Lake; thence along the south shore of Stuart Lake to the portage to Nibin Lake; thence along the portage and along the south shore of Nibin and Bibon Lakes to the portage to Sterling Lake; thence along the portage and the south shore of Sterling Lake to Sterling Creek; thence easterly along Sterling Creek to its confluence with the Beartrap River; thence easterly and southerly along the Beartrap River through Sunday Lake to Beartrap Lake; thence along the south shore of Beartrap Lake to Thunder Lake; thence south along the west shore of Thunder Lake to the portage to Mud Hole Lake; thence along the portage and through Mud Hole Lake to the portage to Gull Lake; thence along the portage and the north shore of Gull Lake to the portage to Gun Lake; thence along the portage and the west shore of Gun Lake to the portage to Fairy Lake; thence along the portage and the west shore of Fairy Lake to the portage to Boot Lake; thence along the portage and the west and south shores of Boot Lake to the portage to Fourtown Lake; thence along the portage and the west, south, and east shores of Fourtown Lake to the point of beginning.

Subp. 30. Moose Zone 60. Moose Zone 60 consists of that portion of the state lying within the following described boundary:

Beginning at McFarland Lake north of Hovland; thence in a westerly direction to Pine Lake; thence in a westerly direction through Pine Lake to the range line between Range 2 East and Range 3 East; thence in a southerly direction along said range line across land and the waters of Long Lake and Stump Lake to Fault Lake; thence in a westerly direction through all streams and swamps connecting Fault, Bronco, Shelf, Kiowa, Crocodile, and East Bearskin Lakes; thence northeasterly across East Bearskin Lake to the portage trail to Flour Lake; thence in a northerly direction across said portage trail to Flour Lake; thence along the eastern shore of Flour Lake to the stream to Moon Lake; thence along said stream to Moon Lake; thence along the western

shore of Moon Lake to the northwest corner of Moon Lake; thence overland in a northwesterly direction approximately 1,000 feet to Deer Lake; thence in a northerly direction across Deer Lake to the portage trail to Caribou Lake; thence in a northerly direction along said portage trail to Caribou Lake; thence along the western shore of Caribou Lake to the portage trail to Clearwater Lake; thence in a westerly direction across the portage trail to Clearwater Lake; thence in a westerly direction through Clearwater Lake to the western end of the lake; thence overland in a westerly direction approximately 100 yards (crossing CSAH 66, Cook County) to an unnumbered road bed leading to Daniels Lake; thence in a westerly direction along said road bed to Daniels Lake; thence in a westerly direction along the south shore of Daniels Lake to the portage trail to West Bearskin Lake; thence in a southerly direction across said portage trail to West Bearskin Lake; thence in a westerly direction along the north shore of West Bearskin Lake to the portage trail to Duncan Lake; thence in a northwesterly direction across said portage trail to Duncan Lake; thence in a westerly direction along the south shore of Duncan Lake to a stream connecting to East Otter Lake; thence along said stream in a westerly direction to East Otter Lake; thence in a westerly direction through East Otter Lake and a stream to Hoat Lake; thence in a northwesterly direction through Hoat Lake to the stream to Mucker Lake; thence northeasterly through said stream to Mucker Lake; thence in a northerly direction across Mucker Lake to the outlet stream which drains into South Lake; thence in a southerly direction through said stream to South Lake; thence in a northerly direction to the United States-Canada international boundary; thence in an easterly direction along said boundary through South, Rat, Rose, Rove, Watap, Mountain, Fan, Lily, Moose, and North Fowl Lakes to Royal River; thence in a westerly direction along Royal River to John Lake; thence in a westerly direction along the south shore of John Lake to the outlet of Little John Lake; thence in a southerly direction through Little John Lake to McFarland Lake, the point of beginning.

Subp. 31. Moose Zone 61. Moose Zone 61 consists of that portion of the state lying within the following described boundary:

Beginning at the western-most point on Round Lake in Section 33, Township 65 North, Range 4 West, Cook County, and the portage trail to West Round Lake; thence in a westerly direction along said portage trail to West Round Lake; thence in a northwesterly direction through West Round Lake to the portage trail to Edith Lake; thence in a westerly direction along said portage trail to Edith Lake; thence in a westerly direction through Edith Lake to the portage trail to Brant Lake; thence in a westerly direction along said portage trail to Brant Lake; thence in a northwesterly direction through Brant Lake to the portage trail to Gotter Lake; thence in a westerly direction through Gotter Lake to the portage trail to Flying Lake; thence along said portage trail to Flying Lake; thence in a northwesterly direction through Flying Lake to the portage trail to Green Lake; thence in a southeasterly direction along said portage trail to Green Lake; thence in a westerly direction through Green Lake to the portage trail to Bat Lake; thence along said portage trail to Bat Lake; thence in a southwesterly direction through Bat Lake to the portage trail to Gillis

Lake; thence in a southerly direction across said portage to Gillis Lake; thence along the northern, eastern and southern shores of Gillis Lake to the stream to Crooked Lake; thence in a southeasterly direction along said stream to Crooked Lake; thence along the eastern shore of Crooked Lake to the stream to Tarry Lake; thence in a southerly direction along said stream to Tarry Lake; thence along the northern, eastern and southern shores of Tarry Lake to the stream to Mora Lake; thence in a southerly direction along said stream to Mora Lake; thence along the eastern and southern shores of Mora Lake to the stream to Time Lake; thence in a southeasterly direction along all streams and through Time, Whipped, Fente, and Afton Lakes to Frost River; thence in an easterly direction along Frost River, through Pencil, Chase, and Octopus Lakes to the eastern end of Octopus Lake; thence in a southeasterly direction along an unnamed flowage to Noodle Lake; thence in a southwesterly direction along an unnamed flowage to Wing Lake; thence in a southeasterly direction through Wing Lake to its easternmost tip; thence overland and across Guard Lake for approximately 1,800 feet total in an easterly direction to Ranger Lake; thence in a southeasterly direction through Ranger Lake to its outlet to Cherokee Lake, thence in an easterly direction along said outlet to Cherokee Lake; thence in a northeasterly direction through Cherokee Lake and along all streams through Town and Cash Lakes to the southeast corner of Cash Lake; thence in an easterly direction along an unnamed flowage to the center of the South Half of Section 32 of T. 64N, R. 3W; thence overland for approximately 0.6 miles in an easterly direction to the unnamed lake in the Southwest Quarter of Section 33, T. 64N, R. 3W; thence in an easterly direction through said unnamed lake and along its outlet stream to Davis Lake; thence in an easterly direction and along all streams and portages through Davis, Pup, Winchell, Gaskin, and Icicle Lakes to the east end of Icicle Lake; thence overland approximately 0.1 mile in an easterly direction to Snack Lake; thence in an easterly direction through Snack Lake and its outlet stream to Vista Lake; thence in a northerly direction along all streams and portages between Vista, Horseshoe, Caribou, and Lizz Lakes to Poplar Lake; thence in a westerly direction along the southern and western shores of Poplar Lake to the stream to Skipper Lake; thence in a westerly direction along said stream and other streams or swamps through Skipper, Little Rush, Rush, Banadad, Sebeka, Ross, George, Lower George, Rib, Cross Bay, and Snipe Lakes to the northwest corner of Snipe Lake; thence overland approximately 0.4 miles in a northwesterly direction to the northeast corner of Missing Link Lake; thence in a westerly direction along the northern shore of Missing Link Lake to the portage to Round Lake; thence in a northeasterly direction along said portage to Round Lake; thence in a northwesterly direction along the southwest shore of Round Lake to the point of beginning.

Subp. 32. Moose Zone 62. Moose Zone 62 consists of that portion of the state lying within the following described boundary:

Beginning at the Sawbill Campground at the southern end of Sawbill Lake; thence in a westerly direction across Sawbill Lake to the portage connecting Sawbill and Alton Lakes; thence in a westerly direction along said portage to Alton Lake; thence in a southwesterly direction

through Alton Lake to the portage to Beth Lake; thence along all portage trails and through Beth and Grace Lakes to Phoebe Lake; thence along the north and west shores of Phoebe Lake to an unnamed flowage in Section 13 of Township 62 North, Range 6 West entering Phoebe Lake from the south; thence in southerly and westerly directions along said flowage to Cat Eyes Lake; thence in a westerly direction through Cat Eyes Lake to its western-most point; thence overland in a southwesterly direction to the southeastern end of Watonwan Lake; thence in a northwesterly direction along the southwestern shore of Watonwan Lake to a bay in the Northeast Quarter of the Northeast Quarter of Section 21 of Township 62 North, Range 6 West; thence overland in a southwesterly direction to the eastern-most point on Kawishiwi Lake; thence in a southwesterly direction along the shore of Kawishiwi Lake to the public access at the south end of Kawishiwi Lake; thence in a northwesterly direction through the center of Kawishiwi Lake to its outlet, the Kawishiwi River; thence in a northerly direction along the Kawishiwi River through Square and Kwasachong Lakes to Lake Polly; thence in a northwesterly direction through Lake Polly to the Kawishiwi River; thence in a northerly direction along the Kawishiwi River, through Koma Lake; to Malberg Lake; thence in a northwesterly direction through Malberg Lake to the portage trail in the northwest corner of Malberg Lake leading to Kawishiwi River; thence in a northwesterly direction along said portage to Kawishiwi River; thence in a northeasterly direction along Kawishiwi River through Kivaniva, Kivandeba, and John Ek Lakes to the south end of John Ek Lake; thence overland for approximately 100 feet in an easterly direction to an unnamed flowage; thence in an easterly direction along said unnamed flowage across the South Half of the North Half of Section 31 of Township 64 North, Range 5 West (T. 64N, R. 5W) to an unnamed lake in the Northeast Quarter of the Northeast Quarter of said Section 31, T. 64N, R. 5W; thence overland for approximately 600 feet in a southeasterly direction to an unnamed pond in the Southwest Quarter of the Northwest Quarter of Section 32, T. 64N, R. 5W; thence overland for approximately 0.3 miles in an easterly direction to an unnamed flowage leading to Teat Lake; thence in an easterly direction along said unnamed flowage through Teat and Lawless Lakes to the eastern end of Lawless Lake; thence overland and all waters for approximately 0.8 miles in a southeasterly direction to Mesaba Lake; thence in a northeasterly direction through Mesaba Lake to an unnamed stream to Hub Lake; thence in a northerly direction along said unnamed stream to Hub Lake; thence along the east and south shores of Hub Lake to the stream leading to Chuck Lake; thence in an easterly direction along said stream, through Chuck and Florence Lakes to the northeast tip of Florence Lake; thence overland for approximately 100 feet in a northeasterly direction to Capar Lake; thence in a northerly direction through Capar Lake and along the unnamed flowage to the north to Frost River; thence in an easterly direction along Frost River, through Pencil, Chase and Octopus Lakes to the eastern end of Octopus Lake; thence in a southeasterly direction along an unnamed flowage to Noodle Lake; thence in a southwesterly direction along an unnamed flowage to Wing Lake; thence in a

southeasterly direction through Wing Lake to its easternmost tip; thence overland and across Guard Lake for approximately 1,800 feet total in an easterly direction to Ranger Lake; thence in a southeasterly direction through Ranger Lake to its outlet to Cherokee Lake; thence in an easterly direction along said outlet to Cherokee Lake; thence in a northeasterly direction through Cherokee Lake and along all streams through Town and Cash Lakes to the southeast corner of Cash Lake; thence in an easterly direction along an unnamed flowage to the center of the South Half of Section 32 of T. 64N, R. 3W; thence overland for approximately 0.6 miles in an easterly direction to the unnamed lake in the Southwest Quarter of Section 33, T. 64N, R. 3W; thence in an easterly direction through said unnamed lake and along its outlet stream to Davis Lake; thence in an easterly direction and along all streams and portages through Davis, Pup, Winchell, Gaskin, and Icicle Lakes to the east end of Icicle Lake; thence overland approximately 0.1 mile in an easterly direction to Snack Lake; thence in an easterly direction through Snack Lake and its outlet stream to Vista Lake; thence in a southerly direction through Vista Lake, along its inlet from Misquah Lake, and through Misquah Lake to its southern tip; thence overland approximately 0.6 miles in a southerly direction to Little Trout Lake; thence in a southerly direction and along all streams through Little Trout, Slough, Iota, Dugout, Swede, and Dane Lakes to the southern tip of Dane Lake; thence overland approximately 800 feet in a southerly direction to Ball Club Lake; thence in a westerly direction through Ball Club Lake and along Ball Club Creek through Cleaver Lake to the unnamed lake in the West Half of Section 27 of T. 63N, R. 2W; thence in a northwesterly direction along the north shore of said lake to its inlet stream at the northern extremity of the lake; thence upstream in a northwesterly direction along said stream to Fishhook Lake; thence in a westerly direction to the westernmost point of Fishhook Lake; thence overland for approximately one-tenth mile in a southwesterly direction to the unnamed lake in the Southeast Quarter of Section 20, T. 63N, R. 2W; thence in a westerly direction through said unnamed lake to its outlet stream; thence in a westerly direction along said outlet stream to Brule Lake; thence in a westerly direction along the south shore of Brule Lake to Jock Mock Bay of Brule Lake; thence in a westerly direction along the south shore of Jock Mock Bay to the portage trail to Juno Lake; thence in a southerly direction across said portage to Juno Lake; thence in a westerly direction through Juno Lake to the portage to Vern Lake; thence in a southeasterly direction through Vern Lake to East Pipe Lake; thence in a westerly direction across all portages and through Pipe Lake to Pipe Creek; thence in a westerly direction along Pipe Creek to Temperance River (Kelly Lake); thence in a southwesterly direction along Temperance River to the portage to Burnt Lake; thence in a northwesterly direction across said portage to Burnt Lake; thence in a northwesterly direction through Burnt Lake, across all portages and through Smoke Lake to the east shore of Sawbill Lake; thence in a southerly direction along the east shore of Sawbill Lake to Sawbill Campground, to the point of beginning.

Subp. 33. Moose Zone 63. Moose Zone 63 consists of that portion of the state lying within the following described boundary:

Beginning at the point where the Cook and Lake county boundaries meet the United States-Canada international boundary; thence in a southwesterly direction along the U.S.-Canada international boundary through Swamp and part of Cypress Lakes to the Gijikiki Lake portage in Section 32 of Township 66 North, Range 6 West; proceed south along said portage to Gijikiki Lake; thence south along west shore of said lake to portage to Rivalry Lake; thence south along said portage to Rivalry Lake; thence south on Rivalry Lake to portage to Lake of the Clouds; thence south along the east shoreline of Lake of the Clouds to Lunar Lake portage; thence follow the west and south shorelines of Lunar Lake to the Cherry Lake portage; thence south on said portage to Cherry Lake; thence northeast along shore of Cherry Lake to Hanson Lake portage; thence south along west shoreline of Hanson Lake to portage to South Arm of Knife Lake; thence south on portage to South Arm of Knife Lake; thence follow the east and south shores of the South Arm of Knife Lake to the Eddy Lake portage; take said portage south to Eddy Lake; thence follow north shore of lake southeasterly to Jenny Lake portage; thence take said portage south to Jenny Lake; thence follow the west and south shorelines of Jenny Lake to Annie Lake portage; thence take said portage south to Annie Lake; thence follow north shore of Annie Lake to Ogishkemuncie portage; thence follow south shoreline of Ogishkemuncie Lake; thence follow south shoreline of Ogishkemuncie Lake to Mueller Lake portage; thence follow portage southeast to Mueller Lake; thence follow north shore of Mueller Lake to the east end of lake then proceed west along the south shore a very short distance to the Agamok portage; thence follow said portage south to Agamok Lake; thence follow the north and east shorelines of said lake to portage to Gabimichigami Lake; thence follow said portage south to Gabimichigami Lake; thence follow west and south shorelines of said lake to Rattle Lake portage; thence follow said portage south to Rattle Lake; thence follow said portage south to Little Saganaga Lake; thence follow west and south shoreline of Little Saganaga Lake to portage to Mora Lake; thence along the southern and eastern shores of Mora Lake to the stream to Tarry Lake; thence in a northerly direction along said stream to Tarry Lake; thence along the eastern shore of Tarry Lake to the stream to Crooked Lake; thence in a northerly direction along said stream to Crooked Lake; thence along the eastern shore of Crooked Lake to the stream to Gillis Lake; thence in a northwesterly direction along said stream to Gillis Lake; thence along the southern and eastern shores of Gillis Lake to the portage trail to Bat Lake; thence in a northerly direction along said portage trail to Bat Lake; thence in a northeasterly direction, and along all portage trails, through Bat and Green Lakes to Flying Lake; thence in a northerly direction, and along all streams, through Flying, Bingshack, and Honker Lakes to the center of the north shore of Honker Lake; thence overland for approximately 0.3 miles in a northerly direction to a swamp flowing northerly to Squat Lake; thence in a northerly direction through said swamp to Squat Lake; thence in a northeasterly direction through Squat Lake to the outlet to the unnamed lake in the Northeast Quarter of Section 19 of Township 65 North, Range 4 West; thence in a northerly direction along said outlet to said unnamed lake; thence in a northerly direction through said

unnamed lake and along all streams and ponds to the north shore of an unnamed pond in the Northwest Quarter of the Southwest Quarter of Section 18 of Township 65 North, Range 4 West; thence overland for approximately 200 feet in a northerly direction to Arc Lake; thence in a northeasterly direction to the northern end of Arc Lake; thence overland for approximately 0.3 miles in a northerly direction to an unnamed stream to Sea Gull Lake; thence in a northerly direction along said stream to the southeastern shore of Sea Gull Lake; thence along the southeastern, eastern, and northeastern shores of Sea Gull Lake to Gull Lake; thence in a northerly direction through Gull Lake and along the Sea Gull River to Saganaga Lake; thence along the east shore of Saganaga Lake to Saganaga Falls in Section 4 of Township 66 North, Range 4 West; thence easterly to the United States-Canada international boundary; thence in a southwesterly direction along the international boundary through Saganaga and Swamp Lakes to the point of beginning.

Subp. 33a. Moose Zone 64. Moose Zone 64 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of the Forest Trail (FT) 147 (Kekekabic Trail) and the Snowbank Trail (just south of Parent Lake); thence northerly on the Snowbank Trail (paralleling the east shore of Parent Lake) to the Parent Lake-Disappointment Lake portage; thence easterly on said portage to Disappointment Lake; thence northwesterly on portage to Snowbank Lake; thence northerly along shoreline of Snowbank Lake to Boot Lake portage; thence easterly on Boot Lake portage to Boot Lake; thence following the west shore of Boot Lake to Ensign Lake portage; thence northerly on said portage to Ensign Lake; thence westerly along south shore of Ensign Lake to Splash Lake portage; thence west on Splash Lake portage to Splash Lake; thence along south shore of Splash Lake to Newfound Lake portage; thence along portage to Newfound Lake; thence follow the north shore of bay (Newfound L.) into Sucker Lake; thence follow southeast shoreline and north shoreline of Sucker Lake to the United States-Canada international boundary; thence follow said border westerly to Prairie portage; thence along the United States-Canada international boundary in a northeasterly direction to the Gijikiki Lake portage on Cypress Lake; thence south along portage to Gijikiki Lake; thence south along west shore of said lake to portage to Rivalry Lake; thence south along said portage to Rivalry Lake; thence south on south shore of Rivalry Lake to portage to Lake of the Clouds; thence east on said portage to Lake of the Clouds; thence south along the east shoreline of Lake of the Clouds to Lunar Lake portage; thence follow the west and south shorelines of Lunar Lake to the Cherry Lake portage; thence south on said portage to Cherry Lake; thence northeast along shore of Cherry Lake to Hanson Lake portage; thence east across said portage to Hanson Lake; thence south along west shoreline of Hanson Lake to portage to South Arm of Knife Lake; thence south on portage to South Arm of Knife Lake; thence follow the east and south shores of the South Arm of Knife Lake to the Eddy Lake portage; take said portage south to Eddy Lake; thence follow north shore of Eddy Lake southeasterly to Jenny Lake portage; thence take said portage south to Jenny Lake; thence follow the west and south shorelines of Jenny

Lake to Annie Lake portage; thence take said portage south to Annie Lake; thence follow north shore of Annie Lake to Ogishkemuncie portage; thence follow south shoreline of Ogishkemuncie Lake to Mueller Lake portage; thence follow portage southeast to Mueller Lake; thence follow north shore of Mueller Lake to the east end of lake then proceed west along the south shore a very short distance to the Agamok portage; thence follow said portage south to Agamok Lake; thence follow the north and east shorelines of said lake to portage to Gabimichigami Lake; thence follow said portage south to Gabimichigami Lake; thence follow west and south shorelines of said lake to Rattle Lake portage; thence follow said portage south to Rattle Lake; thence follow northwest and south shoreline of Rattle Lake to portage to Little Saganaga Lake; thence follow said portage south to Little Saganaga Lake; thence follow west and south shoreline of Little Saganaga Lake to portage to Mora Lake; thence follow said portage to Mora Lake; thence southeasterly along the west shore of Mora Lake to drainage to Time Lake; thence in a southeasterly direction follow along all streams and portages through Time, Whipped, Fente, and Afton Lakes to Frost River; thence southeast on Frost River approximately 1/4 mile; thence southwest overland approximately 1/8 mile to a chain of small lakes; follow these small lakes south to Capar Lake; thence overland in a southwesterly direction to Florence Lake; thence south on west shoreline of Florence Lake to the drainage into Chuck Lake; thence follow the south shoreline of Chuck Lake; thence follow south shore of all drainages in a northwesterly direction to Hub Lake; thence follow south shoreline of Hub Lake to Mesaba Lake portage; thence follow said portage south to Mesaba Lake; thence follow west and north shoreline of Mesaba Lake to Chaser Lake portage; thence northwest overland and all waters for approximately 0.8 of a mile to eastern side of Lawless Lake; then northwesterly and westerly along the north shore of said lake to Teat Lake; thence westerly along the north shore of Teat Lake to an unnamed flowage; thence westerly on said flowage for approximately 0.3 miles; thence northwesterly overland approximately 1/4 mile to an unnamed pond in the Northwest Quarter of Section 32 of Township 64 North, Range 5 West; thence northwesterly approximately 700 feet overland to an unnamed lake in the Northeast Quarter of Section 31 of Township 64 North, Range 5 West; thence westerly following an unnamed drainage to another unnamed drainage; thence southerly along said drainage to where drainage turns sharply to west; thence westerly along said drainage across the southern one-half of the north one-half of Section 31 of Township 64 North, Range 5 West; continuing westerly to source of drainage (small pond) in Section 36 of Township 64 North, Range 6 West; thence westerly overland approximately 100 feet to south end of John Ek Lake; thence through John Ek Lake in a north and westerly bearing along west and south shorelines to drainage to Kivandeba Lake; thence west on said drainage to Kivandeba Lake; then southwest through Kivandeba Lake along southeast shore to drainage to Kivaniva Lake; thence south and west on said drainage to Kivaniva Lake; thence south a short distance on east shore of said lake to Kawishiwi River portage; thence south on said portage to Kawishiwi River; thence southwesterly along the south shore of the Kawishiwi

River to portage to Kawishiwi River in the Southeast Quarter of the Southeast Quarter of Section 6 of Township 63 North, Range 6 West; thence south on said portage; thence southwesterly along the south shore of the Kawishiwi River; thence south into the bay in the Northwest Quarter of Section 7 of Township 63 North, Range 6 West; thence south along drainage to Record Lake; thence southwest on west shore of Record Lake to the unnamed drainage in the middle of Section 18 of Township 63 North, Range 6 West; thence west on said drainage following the south shore of all unnamed lakes, drainages, and lowlands through part of Section 18 of Township 63 North, Range 6 West; all of Section 13 of Township 63 North, Range 7 West; and part of Section 14 of Township 63 North, Range 7 West into River Lake; thence southwest on River Lake (west shore) to portage in southwest corner of lake; thence southwest along said portage to Kawishiwi River; thence southwesterly along the northwest shore to portage to Kawishiwi River in Section 22 of Township 63 North, Range 7 West; thence southwest along said portage to Kawishiwi River; thence west and northwest along south shore of Kawishiwi River including two (2) short portages and a small segment of the south shore of Alice Lake to Insula Lake; thence along the north shore of Insula Lake in a westerly then northerly direction (east shore) to the portage to Kiana Lake; thence north on said portage to Kiana Lake; thence north along east shore of Kiana Lake to portage to Thomas Lake; thence north on said portage to Thomas Lake; thence north along the west shore of Thomas Lake to portage to unnamed lake in Section 29 of Township 64 North, Range 7 West; thence northwest on said portage to unnamed lake; thence northwest across middle of unnamed lake to portage to Hatchet Lake drainage; thence across said portage to intersection of portage and the Kekekabic Trail (Forest Trail 147); thence southwesterly along said trail to point of origin.

Subp. 34. Moose Zone 70. Moose Zone 70 consists of that portion of the state lying within the following described boundary:

Beginning at the point where the Brule River crosses Minnesota Highway 61; thence northeasterly along Minnesota Highway 61 to the Grand Portage Indian Reservation boundary at the Range line between Ranges 4 and 5 East; thence in a northerly direction along the Grand Portage Indian Reservation boundary to Swamp Lake; thence in a northwesterly direction along the Grand Portage Indian Reservation Boundary to Pigeon River and the United States-Canada international boundary; thence in a northwesterly direction along the United States-Canada international boundary on the Pigeon River and South Fowl Lake to North Fowl Lake and Royal River; thence in a westerly direction along Royal River to John Lake; thence in a westerly direction along the south shore of John Lake to the outlet of Little John Lake; thence in a southerly direction through Little John Lake to McFarland Lake; thence in a westerly direction through McFarland Lake to Pine Lake; thence in a westerly direction through Pine Lake to the range line between Range 2 East and Range 3 East; thence in a southerly direction along said range line across land and the waters of Long Lake and Stump Lake to Fault Lake; thence in a westerly direction through Fault Lake, Bronco Lake, and the stream flowing into Bronco Lake from the west to Puff Creek; thence in a southwesterly direction along Puff

Creek to its junction with an unnamed creek on the section line between Sections 14 and 15 of Township 64N, Range 2 East (T. 64N, R. 2E); thence in a southeasterly direction along said unnamed creek to Tittle Lake; thence in a southeasterly direction through swamp for approximately one-half mile to the unnamed lake in the Southwest Quarter of Section 13 of T. 64N, R. 2E; thence in a southwesterly direction through approximately one-half mile of swamp to Greenwood Lake at a location in the Southeast Quarter of the Northeast Quarter of Section 23, T. 64N, R. 2E; thence in a southwesterly direction through Greenwood Lake to its outlet at Greenwood River; thence in a southerly direction along Greenwood River to its junction with Brule River; thence in a southeasterly direction along Brule River to the point of beginning.

Subp. 35. Moose Zone 71. Moose Zone 71 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 61 and the Devil Track River; thence northeasterly along U.S. Highway 61 to the Range Line between R. 4E and R. 5E; thence north along said Range Line to an unnamed lake in the Northeast Quarter of Section 13 of T. 63N, R. 4E; thence west-southwesterly to an unnamed creek entering Jackson Lake; thence along said creek, through Jackson Lake to Jackson Creek; thence along Jackson Creek to the Swamp River; thence along the Swamp River to County State Aid Highway (CSAH) 16, Cook County; thence along CSAH 16 to Grand Portage State Forest Road (GPSFR) 2, Cook County; thence northwesterly along GPSFR 2 to the flowage from Moosehorn Lake toward the headwaters swamp of the Flute Reed River; thence along said flowage to the Flute Reed River; thence overland in a westerly direction to the junction at the Brule River and an unnamed stream near the center of the line between Sections 9 and 10 of T. 62N, R. 3E; thence along said unnamed stream to a trail (abandoned roadbed) in the Northwest Quarter of Section 9, T. 62N, R. 3E; thence in a southerly direction along said trail for approximately 1.6 miles to its junction with a second trail (abandoned roadbed); thence in a westerly direction along said second trail for approximately 1.5 miles to its junction with a third trail (abandoned roadbed); thence in a southerly direction along said third trail for approximately 2.25 miles to CSAH 14, Cook County; thence along CSAH 14 to CSAH 60, Cook County; thence in a westerly direction along CSAH 60 to its junction with the Devil Track River; thence along the Devil Track River to the point of beginning.

Subp. 36. Moose Zone 72. Moose Zone 72 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 12, Cook County, and Forest Road 146; thence in a northerly direction along Forest Road 146 to the access on East Bearskin Lake; thence in an easterly direction through East Bearskin Lake to the stream to Crocodile Lake; thence in a southeasterly direction along said stream to Crocodile Lake; thence in an easterly direction through Crocodile Lake, along Crocodile River, through Kiowa Lake, to the east end of Kiowa Lake; thence in an easterly direction from the east end of Kiowa Lake through the swamp connecting it to Shelf Lake; thence in an easterly direction through Shelf Lake; thence in an easterly direction

along the stream from Shelf Lake to its junction with Puff Creek; thence in a southwesterly direction along Puff Creek to its junction with an unnamed creek on the section line between Sections 14 and 15 of Township 64N, Range 2E (T. 64N, R. 2E); thence in a southeasterly direction along said unnamed creek to Tittle Lake; thence in a southeasterly direction through swamp for approximately one-half mile to the unnamed lake in the Southwest Quarter of Section 13 of T. 64N, R. 2E; thence in a southwesterly direction through approximately one-half mile of swamp to Greenwood Lake at a location in the Southeast Quarter of the Northeast Quarter of Section 23, T. 64N, R. 2E; thence in a southwesterly direction through Greenwood Lake to its outlet at Greenwood River; thence in a southerly direction along Greenwood River to its junction with Brule River; thence in a westerly direction along Brule River to South Brule River; thence in an easterly direction along South Brule River through Bower Trout and Marshall Lakes to Dugout Lake; thence in a northwesterly direction through Dugout Lake to the stream connecting it to Iota Lake; thence in a northerly direction along said stream and through Iota, Slough, and Little Trout Lakes; thence in a westerly direction across Little Trout Lake to the northwest corner of the lake; thence in a northerly direction overland approximately 0.6 miles to Misquah Lake; thence in a northerly direction along all streams and portages between Misquah, Vista, Horseshoe, Caribou, and Lizz Lakes to Poplar Lake; thence in an easterly direction through Poplar Lake to the stream to Road Lake; thence in an easterly direction along the stream to Road Lake to CSAH 12, Cook County; thence along CSAH 12 to the point of beginning.

Subp. 37. Moose Zone 73. Moose Zone 73 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 12, Cook County, and CSAH 8, Cook County; thence along CSAH 8 to CSAH 27, Cook County; thence along CSAH 27 to Forest Road (FR) 323; thence along FR 323 to Ball Club Lake; thence in a northeasterly direction across Ball Club Lake to the opposite shore; thence northwesterly and westerly along said shore to the easterly tip of the bay; thence in a northerly direction overland from the tip of said bay for approximately 800 feet to Dane Lake; thence in a northerly direction through Dane Lake to its outlet stream; thence in a northwesterly direction along said stream to Swede Lake; thence in northeasterly and easterly directions through Swede Lake to its outlet stream; thence in easterly and northerly directions along said outlet streams to South Brule River at Dugout Lake; thence in an easterly direction along South Brule River through Dugout, Marshall and Bower Trout Lakes to its junction with the North Brule River to form Brule River; thence in a southeasterly direction along the Brule River and through Northern Light Lake to Minnesota Highway 61; thence in a southwesterly direction along Minnesota Highway 61 to Devil Track River; thence northeasterly along Devil Track River to CSAH 60, Cook County; thence along CSAH 60 to CSAH 12, Cook County; thence along CSAH 12 to the point of beginning.

Subp. 38. Moose Zone 74. Moose Zone 74 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State-Aid Highway (CSAH) 12, Cook County, and Forest Road 146; thence in a northerly direction along CSAH 12 to the stream connecting Road Lake to Poplar Lake; thence in a westerly direction along said stream to Poplar Lake; thence in a westerly direction along the southern and western shores of Poplar Lake to the stream to Skipper Lake; thence in a westerly direction along said stream and other streams or swamps through Skipper, Little Rush, Rush, Banadad, Sebek, Ross, Seal, George, Lower George, Rib, Cross Bay, and Snipe Lakes to the northwest corner of Snipe Lake; thence overland approximately 0.4 miles in a northwesterly direction to the northeast corner of Missing Link Lake; thence in a westerly direction along the northern shore of Missing Link Lake to the portage to Round Lake; thence in a northeasterly direction along said portage to Round Lake; thence in a northwesterly direction along the southwest shore of Round Lake to the flowage to West Round Lake; thence in a westerly direction across said flowage, along all streams, and through West Round, Edith, Brant, then in a northerly direction through Gotter, Flying, Bingshack, and Honker Lakes to the center of the north shore of Honker Lake; thence overland for approximately 0.3 miles in a northerly direction to a swamp flowing northerly to Squat Lake; thence in a northerly direction through said swamp to Squat Lake; thence in a northeasterly direction through Squat Lake to the outlet to the unnamed lake in the Northeast Quarter of Section 19 of Township 65 North, Range 4 West (T. 65N, R. 4W); thence in a northerly direction along said outlet to said unnamed lake; thence in a northerly direction through said unnamed lake and along all streams and ponds to the north shore of the unnamed pond in the Northwest Quarter of the Southwest Quarter of Section 18, T. 65N, R. 4W; thence overland for approximately 200 feet in a northerly direction to Arc Lake; thence in a northeasterly direction to the northern end of Arc Lake; thence overland for approximately 0.3 miles in a northerly direction to an unnamed stream to Sea Gull Lake; thence in a northerly direction along said stream to the south shore of Sea Gull Lake; thence along the southeastern, eastern, and northeastern shores of Sea Gull Lake to Gull Lake; thence in a northerly direction through Gull Lake and along Sea Gull River to Saganaga Lake; thence along the east shore of Saganaga Lake to Saganaga Falls in section 4 of Township 66 North, Range 4 West; thence in an easterly direction to the United States-Canada international boundary; thence in easterly and southerly directions along the international boundary through Saganaga, Maraboeuf, Gneiss, Granite, Clove, Magnetic, Gunflint, Little Gunflint, North, and South Lakes to the point in South Lake north of the stream connecting to Mucker Lake; thence south to said stream; thence in a southerly direction through said stream to Mucker Lake; thence in a southerly direction across Mucker Lake to the stream connecting to Hoat Lake; thence in a southerly direction through said stream to Hoat Lake; thence southeasterly across Hoat Lake to a swamp and stream connecting to East Otter Lake; thence in an easterly direction through said swamp and stream to East Otter Lake; thence in an easterly direction across East Otter Lake to a stream connecting to Duncan Lake; thence in an easterly direction through said stream to Duncan

Lake; thence in an easterly direction along the south shore of Duncan Lake to the portage to West Bearskin Lake; thence in a southeasterly direction across said portage to West Bearskin Lake; thence in an easterly direction along the north shore of West Bearskin Lake to the portage to Daniels Lake; thence in a northerly direction across said portage to Daniels Lake; thence in an easterly direction along the south shore of Daniels Lake to an unnumbered road bed in the Northwest Quarter of the Northwest Quarter of Section 35, T. 65N, R. 1W; thence in an easterly direction along said unnumbered road bed to CSAH 66, Cook County; thence overland in an easterly direction across CSAH 66, Cook County, for approximately 100 yards to Clearwater Lake; thence in an easterly direction through Clearwater Lake to the portage to Caribou Lake; thence along the southwest shore of Caribou Lake to the portage to Deer Lake; thence in a southerly direction along said portage to Deer Lake; thence in a southwesterly direction to the south shore of Deer Lake; thence in a southeasterly direction overland approximately 1,000 feet to Moon Lake; thence along the western shore of Moon Lake to the stream to Flour Lake; thence in a westerly direction along said stream to Flour Lake; thence along the eastern shore of Flour Lake to the portage trail to East Bearskin Lake; thence in a southerly direction along said portage to East Bearskin Lake; thence in a westerly direction through East Bearskin Lake to the public access and Forest Road 146; thence along Forest Road 146 to the point of beginning.

Subp. 39. Moose Zone 75. Moose Zone 75 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 61 and Cascade River; thence in a northerly direction along Cascade River to the unnamed creek near the center of Section 24 of Township 61 North, Range 2 West (T. 61 N, R. 2W); thence in an easterly direction along said unnamed creek to its headwaters swamp on the section line between Sections 16 and 21, T. 61N, R 2W; thence in an easterly direction along said section line for approximately 1 mile through said swamp and upland to County State Aid Highway (CSAH) 48, Cook County; thence along CSAH 48 to CSAH 7, Cook County; thence along CSAH 7 to CSAH 6, Cook County; thence along CSAH 6 to CSAH 8, Cook County; thence along CSAH 8 to CSAH 12, Cook County; thence along CSAH 12 to CSAH 60, Cook County; thence in an easterly direction along CSAH 60 to Devil Track River; thence along Devil Track River to U.S. Highway 61; thence along U.S. Highway 61 to the point of beginning.

Subp. 40. Moose Zone 76. Moose Zone 76 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 6, Cook County, and CSAH 8, Cook County; thence along CSAH 8 to CSAH 27, Cook County; thence along CSAH 27 to Forest Road (FR) 323; thence along FR 323 to Ball Club Lake; thence in a northwesterly direction along the south shore of Ball Club Lake to Ball Club Creek; thence in a westerly direction along Ball Club Creek through Cleaver Lake to the unnamed lake in the West Half of Section 27 of Township 63 North, Range 2 West (T. 63N, R. 2W); thence in a northwesterly direction along the north shore of said lake to its inlet stream at the

northern extremity of the lake; thence upstream in a northwesterly direction along said stream to Fishhook Lake; thence in a westerly direction to the westernmost point of Fishhook Lake; thence overland for approximately one-tenth mile in a southwesterly direction to the unnamed lake in the Southeast Quarter of Section 20, T. 63N, R. 2W; thence in a westerly direction through said unnamed lake to its outlet stream; thence in a westerly direction along said outlet stream to Brule Lake; thence in a westerly direction along the south shore of Brule Lake to the Brule Lake access and FR 326; thence along FR 326 to FR 165; thence along FR 165 to FR 153; thence along FR 153 to CSAH 4, Cook County; thence along CSAH 4 to Caribou Creek; thence in a northeasterly direction along Caribou Creek to Caribou Lake; thence in a northeasterly direction along the northwest shores of Caribou Lake and Bigsby Lake to Murmur Creek; thence in a northeasterly direction along Murmur Creek to FR 332; thence along FR 332 to CSAH 45, Cook County; thence along CSAH 45 to the Cascade River; thence in a northerly direction along the Cascade River to the unnamed creek near the center of Section 24 of T. 61N, R. 2W; thence in an easterly direction along said unnamed creek to its headwaters swamp on the section line between Sections 16 and 21, T. 61N, R. 2W; thence in an easterly direction along said section line for approximately one mile through said swamp and upland to CSAH 48, Cook County; thence along CSAH 48 to CSAH 7, Cook County; thence along CSAH 7 to CSAH 6, Cook County; thence along CSAH 6 to the point of beginning.

Subp. 41. Moose Zone 77. Moose Zone 77 consists of that portion of the state lying within the following described boundary:

Beginning at the Sawbill Campground at the southern end of Sawbill Lake; thence in a northerly direction along the east shore of Sawbill Lake to the portage connecting Sawbill and Smoke Lakes; thence in an easterly direction along said portage to Smoke Lake; thence in an easterly direction through Smoke Lake to the portage connecting Smoke and Burnt Lakes; thence along said portage to Burnt Lake; thence in a southeasterly direction through Burnt Lake to the portage connecting Burnt Lake and the Temperance River (Kelly Lake); thence in a southeasterly direction along said portage to the Temperance River; thence upstream in a northerly direction along the Temperance River (Kelly Lake) to Pipe Creek; thence upstream in an easterly direction along Pipe Creek, across all portages and through Pipe Lake to East Pipe Lake; thence in a northerly direction along the west shore of East Pipe Lake to the outlet of East Pipe Lake; thence in a northwesterly direction through Vern Lake to the north end of Vern Lake; thence across the portage connecting Vern Lake to Juno Lake; thence in an easterly direction through Juno Lake to the east end of Juno Lake; thence in a northerly direction across the portage connecting Juno Lake and Jock Mock Bay of Brule Lake, to Brule Lake; thence in an easterly direction along the south shore of Brule Lake to the Brule Lake access and Forest Road (FR) 326; thence along FR 326 to FR 165; thence along FR 165 to FR 153; thence along FR 153 to County State Aid Highway (CSAH) 4, Cook County; thence along CSAH 4 to Caribou Creek; thence in a southwesterly direction along Caribou Creek to the Poplar River; thence in a southwesterly direction along

the Poplar River to an unnamed creek in Section 20 of Township 60 North, Range 3 West; thence in a westerly direction along said unnamed creek to the Range Line between Range 3 West and Range 4 West of Township 60 North; thence in a northerly direction along said Range Line to Six Mile Creek; thence in a southwesterly direction along Six Mile Creek to CSAH 2, Cook County; thence along CSAH 2 to the point of beginning.

Subp. 42. Moose Zone 78. Moose Zone 78 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 61 and the Temperance River; thence in a northerly direction along Temperance River to Six Mile Creek; thence in a northeasterly direction along Six Mile Creek to the Range Line between Range 3 West and Range 4 West of Township 60 North; thence in a southerly direction along said Range Line to the unnamed creek in Section 19 of Township 60 North, Range 4 West; thence in an easterly direction along said unnamed creek to the Poplar River; thence in a northeasterly direction along the Poplar River to Caribou Creek; thence upstream on Caribou Creek through Caribou Lake and Bigsby Lake; thence upstream along Murmur Creek to Forest Road (FR) 332; thence along FR 332 to County State Aid Highway (CSAH) 45, Cook County; thence along CSAH 45, Cook County, to the Cascade River; thence along the Cascade River to U.S. Highway 61; thence along U.S. Highway 61 to the point of beginning.

Subp. 43. Moose Zone 79. Moose Zone 79 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway 1 and U.S. Highway 61; thence along State Trunk Highway 1 to County State Aid Highway (CSAH) 7, Lake County; thence along CSAH 7 to Forest Road (FR) 166; thence along FR 166 to CSAH 2, Cook County; thence in a northerly direction along CSAH 2, Cook County, to Sixmile Creek; thence in a northeasterly direction along Sixmile Creek to the Range Line between Range 3 West and Range 4 West of Township 60 North; thence in a southerly direction along said Range Line to the unnamed creek in Section 19 of Township 60 North, Range 4 West; thence in an easterly direction along said unnamed creek to Poplar River; thence in a northeasterly direction along Poplar River to Caribou Creek; thence upstream in a northeasterly direction along Caribou Creek through Caribou and Bigsby Lakes to Murmur Creek; thence in a northeasterly direction along Murmur Creek to FR 332; thence in an easterly direction along FR 332 to CSAH 45, Cook County; thence in an easterly direction along CSAH 45, Cook County, to the Cascade River; thence in a southerly direction along the Cascade River to U.S. Highway 61; thence along U.S. Highway 61 to the point of beginning.

Subp. 44. Moose Zone 80. Moose Zone 80 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and Forest Road (FR) 172; thence along STH 1 to County State Aid Highway (CSAH) 7, Lake County; thence along CSAH 7 to FR 172; thence along FR 172 to the point of beginning.

6232.4200 DEFINITIONS.

Subpart 1. Scope. The terms used in parts 6232.4200 to 6232.4600 have the meanings given in this part.

Subp. 2. Legal antlered bull elk. "Legal antlered bull elk" means an elk having at least one antler not less than ten inches in length.

Subp. 3. Legal antlerless elk. "Legal antlerless elk" means all elk, including calves, other than legal antlered bull elk.

6232.4300 SEASONS AND DATES FOR TAKING ELK.

Elk may be taken by a licensed hunter using a legal firearm or a legal bow and arrow during seasons authorized by the commissioner.

6232.4400 GENERAL REGULATIONS FOR TAKING ELK.

Subpart 1. License requirement. The license is valid for a party of two persons and only for the season selected.

Subp. 2. Party hunting. Licensees may not hunt elk without having the unused seal in their possession. Licensed parties may not assist other licensed parties in taking elk.

Subp. 3. Mixed-weapons parties. Licensed elk hunt parties may consist of individuals hunting with a bow and arrow and individuals hunting with firearms.

Subp. 4. Blaze orange requirement. The visible portion of the hunter's cap and outer garments, above the waist excluding sleeves, must be bright red or blaze orange or be covered with those colors. Blaze orange includes a camouflage pattern of at least 50 percent blaze orange within each square foot.

Subp. 5. Tagging. An elk taken in this state may not be transported or possessed unless the tag bearing the license number of the party taking the elk and the year of its issue has been affixed to the carcass. The tag must be attached between the tendon and the bone of a hind leg and fastened around either the bone or the tendon, around the base of either antler, or through a slit cut through either ear. The tag must be fastened so that it cannot be readily removed from the elk.

Subp. 6. Dividing of elk. Elk may be skinned, quartered, or further divided prior to transportation and registration, but all edible meat, and all other parts of the elk not left in the field, must be presented for registration at the same time.

Subp. 7. Orientation required. A successful applicant may only obtain an elk license by attending an orientation session at the Thief Lake Wildlife Management Area headquarters.

6232.4500 ELK LICENSE APPLICATION PROCEDURE.

Subpart 1. General provisions. The provisions in this part apply to the elk license application process.

A. If the number of applications for any zone exceeds the quota, a random selection will be conducted to determine the successful applicants.

B. Up to 20 percent of the licenses in each zone may be issued in a separate landowner and tenant drawing. The following persons are eligible for this separate drawing:

(1) owners of at least 160 acres of agricultural or grazing land, within the zone applied for;

(2) tenants living on at least 160 acres of agricultural or grazing land, within the zone applied for; or

(3) family members of qualifying landowners and tenants, if they live on the qualifying property and are part of the farming operation. Family members include those related by blood, marriage, or adoption.

Applicants unsuccessful in the landowner and tenant drawing will be included in the selection process for the remaining licenses in the same zone. Landowner and tenant party applications that include individuals who do not meet the requirements for this license will be removed from the landowner and tenant drawing and will not be entered into the general drawing.

C. Applications for the general and landowner and tenant drawing must be made on the appropriate forms and in accordance with instructions. The commissioner may reject applications not completed according to instructions.

D. The application deadline is the Friday nearest July 15.

E. An application fee of \$20 in the form of a cashier's check, money order, or personal check made payable to the Minnesota Department of Natural Resources must accompany each application of two hunters. Checks returned to the department for nonpayment will invalidate the application. Refunds of application fees will not be made for any reason.

F. Successful applicants will receive instructions for obtaining their licenses.

Subp. 2. Modification of quota numbers for group applications. The quota of licenses or permits for a drawing may be increased to accommodate group members if the last applicant to be selected is a member of a group.

6232.4600 ELK ZONES.

Subpart 1. Primary Elk Zone. The Primary Elk Zone consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 89 and Marshall County Road (CR) 145; thence along CR 145 to County State Aid Highway (CSAH) 6, Marshall County; thence along CSAH 6 to CR 133, Marshall County; thence along CR 133 to the northwest corner of Section 16, Township 157 North, Range 39 West; thence north along the west line of Sections 9 and 4, Township 157 North, Range 39 West, to the Moose River; thence along the southerly shore of said river to CR 706, Beltrami County; thence along CR 706 to its intersection with the east line of Section 5, Township 157 North, Range 38 West; thence along the east line of Sections 5 and 8, Township 157 North, Range 38 West to County Highway (CH) 701, Beltrami County; thence along CH 701 to the northwest corner of Section 5, Township 156 North, Range 38 West; thence along the line between Township 156 North and Township 157 North to the northeast corner of Section 2, Township 156 North, Range 39 West; thence along an unnumbered township road, Marshall County, that coincides with the line between Township 156 North and Township 157 North, to CSAH 53, Marshall County; thence along CSAH 53 to the southeast corner of Section 31, Township 157 North, Range 39 West; thence along the line between Township 156 North and Township 157 North to STH 89; thence along STH 89 to the point of beginning.

Subp. 2. Secondary Elk Zone. The Secondary Elk Zone consists of all of Marshall County east of State Trunk Highway (STH) 89, and may be opened in addition to the primary zone by written notification from the commissioner.

Notification, if made, will be at the elk hunter orientation sessions at the Thief Lake Wildlife Management Area.

6232.4700 DEER AND BEAR REGISTRATION BLOCKS.

Subpart 1. Designation of registration blocks. Registration blocks for deer and bear are designated and described by the registration block numbers and boundaries in this part.

Subp. 2. Registration Block 104. Registration Block 104 consists of that portion of the state lying within the following described boundary:

Beginning on the north boundary of the state at State Trunk Highway (STH) 72; thence along the north boundary of the state to a point due north of the intersection of STH 11 and County State-Aid Highway (CSAH) 1, Koochiching County; thence along CSAH 1 to CSAH 13, Koochiching County; thence along CSAH 13 to STH 6; thence along STH 6 to CSAH 14, Itasca County; thence along CSAH 14 to CSAH 29, Itasca County; thence along CSAH 29 to CSAH 26, Itasca County; thence along CSAH 26 to CSAH 31, Itasca County; thence along CSAH 31 to CSAH 26, Itasca County; thence along CSAH 26 to CSAH 26, Koochiching County; thence along CSAH 26 to STH 1; thence along STH 1 to CSAH 6, Koochiching County; thence along CSAH 6 to CSAH 25, Koochiching County; thence along CSAH 25 to U.S. Highway 71; thence along U.S. Highway 71 to CSAH 36, Koochiching County; thence along CSAH 36 to CSAH 36, Beltrami County; thence along CSAH 36 to CSAH 34, Beltrami County; thence along CSAH 34 to Beltrami County Road (CR) 104; thence along CR 104 to the east boundary of Red Lake Indian Reservation; thence along said boundary to the south shore of Upper Red Lake; thence along the south and east shores of said lake to the mouth of the Tamarac River; thence along the south shore of said river to STH 72; thence along STH 72 to the point of beginning.

Subp. 3. Repealed, 2005

Subp. 4. Repealed, 2005

Subp. 5. Registration Block 107. Registration Block 107 consists of that portion of the state lying within the following described boundary:

Beginning on the north boundary of the state at a point due north of the junction of State Trunk Highway (STH) 11 and County State-Aid Highway (CSAH) 1, Koochiching County; thence along the north boundary of the state to the west boundary of Voyageurs National Park; thence along the west boundary of the park to the public access to Lake Kabetogama at Gappa's Landing; thence along County Highway 523, St. Louis County, to CSAH 123, St. Louis County; thence along CSAH 123 to CSAH 122, St. Louis County; thence along CSAH 122 to U.S. Highway 53; thence along U.S. Highway 53 to STH 1; thence along STH 1 to STH 6; thence along STH 6 to CSAH 13, Koochiching County; thence along CSAH 13 to CSAH 1, Koochiching County; thence along CSAH 1 to the point of beginning.

Subp. 6. Repealed, 2005

Subp. 7. Repealed, 2005

Subp. 8. Registration Block 110. Registration Block 110 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of State Trunk Highway (STH) 1 and STH 72; thence along STH 1 to the east boundary of the Red Lake Indian

Reservation; thence along said boundary to Beltrami County Road (CR) 104; thence along CR 104 to County State-Aid Highway (CSAH) 34, Beltrami County; thence along CSAH 34 to CSAH 36, Koochiching County; thence along CSAH 36 to CSAH 36, Beltrami County; thence along CSAH 36 to U.S. Highway 71; thence along U.S. Highway 71 to CSAH 25, Koochiching County; thence along CSAH 25 to CSAH 6, Koochiching County; thence along CSAH 6 to STH 1; thence along STH 1 to U.S. Highway 71; thence along U.S. Highway 71 to STH 72; thence along STH 72 to the point of beginning.

Subp. 9. Registration Block 115. Registration Block 115 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of Voyageurs National Park and the northern boundary of the state; thence along the west boundary of the park to the public access to Lake Kabetogama at Gappa's Landing; thence along County Highway 523, St. Louis County, to County State-Aid Highway (CSAH) 123, St. Louis County; thence along CSAH 123 to CSAH 122, St. Louis County; thence along CSAH 122 to U.S. Highway 53; thence along U.S. Highway 53 to State Trunk Highway (STH) 1; thence easterly along STH 1 to CSAH 128, St. Louis County; thence along CSAH 128 to the north boundary of Bear Head Lake State Park; thence along the north, east, and south sides of said park to St. Louis County Road (CR) 360; thence along CR 360 to CSAH 21, St. Louis County; thence along CSAH 21 to CSAH 70, St. Louis County; thence along CSAH 70 to CSAH 112, St. Louis County; thence along CSAH 112 to St. Louis CR 623; thence along CR 623 to Forest Road (FR) 424; thence along FR 424 to STH 1; thence along STH 1 to CSAH 88, St. Louis County; thence along CSAH 88 to CSAH 116, St. Louis County; thence along CSAH 116 to the Bass Lake portage; thence along said portage to Bass Lake; thence through Bass Lake and along the flowage to Low Lake; thence follow the Range River through Range Lake to Sandpit Lake; thence across the portage to Horse Lake, through Horse Lake; thence along the Horse River to the Basswood River on the Canadian border to the point of beginning.

Subp. 10. Registration Block 116. Registration Block 116 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the boundary of the Horse and Basswood Rivers on the north boundary of the state; thence along the Horse River to Horse Lake; thence through Horse Lake; thence across the portage to Sandpit Lake; thence to Range Lake; thence follow the Range River to Low Lake; thence along all flowages to Bass Lake; thence across Bass Lake to the portage to County State-Aid Highway (CSAH) 116, St. Louis County; thence along CSAH 116 to CSAH 88, St. Louis County; thence along CSAH 88 to State Trunk Highway (STH) 1; thence along STH 1 to Forest Road (FR) 377; thence along FR 377 to the boundary of the Boundary Waters Canoe Area Wilderness (BWCAW); thence along the BWCAW boundary to the North Brule River; thence easterly along the North Brule River to CSAH 12 (Gunflint Trail), Cook County; thence northerly along CSAH 12 (Gunflint Trail) to Trap Creek; thence northeasterly along Trap Creek to the BWCAW boundary; thence southeasterly along the BWCAW boundary to the north boundary of the state; thence along the north boundary of the state to the point of beginning.

Subp. 11. Repealed, 2005

Subp. 12. Repealed, 2005

Subp. 13. Repealed, 2005

Subp. 14. Repealed, 2005

Subp. 15. Repealed, 2005

Subp. 16. Registration Block 122. Registration Block 122 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and County State-Aid Highway (CSAH) 2, Lake County; thence southerly along CSAH 2 to the Duluth, Missabe and Iron Range Railroad (DM&>IR); thence southerly and westerly along the DM&>IR to St. Louis County Road (CR) 547 at Brimson; thence westerly along CR 547 to CSAH 4, St. Louis County; thence northerly along CSAH 4 to CSAH 16, St. Louis County; thence easterly along CSAH 16 to Forest Road (FR) 130 (Moose Line Road); thence along FR 130 (Moose Line Road) to CSAH 110; thence northerly and easterly to the DM&>IR; thence along the DM&>IR to the LTV/Erie Railroad; thence along the LTV/Erie Railroad to FR 424; thence along FR 424 to STH 1; thence along STH 1 southerly to the point of beginning.

Subp. 17. Repealed, 2005

Subp. 18. Repealed, 2005

Subp. 19. Repealed, 2005

Subp. 20. Registration Block 126. Registration Block 126 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the Erie Mining Company Railroad and County State-Aid Highway (CSAH) 7, Lake County; thence along CSAH 7 to Forest Road (FR) 170; thence along FR 170 to CSAH 2, Cook County; thence along CSAH 2 to the Boundary Waters Canoe Area Wilderness (BWCAW) boundary; thence along the BWCAW boundary to the North Brule River; thence easterly along the North Brule River to CSAH 12 (Gunflint Trail), Cook County; thence northerly along CSAH 12 (Gunflint Trail) to Trap Creek; thence northeasterly along Trap Creek to the BWCAW boundary; thence southeasterly along the BWCAW boundary to the northern boundary of the state; thence along the northern boundary of the state to the shore of Lake Superior; thence along the shore of Lake Superior to the east shore of the Manitou River; thence along the east shore of the Manitou River to the Erie Mining Company Railroad; thence along the Erie Mining Company Railroad to the point of beginning.

Subp. 21. Registration Block 127. Registration Block 127 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and County State-Aid Highway (CSAH) 2, Lake County; thence along CSAH 2 to Lake County Road (CR) 15; thence along CR 15 to the Stony River Forest Road (FR); thence along the Stony River FR to FR 104; thence along FR 104 to the Erie Mining Company Railroad; thence along the Erie Mining Company Railroad to CSAH 7, Lake County; thence along CSAH 7 to FR 170; thence along FR 170 to CSAH 2, Cook County; thence along CSAH 2 to the Boundary Waters Canoe Area Wilderness (BWCAW) boundary; thence along said boundary to FR 377; thence along FR 377 to STH 1; thence along STH 1 to the point of beginning.

Subp. 22. Repealed, 2005

Subp. 23. Repealed, 2005

Subp. 24. Repealed, 2005

Subp. 25. Registration Block 152. Registration Block 152 consists of public lands within that portion of the state posted as the Mille Lacs Wildlife Area.

Subp. 26. Registration Block 154. Registration Block 154 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 210 and STH 6 at Deerwood; thence along STH 6 to County State-Aid Highway (CSAH) 1, Crow Wing County; thence along CSAH 1 to CSAH 3, Aitkin County; thence along CSAH 3 to U.S. Highway 169; thence along U.S. Highway 169 to STH 210; thence along STH 210 to STH 65; thence along STH 65 to STH 18; thence along STH 18 to STH 47; thence due west to the east shore of Mille Lacs Lake; thence along the east shore of Mille Lacs Lake to a point on the shore of Mille Lacs Lake due east of the junction of U.S. Highway 169 and STH 18 at Garrison; thence due west to the junction of U.S. Highway 169 and STH 18; thence along STH 18 to STH 6; thence along STH 6 to the point of beginning.

Subp. 27. Repealed, 2005

Subp. 28. Registration Block 156. Registration Block 156 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 210 and STH 65; thence along STH 210 to Interstate Highway 35 (I-35); thence along I-35 to STH 23; thence along STH 23 to STH 18; thence along STH 18 to STH 65; thence along STH 65 to the point of beginning.

Subp. 29. Registration Block 157. Registration Block 157 consists of that portion of the state lying within the following described boundary, except that part comprising Block 152:

Beginning on the east shore of Mille Lacs Lake at a point due west of the intersection of State Trunk Highway (STH) 47 and STH 18; thence due east to said intersection; thence along STH 18 to Interstate Highway 35 (I-35); thence along I-35 to STH 70; thence along STH 70 to STH 65; thence along STH 65 to STH 23; thence along STH 23 to U.S. Highway 169; thence along U.S. Highway 169 to a junction with County State-Aid Highway (CSAH) 35, Mille Lacs County; thence from said junction due north to the shore of Mille Lacs Lake; thence along the east shore of Mille Lacs Lake to the point of beginning.

Subp. 30. Repealed, 2005

Subp. 31. Registration Block 159. Registration Block 159 consists of that portion of the state lying within the following described boundary:

Beginning at the interchange of Interstate Highway 35 (I-35) and State Trunk Highway (STH) 23; thence along STH 23 to County State Aid Highway (CSAH) 32, Pine County; thence along CSAH 32 to the east boundary of the state; thence along the east boundary of the state to STH 70; thence along STH 70 to I-35; thence along I-35 to the point of beginning.

Subp. 32. Registration Block 167. Registration Block 167 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and U.S. Highway 71; thence along U.S. Highway 71 to County State-Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to the north boundary of the Leech Lake Indian Reservation; thence along

the north boundary of said reservation to CSAH 133, Itasca County; thence along CSAH 133 to STH 6; thence along STH 6 to CSAH 14, Itasca County; thence along CSAH 14 to CSAH 29, Itasca County; thence along CSAH 29 to CSAH 26, Itasca County; thence along CSAH 26 to CSAH 31, Itasca County; thence along CSAH 31 to CSAH 26, Itasca County; thence along CSAH 26 to CSAH 26, Koochiching County; thence along CSAH 26 to STH 1; thence along STH 1 to the point of beginning.

Subp. 33. Registration Block 168. Registration Block 168 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and STH 65; thence along STH 65 to County State-Aid Highway (CSAH) 56, Itasca County; thence along CSAH 56 to CSAH 8, Itasca County; thence along CSAH 8 to CSAH 7, Itasca County; thence along CSAH 7 to CSAH 59, Itasca County; thence along CSAH 59 to CSAH 49, Itasca County; thence along CSAH 49 to CSAH 60, Itasca County; thence along CSAH 60 to STH 38; thence along STH 38 to CSAH 19, Itasca County; thence along CSAH 19 to the east boundary of the Leech Lake Indian Reservation; thence along the east boundary of said reservation to CSAH 133, Itasca County; thence along CSAH 133 to STH 6; thence along STH 6 to STH 1; thence along STH 1 to the point of beginning.

Subp. 34. Repealed, 2005

Subp. 35. Registration Block 170. Registration Block 170 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 2 and State Trunk Highway (STH) 6 at Deer River; thence along STH 6 to County State-Aid Highway (CSAH) 19, Itasca County; thence along CSAH 19 to CSAH 60, Itasca County; thence along CSAH 60 to CSAH 49, Itasca County; thence along CSAH 49 to CSAH 59, Itasca County; thence along CSAH 59 to CSAH 7, Itasca County; thence along CSAH 7 to CSAH 8, Itasca County; thence along CSAH 8 to CSAH 56, Itasca County; thence along CSAH 56 to STH 65; thence along STH 65 to STH 200; thence along STH 200 to U.S. Highway 169; thence along U.S. Highway 169 to CSAH 3, Aitkin County; thence along CSAH 3 to CSAH 1, Crow Wing County; thence along CSAH 1 to STH 6; thence along STH 6 to STH 200; thence along STH 200 to the east boundary of the Leech Lake Indian Reservation; thence along said boundary to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Subp. 36. Repealed, 2005

Subp. 37. Registration Block 172. Registration Block 172 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 371 and the south boundary of the Leech Lake Indian Reservation; thence along said boundary to STH 200; thence along STH 200 to STH 6; thence along STH 6 to County State Aid Highway (CSAH) 1, Crow Wing County; thence along CSAH 1 to CSAH 2, Cass County; thence along CSAH 2 to STH 371; thence along STH 371 to the point of beginning.

Subp. 38. Repealed, 2005

Subp. 39. Registration Block 174. Registration Block 174 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 169 and State Trunk Highway (STH) 200; thence along STH 200 to STH 65; thence along STH 65 to U.S. Highway 2; thence along U.S. Highway 2 to STH 73; thence along STH 73 to STH 210; thence along STH 210 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

Subp. 40. Registration Block 175. Registration Block 175 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and STH 65; thence easterly along STH 1 to County State-Aid Highway (CSAH) 128, St. Louis County; thence along CSAH 128 to the north boundary of Bear Head Lake State Park; thence along the north, east, and south sides of said park to St. Louis County Road (CR) 360; thence along CR 360 to CSAH 21, St. Louis County; thence along CSAH 21 to CSAH 70, St. Louis County; thence along CSAH 70 to CSAH 112, St. Louis County; thence along CSAH 112 to St. Louis CR 623; thence along CR 623 to the LTV/Erie Railroad; thence along the LTV/Erie Railroad to the Duluth, Missabe and Iron Range Railroad (DM&>IR); thence along the DM&>IR to CSAH 110, St. Louis County; thence along CSAH 110 to CSAH 100, St. Louis County; thence along CSAH 100 to CSAH 135, St. Louis County; thence westerly along CSAH 135 to STH 53; thence along STH 53 to STH 169; thence westerly along STH 169 to STH 65; thence northerly along STH 65 to the point of beginning.

Subp. 41. Repealed, 2005

Subp. 42. Repealed, 2005

Subp. 43. Registration Block 178. Registration Block 178 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 169 and STH 53 at Virginia; thence along STH 53 to County State-Aid Highway (CSAH) 135, St. Louis County; thence easterly along CSAH 135 to CSAH 100, St. Louis County; thence along CSAH 100 to CSAH 110, St. Louis County; thence along CSAH 110 to Forest Road (FR) 130 (Moose Line Road); thence along FR 130 (Moose Line Road) to CSAH 16, St. Louis County; thence westerly along CSAH 16 to CSAH 4, St. Louis County; thence southerly along CSAH 4 to CSAH 49, St. Louis County; thence westerly along CSAH 49 to STH 53; thence southerly along STH 53 to CSAH 133, St. Louis County; thence along CSAH 133 to CSAH 25, Itasca County; thence along CSAH 25 to STH 2; thence along STH 2 to STH 65; thence northerly along STH 65 to STH 169; thence along STH 169 to the point of beginning.

Subp. 44. Repealed, 2005

Subp. 45. Registration Block 180. Registration Block 180 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of Interstate Highway 535 (I-535) and the east boundary of the state at Duluth; thence along I-535 to Interstate Highway 35 (I-35); thence along I-35 to Mesaba Avenue; thence along Mesaba Avenue to County State-Aid Highway (CSAH) 194, St. Louis County; thence along CSAH 194 to CSAH 4, St. Louis County; thence along CSAH 4 to St. Louis County Road (CR) 547; thence along CR 547 to the Duluth, Missabe and Iron Range Railroad (DM&>IR); thence along the DM&>IR to CSAH 2, Lake County; thence along CSAH 2 to Lake CR 15; thence along CR 15 to the Stony River

Forest Road (FR); thence along the Stony River FR to FR 104; thence along FR 104 to the Erie Mining Company Railroad; thence along the Erie Mining Company Railroad to the east bank of the Manitou River; thence along the east bank of the Manitou River to the shore of Lake Superior; thence due south to the east boundary of the state; thence along the east boundary of the state to the point of beginning.

Subp. 46. Registration Block 181. Registration Block 181 consists of that portion of the state lying within the following described boundary, except that portion known as the Fond du Lac Indian Reservation:

Beginning at the intersection of State Trunk Highway (STH) 73 and STH 210; thence along STH 73 to U.S. Highway 2; thence along U.S. Highway 2 to County State-Aid Highway (CSAH) 25, Itasca County; thence along CSAH 25 to CSAH 133, St. Louis County; thence along CSAH 133 to U.S. Highway 53; thence along U.S. Highway 53 to CSAH 49, St. Louis County; thence along CSAH 49 to CSAH 4, St. Louis County; thence along CSAH 4 to CSAH 194, St. Louis County; thence along CSAH 194 to Mesaba Avenue; thence along Mesaba Avenue to Interstate Highway 35 (I-35); thence along I-35 to STH 210; thence along STH 210 to the point of beginning.

Subp. 47. Repealed, 2005

Subp. 48. Registration Block 183. Registration Block 183 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of Interstate Highway 35 (I-35) and Interstate Highway 535 (I-535); thence along I-535 to the east boundary of the state; thence along the east boundary of the state to County State-Aid Highway (CSAH) 32, Pine County; thence along CSAH 32 to State Trunk Highway (STH) 23; thence along STH 23 to I-35; thence along I-35 to the point of beginning.

Subp. 49. Repealed, 2005

Subp. 50. Repealed, 2005

Subp. 51. Repealed, 2005

Subp. 52. Registration Block 197. Registration Block 197 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the north boundary of the Leech Lake Indian Reservation and County State-Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to CSAH 20, Beltrami County; thence along CSAH 20 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 12, Beltrami County; thence along CSAH 12 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 8, Beltrami County; thence along CSAH 8 to CSAH 25, Beltrami County; thence along CSAH 25 to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 46, Hubbard County; thence along CSAH 46 to U.S. Highway 2; thence along U.S. Highway 2 to CSAH 45, Hubbard County; thence along CSAH 45 to CSAH 9, Hubbard County; thence along CSAH 9 to CSAH 69, Cass County; thence along CSAH 69 to CSAH 5, Hubbard County; thence along CSAH 5 to CSAH 39, Hubbard County; thence along CSAH 39 to County Road (CR) 94, Hubbard County; thence along CR 94 to CSAH 31, Hubbard County; thence along CSAH 31 to State Trunk Highway (STH) 200; thence along STH 200 to U.S. Highway 371; thence along U.S. Highway 371 to the south boundary of the Leech Lake Indian Reservation; thence along the south and east boundaries of the reservation to the intersection with U.S. Highway 2;

thence east along U.S. Highway 2 to the east boundary of the Leech Lake Indian Reservation; thence along the east and north boundaries of the reservation to the point of beginning.

Subp. 53. Repealed, 2005

Subp. 54. Registration Block 199. Registration Block 199 consists of that portion of the state known as the Fond du Lac Indian Reservation.

Subp. 55. Registration Block 201. Registration Block 201 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of the west boundary of Roseau County and the north boundary of the state; thence along the west boundary of Roseau County to its junction with County State Aid Highway (CSAH) 7, Roseau County; thence along CSAH 7 to CSAH 10, Roseau County; thence along CSAH 10 to CSAH 3, Roseau County; thence along CSAH 3 to the southwest corner of Section 31, Township 164 North, Range 41 West; thence due north along the section lines to a junction with the north boundary of the state; thence along the north boundary of the state to the point of beginning.

Subp. 56. Registration Block 202. Registration Block 202 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and County State Aid Highway (CSAH) 6, Marshall County; thence along CSAH 6 to County Road (CR) 133, Marshall County; thence along CR 133 to CSAH 54, Marshall County; thence along CSAH 54 to CR 134, Marshall County; thence along CR 134 to STH 89; thence along STH 89 to CSAH 48, Marshall County; thence along CSAH 48 to CSAH 49, Marshall County; thence along CSAH 49 to the Marshall-Roseau County boundary; thence along the Marshall-Roseau County boundary to STH 32; thence along STH 32 to the point of beginning. Subp. 57. Registration Block 203. Registration Block 203 consists of that portion of the state within the boundaries of Agassiz National Wildlife Refuge plus the Elm Lake, Eckvoll, and Mud Lac Wildlife Areas.

Subp. 58. Registration Block 204. Registration Block 204 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 59 and the north boundary of the state; thence along the north boundary of the state to the west boundary of Roseau County; thence along the west boundary of Roseau County to County State Aid Highway (CSAH) 7, Roseau County; thence along CSAH 7 to CSAH 10, Roseau County; thence along CSAH 10 to CSAH 3, Roseau County; thence along CSAH 3 to the southwest corner of Section 31, Township 164 North, Range 41 West; thence due north along the section lines to the north boundary of the state; thence along the north boundary of the state to State Trunk Highway (STH) 310; thence along STH 310 to STH 11; thence along STH 11 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 59. Registration Block 205. Registration Block 205 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 310 with the 49th parallel of north latitude; thence east along the 49th parallel of north latitude to the Ontario border (on Lake of the Woods); thence southeasterly along the north boundary of the state to the point due north of the junction of STH 72 and STH 11; thence due south to said

junction; thence along STH 11 to County State-Aid Highway (CSAH) 1, Lake of the Woods County; thence along CSAH 1 to CSAH 3, Lake of the Woods County; thence along CSAH 3 to CSAH 2, Lake of the Woods County; thence along CSAH 2 to STH 11; thence along STH 11 to 670 Avenue, Roseau County; thence along 670 Avenue to the Tangnes Forest Road; thence along the Tangnes Forest Road to CSAH 5, Roseau County; thence along CSAH 5 to the Thompson Forest Road, Roseau County; thence along the Thompson Forest Road to the boundary of Hayes Lake State Park; thence along the boundary of Hayes Lake State Park to CSAH 18, Roseau County; thence along CSAH 18 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 2, Roseau County; thence along CSAH 2 to STH 89; thence along STH 89 to STH 310; thence along STH 310 to the point of beginning.

Subp. 60. Registration Block 206. Registration Block 206 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and STH 11; thence along STH 11 to STH 89; thence along STH 89 to County State Aid Highway (CSAH) 2, Roseau County; thence along CSAH 2 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 54, Marshall County; thence along CSAH 54 to County Road (CR) 134, Marshall County; thence along CR 134 to STH 89; thence along STH 89 to CSAH 48, Marshall County; thence along CSAH 48 to CSAH 49, Marshall County; thence along CSAH 49 to the Marshall-Roseau County boundary; thence along the Marshall-Roseau County boundary to STH 32; thence along STH 32 to the point of beginning.

Subp. 61. Registration Block 207. Registration Block 207 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 11 and U.S. Highway 59; thence along STH 11 to STH 32; thence along STH 32 to STH 1; thence along STH 1 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 62. Registration Block 208. Registration Block 208 consists of that portion of the state lying within the following described boundary, except that portion described as Registration Block 203:

Beginning at the intersection of State Trunk Highway (STH) 32 and County State Aid Highway (CSAH) 6, Marshall County; thence along CSAH 6 to STH 89; thence along County Road (CR) 133, Marshall County, to CSAH 54, Pennington county; thence along CSAH 54 to a point due west of the northwestern corner of the Red Lake Indian Reservation; thence east to said corner; thence along the west boundary of the Red Lake Indian Reservation to STH 1; thence along STH 1 to STH 32; thence along STH 32 to the point of beginning.

Subp. 63. Registration Block 209. Registration Block 209 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and U.S. Highway 59; thence along STH 1 to the west boundary of the Red Lake Indian Reservation; thence along the west boundary of the reservation to County State Aid Highway (CSAH) 5, Beltrami County; thence along CSAH 5 to STH 92; thence along STH 92 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 64. Registration Block 210. Registration Block 210 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 92 and U.S. Highway 59; thence along STH 92 to the north boundary of the White Earth Indian Reservation; thence west along said boundary to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 65. Registration Block 211. Registration Block 211 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 72 and STH 11; thence along STH 72 to the Tamarac River; thence along the south shore of the Tamarac River to Upper Red Lake; thence along the north shore of Upper Red Lake to the boundary of the Red Lake Indian Reservation; thence along the north boundary of the reservation to the west boundary of Beltrami County; thence due west to County State-Aid Highway (CSAH) 54, Marshall County; thence north along CSAH 54 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 18, Roseau County; thence along CSAH 18 to the boundary of Hayes Lake State Park; thence along the boundary of Hayes Lake State Park to the Thompson Forest Road; thence along the Thompson Forest Road to CSAH 5, Roseau County; thence along CSAH 5 to the Tangnes Forest Road; thence along the Tangnes Forest Road to 670 Avenue; thence along 670 Avenue to STH 11; thence along STH 11 to CSAH 2, Lake of the Woods County; thence along CSAH 2 to CSAH 3, Lake of the Woods County; thence along CSAH 3 to CSAH 1, Lake of the Woods County; thence along CSAH 1 to STH 11; thence along STH 11 to the point of beginning.

Subp. 66. Repealed, 2005

Subp. 67. Registration Block 213. Registration Block 213 consists of that portion of the state known as the Red Lake Indian Reservation.

Subp. 68. Registration Block 214. Registration Block 214 consists of that portion of the state north of the 49th parallel of North Latitude commonly known as the Northwest Angle.

Subp. 69. Registration Block 221. Registration Block 221 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 27 and County State-Aid Highway (CSAH) 8, Morrison County; thence along CSAH 8 to CSAH 39, Morrison County; thence along CSAH 39 to CSAH 33, Morrison County; thence along CSAH 33 to CSAH 26, Morrison County; thence along CSAH 26 to CSAH 30, Morrison County; thence along CSAH 30 to CSAH 3, Benton County; thence along CSAH 3 to STH 25; thence along STH 25 to STH 95; thence along STH 95 to STH 23; thence along STH 23 to the Mississippi River; thence along the east shore of the Mississippi River to a point due west of the junction of CSAH 48, Morrison County, and STH 371; thence due east to said junction; thence along CSAH 48 to STH 25; thence along STH 25 to STH 27; thence along STH 27 to the point of beginning.

Subp. 70. Registration Block 222. Registration Block 222 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 27 and U.S. Highway 169; thence along U.S. Highway 169 to STH 95; thence along STH 95 to STH 25; thence along STH 25 to County State-Aid Highway (CSAH) 3, Benton County; thence along CSAH 3 to CSAH 30, Morrison County; thence along CSAH 30 to CSAH 26, Morrison County;

thence along CSAH 26 to CSAH 33, Morrison County; thence along CSAH 33 to CSAH 39, Morrison County; thence along CSAH 39 to CSAH 8, Morrison County; thence along CSAH 8 to STH 27; thence along STH 27 to the point of beginning.

Subp. 71. Registration Block 223. Registration Block 223 consists of that portion of the state lying within the following described boundary, except that part comprising Block 244:

Beginning at the intersection of State Trunk Highway (STH) 23 and the east bank of the Mississippi River at St. Cloud; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 169; thence along U.S. Highway 169 to STH 101; thence along STH 101 to the east bank of the Mississippi River; thence along the east bank of the Mississippi River to the point of beginning.

Subp. 72. Registration Block 224. Registration Block 224 consists of that portion of the state known as the Sherburne National Wildlife Refuge.

Subp. 73. Registration Block 225. Registration Block 225 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 23 and U.S. Highway 169; thence along STH 23 to the east boundary of the state; thence along the east boundary of the state to STH 95; thence along STH 95 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

Subp. 74. Repealed, 2005

Subp. 75. Registration Block 227. Registration Block 227 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 169 and State Trunk Highway (STH) 95; thence along STH 95 to Interstate Highway 35 (I-35); thence along I-35 to the north border of the Carlos Avery Wildlife Management Area; thence along the north and west border of the Carlos Avery Wildlife Management Area to County State-Aid Highway (CSAH) 18, Anoka County; thence along CSAH 18 to CSAH 58, Anoka County; thence along CSAH 58 to CSAH 9, Anoka County; thence along CSAH 9 to CSAH 22, Anoka County; thence along CSAH 22 to CSAH 12, Sherburne County; thence along CSAH 12 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

Subp. 75a. Registration Block 228. Registration Block 228 consists of that portion of the state lying within the following described boundary:

Beginning at a point on the east boundary of the state due east of the intersection of State Trunk Highway (STH) 95 and STH 96; thence due west to this intersection; thence along STH 96 to County State Aid Highway (CSAH) 15, Washington County; thence along CSAH 15 to CSAH 68, Washington County; thence along CSAH 68 to CSAH 9, Washington County; thence along CSAH 9 to CSAH 7, Washington County; thence along CSAH 7 to CSAH 8A, Washington County; thence along CSAH 8A to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 8, Washington County; thence along CSAH 8 to CSAH 14, Anoka County; thence along CSAH 14 to CSAH 17, Anoka County; thence along CSAH 17 to CSAH 18, Anoka County; thence along CSAH 18 to CSAH 58, Anoka County; thence along CSAH 58 to CSAH 9, Anoka County; thence along CSAH 9 to CSAH 22, Anoka County; thence along CSAH 22 to CSAH 12, Sherburne County; thence along CSAH 12 to U.S. Highway 169; thence along U.S. Highway 169 to the east bank

of the Mississippi River; thence along the east bank of the Mississippi River to the east boundary of the state; thence along the east boundary of the state to the point of beginning.

Subp. 76. Registration Block 235. Registration Block 235 consists of that portion of the state known as the Carlos Avery Wildlife Management Area (including the Sunrise River Addition), Anoka and Chisago Counties.

Subp. 77. Registration Block 236. Registration Block 236 consists of that portion of the state lying within the following described boundary, except that portion of the state known as the Carlos Avery State Wildlife Management Area:

Beginning at the intersection of Interstate Highway 35 (I-35) and State Trunk Highway (STH) 95; thence along STH 95 to the east boundary of the state; thence along the east boundary of the state to a point due east of the intersection of STH 95 and STH 96; thence due west to this intersection; thence along STH 96 to County State Aid Highway (CSAH) 15, Washington County; thence along CSAH 15 to CSAH 68, Washington County; thence along CSAH 68 to CSAH 9, Washington County; thence along CSAH 9 to CSAH 7, Washington County; thence along CSAH 7 to CSAH 8A, Washington County; thence along CSAH 8A to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 8, Washington County; thence along CSAH 8 to CSAH 14, Anoka County; thence along CSAH 14 to CSAH 17, Anoka County; thence along CSAH 17 to the western boundary of the Carlos Avery State Wildlife Management Area; thence along the north and west boundary of the Carlos Avery State Wildlife Management Area to I-35; thence along I-35 to the point of beginning.

Subp. 77a. Registration Block 242. Registration Block 242 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 371 and STH 84; thence along STH 371 to County State-Aid Highway (CSAH) 29, Crow Wing County; thence along CSAH 29 to the city limits of Lakeshore, Cass County; thence along the north, west, and south city limits of Lakeshore to County Road 107, Cass County; thence along County Road 107 to CSAH 15, Cass County; thence along CSAH 15 to CSAH 77, Cass County; thence along CSAH 77 to CSAH 18, Cass County; thence along CSAH 18 to STH 210; thence west along STH 210 to CSAH 36, Cass County; thence along CSAH 36 to the Crow Wing River; thence along the north shore of the Crow Wing River to its confluence with the Mississippi River; thence along the west shore of the Mississippi River to STH 210; thence along STH 210 to CSAH 3, Crow Wing County; thence along CSAH 3 to CSAH 1, Crow Wing County; thence along CSAH 1 to CSAH 2, Cass County; thence along CSAH 2 to STH 84; thence along STH 84 to the point of beginning.

Subp. 77b. Registration Block 243. Registration Block 243 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and U.S. Highway 71; thence along U.S. Highway 71 to County State-Aid Highway (CSAH) 17, Wadena County; thence along CSAH 17 to CSAH 23, Wadena County; thence along CSAH 23 to CSAH 15, Wadena County; thence along CSAH 15 to the west bank of the Crow Wing River; thence along the west bank of the Crow Wing River to CSAH 34, Wadena County; thence along CSAH 34 to CSAH 83, Todd County;

thence along CSAH 83 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 78. Registration Block 244. Registration Block 244 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 59 and the south boundary of the White Earth Indian Reservation; thence along said boundary to the boundary of the Tamarac National Wildlife Refuge; thence along the west, south, and east boundaries of the refuge to the south boundary of the White Earth Indian Reservation; thence along the south and east boundaries of said reservation to State Trunk Highway (STH) 113; thence along STH 113 to U.S. Highway 71; thence along U.S. Highway 71 to STH 87; thence along STH 87 to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 79. Registration Block 245. Registration Block 245 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 200 and U.S. Highway 71; thence along STH 200 to STH 371; thence along STH 371 to STH 87; thence along STH 87 to U.S. Highway 71; thence along U.S. Highway 71 to the boundary of Itasca State Park; thence along the east boundary of said park to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Subp. 80. Registration Block 246. Registration Block 246 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 71 and State Trunk Highway (STH) 87; thence along STH 87 to STH 371; thence along STH 371 to County State-Aid Highway (CSAH) 29, Crow Wing County; thence along CSAH 29 to the city limits of Lakeshore, Cass County; thence along the north, west, and south city limits of Lakeshore to County Road 107, Cass County; thence along County Road 107 to CSAH 15, Cass County; thence along CSAH 15 to CSAH 77, Cass County; thence along CSAH 77 to CSAH 18, Cass County; thence along CSAH 18 to STH 210; thence along STH 210 to U.S. Highway 10; thence along U.S. Highway 10 to CSAH 83, Todd County; thence along CSAH 83 to CSAH 34, Wadena County; thence along CSAH 34 to the west bank of the Crow Wing River; thence along the west bank of the Crow Wing River to CSAH 15, Wadena County; thence along CSAH 15 to CSAH 23, Wadena County; thence along CSAH 23 to CSAH 17, Wadena County; thence along CSAH 17 to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Subp. 81. Registration Block 247. Registration Block 247 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State-Aid Highway (CSAH) 1 and CSAH 3, Crow Wing County; thence along CSAH 3 to STH 25; thence along STH 25 to STH 18; thence along STH 18 to STH 6; thence along STH 6 to CSAH 1, Crow Wing County; thence along CSAH 1 to the point of beginning.

Subp. 82. Registration Block 248. Registration Block 248 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and State Trunk Highway (STH) 210; thence along STH 210 to County State Aid Highway (CSAH) 1, Cass County; thence along CSAH 1 to the Crow

Wing River; thence along the north shore of the Crow Wing River to its confluence with the Mississippi River; thence along the west bank of the Mississippi River to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 83. Registration Block 249. Registration Block 249 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the Mississippi River and State Trunk Highway (STH) 210 in Brainerd; thence along STH 210 to STH 25; thence along STH 25 to STH 18; thence along STH 18 to its junction with U.S. Highway 169; thence due east from said junction to the shore of Mille Lacs Lake; thence along the west, north, east, and south shore of Mille Lacs Lake to a point due north of the junction of U.S. Highway 169 and County State-Aid Highway (CSAH) 35, Mille Lacs County; thence due south to said junction; thence along U.S. Highway 169 to STH 27; thence along STH 27 to STH 25; thence along STH 25 to CSAH 48, Morrison County; thence along CSAH 48 to a junction with STH 371; thence due west to the Mississippi River; thence along the west bank of the river to the point of beginning.

Subp. 84. Registration Block 251. Registration Block 251 consists of that portion of the state known as the Tamarac National Wildlife Refuge.

Subp. 84a. Registration Block 283. Registration Block 283 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and the east boundary of the Red Lake Indian Reservation; thence along STH 1 to STH 72; thence along STH 72 to County State-Aid Highway (CSAH) 32, Beltrami County; thence along CSAH 32 to CSAH 15, Beltrami County; thence along CSAH 15 to the south boundary of the Red Lake Indian Reservation; thence along the south and east sides of the Red Lake Indian Reservation to the point of beginning.

Subp. 85. Registration Block 284. Registration Block 284 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 2 and the line between Range 37 West and Range 38 West; thence south along said range line to State Trunk Highway (STH) 113; thence along STH 113 to the west boundary of Itasca State Park; thence along the west, north, and east boundaries of said park to STH 200; thence along STH 200 to County State-Aid Highway (CSAH) 31, Hubbard County; thence along CSAH 31 to Hubbard County Road (CR) 94; thence along CR 94 to CSAH 39, Hubbard County; thence along CSAH 39 to CSAH 5, Hubbard County; thence along CSAH 5 to CSAH 69, Cass County; thence along CSAH 69 to CSAH 9, Hubbard County; thence along CSAH 9 to CSAH 45, Hubbard County; thence along CSAH 45 to CSAH 46, Hubbard County; thence along CSAH 46 to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 25, Beltrami County; thence along CSAH 25 to CSAH 8, Beltrami County; thence along CSAH 8 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 12, Beltrami County; thence along CSAH 12 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 20, Beltrami County; thence along CSAH 20 to CSAH 39, Beltrami County; thence along CSAH 39 to STH 72; thence along STH 72 to CSAH 32, Beltrami County; thence along CSAH 32 to CSAH 15, Beltrami County; thence along CSAH 15 to the south boundary of the Red Lake Indian Reservation; thence along said reservation boundary

to the Sandy River; thence along the Sandy River to CSAH 32, Beltrami County; thence west to CSAH 4, Clearwater County; thence along CSAH 4 to CSAH 14, Clearwater County; thence along CSAH 14 to CSAH 23, Clearwater County; thence along CSAH 23 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Subp. 86. Registration Block 285. Registration Block 285 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 92 and U.S. Highway 2; thence along STH 92 to County State-Aid Highway (CSAH) 5, Clearwater County; thence along CSAH 5 to the south boundary of the Red Lake Indian Reservation; thence along the south boundary of said reservation to the Sandy River; thence along the Sandy River to CSAH 32, Beltrami County; thence west to CSAH 4, Clearwater County; thence along CSAH 4 to CSAH 14, Clearwater County; thence along CSAH 14 to CSAH 23, Clearwater County; thence along CSAH 23 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Subp. 87. Repealed, 2005

Subp. 88. Registration Block 287. Registration Block 287 consists of that portion of the state known as Itasca State Park.

Subp. 89. Registration Block 297. Registration Block 297 consists of that portion of the state lying within the following described boundary:

Beginning on County State-Aid Highway (CSAH) 3, Mahnomen County, at the north boundary of Mahnomen County; thence along CSAH 3 to State Trunk Highway (STH) 113; thence along STH 113 to CSAH 13, Mahnomen County; thence along CSAH 13 to CSAH 21, Becker County; thence along CSAH 21 to STH 224; thence along STH 224 to CSAH 21, Becker County; thence along CSAH 21 to the south boundary of the White Earth Indian Reservation; thence along the south, west, and north boundaries of said reservation to the point of beginning.

Subp. 90. Registration Block 298. Registration Block 298 consists of that portion of the state lying within the following described boundary:

Beginning on County State-Aid Highway (CSAH) 3, Mahnomen County, at the north boundary of Mahnomen County; thence along CSAH 3 to State Trunk Highway (STH) 113; thence along STH 113 to CSAH 13, Mahnomen County; thence along CSAH 13 to CSAH 21, Becker County; thence along CSAH 21 to STH 224; thence along STH 224 to CSAH 23, Becker County; thence along CSAH 23 to the south boundary of the White Earth Indian Reservation; thence along said boundary to the west boundary of the Tamarac National Wildlife Refuge; thence along the west, north, and east boundaries of said refuge to the south boundary of the White Earth Indian Reservation; thence along the south and east boundaries of said reservation to STH 113; thence along STH 113 to the boundary line between Range 37 West and Range 38 West; thence along said range line to the north boundary of the White Earth Indian Reservation; thence along the north boundary of said reservation to the point of beginning.

Subp. 91. Registration Block 337. Registration Block 337 consists of that portion of the state lying within the following described boundary:

Beginning at the confluence of the South Fork of the Crow River and the Mississippi River; thence along the east bank of the Mississippi

River to U.S. Highway 61; thence along U.S. Highway 61 to County State Aid Highway (CSAH) 47, Dakota County; thence along CSAH 47 to CSAH 48, Dakota County; thence along CSAH 48 to U.S. Highway 52; thence along U.S. Highway 52 to CSAH 66, Dakota County; thence along CSAH 66 to State Trunk Highway (STH) 3; thence along STH 3 to CSAH 50, Dakota County; thence along CSAH 50 to CSAH 23, Dakota County; thence along CSAH 23 to CSAH 70, Dakota County; thence along CSAH 70 to CSAH 8, Scott County; thence along CSAH 8 to CSAH 79, Scott County; thence along CSAH 79 to STH 282; thence along STH 282 to CSAH 9, Scott County; thence along CSAH 9 to Valley View Drive, Scott County; thence along Valley View Drive to 195 Street, Scott County; thence along 195 Street to the east boundary of the Minnesota River Valley State Park; thence along the east and north boundary of said Park to the east bank of the Minnesota River; thence along the east bank of the Minnesota River to CSAH 45, Carver County; thence along CSAH 45 to CSAH 50, Carver County; thence along CSAH 50 to CSAH 43, Carver County; thence along CSAH 43 to CSAH 11, Carver County; thence along CSAH 11 to STH 5; thence along STH 5 to CSAH 30, Carver County; thence along CSAH 30 to CSAH 92, Hennepin County; thence along CSAH 92 to CSAH 6, Hennepin County; thence along CSAH 6 to CSAH 20, Carver County; thence along CSAH 20 to the South Fork of the Crow River; thence along the east bank of the South Fork of the Crow River to the point of beginning.

Subp. 92. Registration Block 338. Registration Block 338 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 5 and STH 25; thence along STH 25 to the west bank of the Minnesota River; thence along the west bank of the Minnesota River to STH 19; thence along STH 19 to Interstate Highway 35 (I-35); thence along I-35 to County State Aid Highway (CSAH) 70, Dakota County; thence along CSAH 70 to CSAH 8, Scott County; thence along CSAH 8 to CSAH 79, Scott County; thence along CSAH 79 to STH 282; thence along STH 282 to CSAH 9, Scott County; thence along CSAH 9 to Valley View Drive, Scott County; thence along Valley View Drive to 195 Street, Scott County; thence along 195 Street to the east boundary of the Minnesota River Valley State Park; thence along the east and north boundary of said park to the east bank of the Minnesota River; thence along the east bank of the Minnesota River to CSAH 45, Carver County; thence along CSAH 45 to CSAH 50, Carver County; thence along CSAH 50 to CSAH 43, Carver County; thence along CSAH 43 to CSAH 11, Carver County; thence along CSAH 11 to STH 5; thence along STH 5 to CSAH 30, Carver County; thence along CSAH 30 to CSAH 92, Hennepin County; thence along CSAH 92 to CSAH 6, Hennepin County; thence along CSAH 6 to CSAH 20, Carver County; thence along CSAH 20 to the east bank of the South Fork of the Crow Wing River; thence along the east bank of the South Fork of the Crow Wing River to STH 25; thence along STH 25 to the point of beginning.

Subp. 93. Registration Block 339. Registration Block 339 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of Interstate Highway 35 (I-35) and State Trunk Highway (STH) 19; thence along STH 19 to the Little

Cannon River; thence along the west bank of the Little Cannon River to its confluence with the Cannon River; thence along the north bank of the Cannon River to U.S. Highway 61; thence along U.S. Highway 61 to County State Aid Highway (CSAH) 18, Goodhue County; thence along CSAH 18 to Lock and Dam No. 3 and the east boundary of the state; thence along the east boundary of the state to the Mississippi River; thence along the east bank of the Mississippi River to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 47, Dakota County; thence along CSAH 47 to CSAH 48, Dakota County; thence along CSAH 48 to U.S. Highway 52; thence along U.S. Highway 52 to CSAH 66, Dakota County; thence along CSAH 66 to STH 3; thence along STH 3 to CSAH 50, Dakota County; thence along CSAH 50 to CSAH 23, Dakota County; thence along CSAH 23 to CSAH 70, Dakota County; thence along CSAH 70 to I-35; thence along I-35 to the point of beginning.

Subp. 94. Registration Block 341. Registration Block 341 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 19 and U.S. Highway 52; thence along U.S. Highway 52 to STH 57; thence along STH 57 to County State Aid Highway (CSAH) 24, Dodge County; thence along CSAH 24 to CSAH 13, Olmsted County; thence along CSAH 13 to the municipal boundary of Pine Island; thence along the municipal boundary of Pine Island to U.S. Highway 52; thence along U.S. Highway 52 to CSAH 12, Olmsted County; thence along CSAH 12 to U.S. Highway 63; thence along U.S. Highway 63 to U.S. Highway 61; thence due east to the east boundary of the state; thence along the east boundary of the state to Lock and Dam No. 3; thence along CSAH 18, Goodhue County to U.S. Highway 61; thence along U.S. Highway 61 to the Cannon River; thence along the north bank of the Cannon River to the west bank of the Little Cannon River; thence along the west bank of the Little Cannon River to STH 19; thence along STH 19 to the point of beginning.

Subp. 95. Registration Block 342. Registration Block 342 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 247 and U.S. Highway 63; thence along U.S. Highway 63 to U.S. Highway 61; thence due east to the east boundary of the state; thence along the east boundary of the state to the south boundary of Wabasha County; thence along the south boundary of Wabasha County to U.S. Highway 61; thence along U.S. Highway 61 to County State Aid Highway (CSAH) 14, Wabasha County; thence along CSAH 14 to STH 42; thence along STH 42 to STH 247; thence along STH 247 to the point of beginning.

Subp. 96. Registration Block 343. Registration Block 343 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 247 and County State Aid Highway (CSAH) 4, Wabasha County; thence along CSAH 4 to CSAH 10, Olmsted County; thence along CSAH 10 to CSAH 9, Olmsted County; thence along CSAH 9 to CSAH 22, Winona County; thence along CSAH 22 to STH 74; thence along STH 74 to STH 30; thence along STH 30 to CSAH 13, Dodge County; thence along CSAH 13 to U.S. Highway 14; thence along U.S. Highway 14 to STH 57;

thence along STH 57 to CSAH 24, Dodge County; thence along CSAH 24 to CSAH 13, Olmsted County; thence along CSAH 13 to U.S. Highway 52; thence along U.S. Highway 52 to CSAH 12, Olmsted County; thence along CSAH 12 to STH 247; thence along STH 247 to the point of beginning.

Subp. 97. Registration Block 344. Registration Block 344 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 42 and County State Aid Highway (CSAH) 4, Wabasha County; thence along CSAH 4 to CSAH 10, Olmsted County; thence along CSAH 10 to CSAH 9, Olmsted County; thence along CSAH 9 to CSAH 22, Winona County; thence along CSAH 22 to STH 74; thence along STH 74 to U.S. Highway 14; thence along U.S. Highway 14 to CSAH 33, Winona County; thence along CSAH 33 to STH 248; thence along STH 248 to CSAH 31, Winona County; thence along CSAH 31 to CSAH 28, Winona County; thence along CSAH 28 to CSAH 25, Winona County; thence along CSAH 25 to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 14, Wabasha County; thence along CSAH 14 to STH 42; thence along STH 42 to the point of beginning.

Subp. 98. Registration Block 345. Registration Block 345 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 74 and STH 30; thence along STH 30 to STH 43; thence along STH 43 to the east boundary of the state; thence along the east boundary of the state to the south boundary of Wabasha County; thence due west along the south boundary of Wabasha County to U.S. Highway 61; thence along U.S. Highway 61 to County State Aid Highway (CSAH) 25, Winona County; thence along CSAH 25 to CSAH 28, Winona County; thence along CSAH 28 to CSAH 31, Winona County; thence along CSAH 31 to STH 248; thence along STH 248 to CSAH 33, Winona County; thence along CSAH 33 to U.S. Highway 14; thence along U.S. Highway 14 to STH 74; thence along STH 74 to the point of beginning.

Subp. 99. Registration Block 346. Registration Block 346 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 43 and the Root River; thence along the Root River to the east boundary of the state; thence along the east boundary of the state to STH 43; thence along STH 43 to the point of beginning.

Subp. 100. Registration Block 347. Registration Block 347 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 63 and State Trunk Highway (STH) 30; thence along U.S. Highway 63 to the south boundary of the state; thence along the south boundary of the state to U.S. Highway 52; thence along U.S. Highway 52 to STH 30; thence along STH 30 to the point of beginning.

Subp. 101. Registration Block 348. Registration Block 348 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 30 and U.S. Highway 52; thence along U.S. Highway 52 to STH 139; thence along STH 139 to the south boundary of the state; thence along the south boundary of the state to County State Aid Highway (CSAH) 28,

Fillmore County; thence along CSAH 28 to STH 44; thence along STH 44 to STH 43; thence along STH 43 to STH 30; thence along STH 30 to the point of beginning.

Subp. 102. Registration Block 349. Registration Block 349 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the Root River and State Trunk Highway (STH) 43; thence along STH 43 to STH 44; thence along STH 44 to County State Aid Highway (CSAH) 28, Fillmore County; thence along CSAH 28 to the south boundary of the state; thence along the south and east boundaries of the state to the mouth of the Root River; thence up the Root River to the point of beginning.

Subp. 103. Registration Block 401. Registration Block 401 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 75 and the north boundary of the state; thence along U.S. Highway 75 to U.S. Highway 2; thence along U.S. Highway 2 to the west boundary of the state; thence along the west and north boundaries of the state to the point of beginning.

Subp. 104. Registration Block 402. Registration Block 402 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 2 and the west boundary of the state; thence along U.S. Highway 2 to State Trunk Highway (STH) 9; thence along STH 9 to U.S. Highway 10; thence along U.S. Highway 10 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Subp. 105. Registration Block 403. Registration Block 403 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 75 and the north boundary of the state; thence along the north boundary of the state to U.S. Highway 59; thence along U.S. Highway 59 to State Trunk Highway (STH) 11; thence along STH 11 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Subp. 106. Registration Block 404. Registration Block 404 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 11 and U.S. Highway 75; thence along STH 11 to U.S. Highway 59; thence along U.S. Highway 59 to STH 1; thence along STH 1 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Subp. 107. Registration Block 405. Registration Block 405 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and U.S. Highway 75; thence along STH 1 to STH 32; thence along STH 32 to STH 102; thence along STH 102 to STH 9; thence along STH 9 to U.S. Highway 2; thence along U.S. Highway 2 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Subp. 108. Registration Block 406. Registration Block 406 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 59 and State Trunk Highway (STH) 32; thence along U.S. Highway 59 to County State Aid Highway (CSAH) 1, Polk County; thence along CSAH 1 to STH 32; thence along STH 32 to the point of beginning.

Subp. 109. Registration Block 407. Registration Block 407 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 9 and STH 102; thence along STH 102 to STH 32; thence along STH 32 to U.S. Highway 10; thence along U.S. Highway 10 to STH 9; thence along STH 9 to the point of beginning.

Subp. 110. Registration Block 408. Registration Block 408 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and County State Aid Highway (CSAH) 1, Polk County; thence along CSAH 1 to U.S. Highway 59; thence along U.S. Highway 59 to the north boundary of the White Earth Indian Reservation; thence west, south, and east along the boundary of said reservation to U.S. Highway 59; thence along U.S. Highway 59 to U.S. Highway 10; thence along U.S. Highway 10 to STH 32; thence along STH 32 to the point of beginning.

Subp. 111. Registration Block 409. Registration Block 409 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and State Trunk Highway (STH) 87; thence along STH 87 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 112. Registration Block 410. Registration Block 410 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and U.S. Highway 59; thence along U.S. Highway 10 to State Trunk Highway (STH) 78; thence along STH 78 to STH 210; thence along STH 210 to Interstate Highway 94 (I-94); thence along I-94 to STH 34; thence along STH 34 to STH 32; thence along STH 32 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 113. Registration Block 411. Registration Block 411 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and U.S. Highway 71; thence along U.S. Highway 71 to County State Aid Highway (CSAH) 22, Todd County; thence along CSAH 22 to CSAH 46, Otter Tail County; thence along CSAH 46 to State Trunk Highway (STH) 235; thence along STH 235 to CSAH 38, Otter Tail County; thence along CSAH 38 to STH 78; thence along STH 78 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 114. Registration Block 412. Registration Block 412 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 210 and Interstate Highway 94 (I-94); thence along STH 210 to STH 78; thence along STH 78 to County State Aid Highway (CSAH) 38, Otter Tail County; thence along CSAH 38 to STH 235; thence along STH 235 to STH 29; thence along STH 29 to STH 28; thence along STH 28 to U.S. Highway 59; thence along U.S. Highway 59 to I-94; thence along I-94 to the point of beginning.

Subp. 115. Registration Block 413. Registration Block 413 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 46, Otter Tail County, and State Trunk Highway (STH) 29; thence along STH 29 to STH 28; thence along STH 28 to U.S. Highway 71; thence

along U.S. Highway 71 to CSAH 22, Todd County; thence along CSAH 22 to CSAH 46, Otter Tail County; thence along CSAH 46 to the point of beginning.

Subp. 116. Registration Block 414. Registration Block 414 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 71 and U.S. Highway 10; thence along U.S. Highway 10 to State Trunk Highway (STH) 27; thence along STH 27 to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Subp. 117. Registration Block 415. Registration Block 415 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 27 and U.S. Highway 71; thence along U.S. Highway 71 to Interstate (I) 94; thence along I 94 to County State Aid Highway (CSAH) 75, Stearns County; thence along CSAH 75 to STH 23; thence along STH 23 to the east bank of the Mississippi River; thence along the east bank of the Mississippi River to STH 27; thence along STH 27 to the point of beginning.

Subp. 118. Registration Block 416. Registration Block 416 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 59 and State Trunk Highway (STH) 28; thence along STH 28 to STH 104; thence along STH 104 to U.S. Highway 12; thence along U.S. Highway 12 to STH 9; thence along STH 9 to STH 28; thence along STH 28 to the point of beginning.

Subp. 119. Registration Block 417. Registration Block 417 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 28 and STH 104; thence along STH 104 to U.S. Highway 12; thence along U.S. Highway 12 to STH 4; thence along STH 4 to Interstate Highway 94 (I-94); thence along I-94 to STH 28; thence along STH 28 to the point of beginning. Subp. 120.

Subp. 120. Registration Block 418. Registration Block 418 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of Interstate (I) 94 and State Trunk Highway (STH) 4; thence along STH 4 to U.S. Highway 12; thence along U.S. Highway 12 to STH 15; thence along STH 15 to County State Aid Highway (CSAH) 75, Stearns County; thence along CSAH 75 to I 94; thence along I 94 to the point of beginning.

Subp. 121. Registration Block 419. Registration Block 419 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 23 and STH 15; thence along STH 15 to U.S. Highway 12; thence along U.S. Highway 12 to County State Aid Highway (CSAH) 9, Wright County; thence along CSAH 9 to CSAH 35, Wright County; thence along CSAH 35 to CSAH 8, Wright County; thence along CSAH 8 to Interstate Highway 94 (I-94); thence along I-94 to STH 24; thence along STH 24 to the Mississippi River; thence along the northeast bank of the Mississippi River to STH 23; thence along STH 23 to the point of beginning.

Subp. 122. Registration Block 420. Registration Block 420 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and the west boundary of the state; thence along U.S. Highway 10 to State Trunk Highway (STH) 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to County State Aid Highway (CSAH) 24, Otter Tail County; thence along CSAH 24 to CSAH 26, Wilkin County; thence along CSAH 26 to its junction with U.S. Highway 75; thence due west to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Subp. 123. Registration Block 421. Registration Block 421 consists of that portion of the state lying within the following described boundary:

Beginning at a point on the west boundary of the state due west of the junction of County State Aid Highway (CSAH) 26, Wilkin County, and U.S. Highway 75; thence due east to said junction; thence along CSAH 26 to CSAH 24, Otter Tail County; thence along CSAH 24 to Interstate Highway 94 (I-94); thence along I-94 to U.S. Highway 59; thence along U.S. Highway 59 to State Trunk Highway (STH) 55; thence along STH 55 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Subp. 124. Registration Block 422. Registration Block 422 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 55 and the west boundary of the state; thence along STH 55 to the west boundary of Grant County; thence along the west boundary of Grant County to the west boundary of Stevens County; thence along the west boundary of Stevens County to STH 28; thence along STH 28 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Subp. 125. Registration Block 423. Registration Block 423 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 55 and U.S. Highway 59; thence along U.S. Highway 59 to STH 28; thence along STH 28 to the west boundary of Stevens County; thence along the west boundary of Stevens County to the west boundary of Grant County; thence along the west boundary of Grant County to STH 55; thence along STH 55 to the point of beginning.

Subp. 126. Registration Block 424. Registration Block 424 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 28 and STH 9; thence along STH 9 to STH 29; thence along STH 29 to STH 40; thence along STH 40 to STH 7; thence along STH 7 to County State Aid Highway (CSAH) 25, Big Stone County; thence along CSAH 25 to CSAH 10, Big Stone County; thence along CSAH 10 to CSAH 21, Big Stone County; thence along CSAH 21 to STH 28; thence along STH 28 to the point of beginning.

Subp. 127. Registration Block 425. Registration Block 425 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 12 and State Trunk Highway (STH) 29; thence along STH 29 to STH 7; thence along STH 7 to County State Aid Highway (CSAH) 4, Chippewa County; thence along CSAH 4 to STH 23; thence along STH 23 to U.S. Highway 212; thence along U.S. Highway 212 to U.S. Highway 71; thence along U.S.

Highway 71 to U.S. Highway 12; thence along U.S. Highway 12 to the point of beginning.

Subp. 128. Registration Block 426. Registration Block 426 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 12 and U.S. Highway 71; thence along U.S. Highway 71 to County State Aid Highway (CSAH) 4, Renville County; thence along CSAH 4 to State Trunk Highway (STH) 4; thence along STH 4 to STH 7; thence along STH 7 to STH 22; thence along STH 22 to U.S. Highway 12; thence along U.S. Highway 12 to the point of beginning.

Subp. 129. Registration Block 427. Registration Block 427 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 7 and STH 4; thence along STH 4 to STH 19; thence along STH 19 to STH 15; thence along STH 15 to County State Aid Highway (CSAH) 1, Nicollet County; thence along CSAH 1 to STH 22; thence along STH 22 to CSAH 2, Nicollet County; thence along CSAH 2 to CSAH 9, Sibley County; thence along CSAH 9 to STH 5; thence along STH 5 to U.S. Highway 212; thence along U.S. Highway 212 to STH 22; thence along STH 22 to STH 7; thence along STH 7 to the point of beginning.

Subp. 130. Registration Block 428. Registration Block 428 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 12 and State Trunk Highway (STH) 22; thence along STH 22 to U.S. Highway 212; thence along U.S. Highway 212 to STH 25; thence along STH 25 to the South Fork Crow River at Watertown; thence along the east bank of the South Fork Crow River to U.S. Highway 12 at Delano; thence along U.S. Highway 12 to the point of beginning.

Subp. 130a. Registration Block 429. Registration Block 429 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 8, Wright County and Interstate Highway 94 (I-94); thence along I-94 to State Trunk Highway (STH) 24; thence along STH 24 to the Mississippi River; thence along the northeast bank of the Mississippi River to the confluence of the Mississippi River and the south fork of the Crow River; thence along the east bank of the south fork of the Crow River to U.S. Highway 12; thence along U.S. Highway 12 to CSAH 9, Wright County; thence along CSAH 9 to CSAH 35, Wright County; thence along CSAH 35 to CSAH 8, Wright County; thence along CSAH 8 to the point of beginning.

Subp. 131. Registration Block 431. Registration Block 431 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the west boundary of the state and State Trunk Highway (STH) 28; thence along STH 28 to County State Aid Highway (CSAH) 21, Big Stone County; thence along CSAH 21 to CSAH 10, Big Stone County; thence along CSAH 10 to CSAH 25, Big Stone County; thence along CSAH 25 to STH 7; thence along STH 7 to U.S. Highway 12; thence along U.S. Highway 12 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Subp. 132. Registration Block 433. Registration Block 433 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the west boundary of the state and U.S. Highway 12; thence along U.S. Highway 12 to State Trunk Highway (STH) 7; thence along STH 7 to STH 40; thence along STH 40 to STH 29; thence along STH 29 to STH 7; thence along STH 7 to U.S. Highway 212; thence along U.S. Highway 212 to County State Aid Highway (CSAH) 31, Lac qui Parle County; thence along CSAH 31 to CSAH 20, Lac qui Parle County; thence along CSAH 20 to STH 40; thence along STH 40 to STH 119; thence along STH 119 to CSAH 28, Lac qui Parle County; thence along CSAH 28 to U.S. Highway 75; thence along U.S. Highway 75 to CSAH 24, Lac qui Parle County; thence along CSAH 24 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Subp. 133. Registration Block 435. Registration Block 435 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 212 and State Trunk Highway (STH) 7; thence along STH 7 to County State Aid Highway (CSAH) 4, Chippewa County; thence along CSAH 4 to STH 23; thence along STH 23 to U.S. Highway 212; thence along U.S. Highway 212 to U.S. Highway 71; thence along U.S. Highway 71 to STH 19; thence along STH 19 to STH 273; thence along STH 273 to CSAH 9, Redwood County; thence along CSAH 9 to CSAH 1, Yellow Medicine County; thence along CSAH 1 to STH 67; thence along STH 67 to CSAH 2, Yellow Medicine County; thence along CSAH 2 to STH 23; thence along STH 23 to CSAH 43, Yellow Medicine County; thence along CSAH 43 to STH 67; thence along STH 67 to CSAH 8, Yellow Medicine County; thence along CSAH 8 to CSAH 19, Yellow Medicine County; thence along CSAH 19 to U.S. Highway 212; thence along U.S. Highway 212 to the point of beginning.

Subp. 134. Registration Block 440. Registration Block 440 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 71 and County State Aid Highway (CSAH) 4, Renville County; thence along CSAH 4 to State Trunk Highway (STH) 4; thence along STH 4 to STH 19; thence along STH 19 to STH 15; thence along STH 15 to STH 257; thence along STH 257 to CSAH 20, Brown County; thence along CSAH 20 to CSAH 11, Brown County; thence along CSAH 11 to CSAH 24, Brown County; thence along CSAH 24 to STH 4; thence along STH 4 to STH 68; thence along STH 68 to STH 67; thence along STH 67 to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Subp. 135. Registration Block 442. Registration Block 442 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 5 and County State Aid Highway (CSAH) 9, Sibley County; thence along STH 5 to STH 25; thence along STH 25 to the Minnesota River; thence along the north bank of the Minnesota River to STH 19; thence along STH 19 to CSAH 11, LeSueur County; thence along CSAH 11 to STH 99; thence along STH 99 to CSAH 15, LeSueur County; thence along CSAH 15 to CSAH 26, Blue Earth County; thence along CSAH 26 to STH 60; thence along STH 60 to CSAH 6, Blue Earth County; thence along CSAH 6 to CSAH 22, Blue Earth County; thence along CSAH 22 to CSAH 19, Brown County; thence along CSAH 19 to STH 15; thence along STH 15 to CSAH 1, Nicollet County; thence along CSAH 1 to STH

22; thence along STH 22 to CSAH 2, Nicollet County; thence along CSAH 2 to CSAH 3, Nicollet County; thence along CSAH 3 to CSAH 9, Sibley County; thence along CSAH 9 to the point of beginning.

Subp. 136. Registration Block 443. Registration Block 443 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 15 and County State Aid Highway (CSAH) 19, Brown County; thence along CSAH 19 to CSAH 22, Blue Earth County; thence along CSAH 22 to CSAH 6, Blue Earth County; thence along CSAH 6 to STH 60; thence along STH 60 to STH 22; thence along STH 22 to STH 30; thence along STH 30 to STH 15; thence along STH 15 to the point of beginning.

Subp. 137. Registration Block 446. Registration Block 446 consists of that portion of the state lying within the following described boundary:

Beginning on State Trunk Highway (STH) 40 at the west boundary of the state; thence along the west boundary of the state to the south boundary of Yellow Medicine County; thence east along the south boundary of Yellow Medicine County to U.S. Highway 75; thence along U.S. Highway 75 to STH 40; thence along STH 40 to the point of beginning.

Subp. 138. Registration Block 447. Registration Block 447 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 28, Lac qui Parle County, and U.S. Highway 75; thence along U.S. Highway 75 to the south boundary of Yellow Medicine County; thence along the south boundary of Yellow Medicine County to State Trunk Highway (STH) 23; thence along STH 23 to CSAH 43, Yellow Medicine County; thence along CSAH 43 to STH 67; thence along STH 67 to CSAH 8, Yellow Medicine County; thence along CSAH 8 to CSAH 19, Yellow Medicine County; thence along CSAH 19 to U.S. Highway 212; thence along U.S. Highway 212 to CSAH 31, Lac qui Parle County; thence along CSAH 31 to CSAH 20, Lac qui Parle County; thence along CSAH 20 to STH 40; thence along STH 40 to STH 119; thence along STH 119 to CSAH 28, Lac qui Parle County; thence along CSAH 28 to the point of beginning.

Subp. 139. Registration Block 448. Registration Block 448 consists of that portion of the state lying within the following described boundary:

Beginning on the west boundary of the state at the north boundary of Lincoln County; thence along the west boundary of the state to U.S. Highway 14; thence along U.S. Highway 14 to the east boundary of Lincoln County; thence along the east boundary of Lincoln County to the north boundary of Lincoln County; thence along the north boundary of Lincoln County to the point of beginning.

Subp. 140. Registration Block 449. Registration Block 449 consists of that portion of the state lying within the following described boundary:

Beginning at the northwest corner of Lyon County; thence along the west boundary of Lyon County to U.S. Highway 14; thence along U.S. Highway 14 to the east boundary of Lyon County; thence along said boundary to County State Aid Highway (CSAH) 22, Lyon County; thence along CSAH 22 to CSAH 9, Lyon County; thence along CSAH 9 to State Trunk Highway (STH) 23; thence along STH 23 to the north

boundary of Lyon County; thence along the north boundary of Lyon County to the point of beginning.

Subp. 141. Registration Block 450. Registration Block 450 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 22, Lyon County, and the west boundary of Redwood County; thence along said boundary to U.S. Highway 14; thence along U.S. Highway 14 to State Trunk Highway (STH) 4; thence along STH 4 to STH 68; thence along STH 68 to STH 67; thence along STH 67 to STH 273; thence along STH 273 to CSAH 9, Redwood County; thence along CSAH 9 to CSAH 1, Yellow Medicine County; thence along CSAH 1 to STH 67; thence along STH 67 to CSAH 2, Yellow Medicine County; thence along CSAH 2 to STH 23; thence along STH 23 to CSAH 9, Lyon County; thence along CSAH 9 to CSAH 22, Lyon County; thence along CSAH 22 to the point of beginning.

Subp. 142. Registration Block 451. Registration Block 451 consists of that portion of the state lying within the following described boundary:

Beginning on U.S. Highway 14 at the west boundary of the state; thence along the west boundary of the state to the south boundary of Pipestone County; thence along the south boundary of Pipestone County to U.S. Highway 75; thence along U.S. Highway 75 to State Trunk Highway (STH) 268; thence along STH 268 to County State Aid Highway (CSAH) 18, Pipestone County; thence along CSAH 18 to CSAH 1, Pipestone County; thence along CSAH 1 to CSAH 1, Murray County; thence along CSAH 1 to STH 91; thence along STH 91 to U.S. Highway 14; thence along U.S. Highway 14 to the point of beginning.

Subp. 143. Registration Block 452. Registration Block 452 consists of that portion of the state lying within the following described boundary:

Beginning at the north boundary of Rock County at the west boundary of the state; thence along the west and south boundaries of the state to State Trunk Highway (STH) 91; thence along STH 91 to County State Aid Highway (CSAH) 1, Murray County; thence along CSAH 1 to CSAH 1, Pipestone County; thence along CSAH 1 to CSAH 18, Pipestone County; thence along CSAH 18 to STH 268; thence along STH 268 to U.S. Highway 75; thence along U.S. Highway 75 to the north boundary of Rock County; thence along the north boundary of Rock County to the point of beginning.

Subp. 144. Registration Block 453. Registration Block 453 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 30 and STH 91; thence along STH 91 to the south boundary of the state; thence along the south boundary of the state to County State Aid Highway (CSAH) 3, Nobles County; thence along CSAH 3 to STH 264; thence along STH 264 to CSAH 1, Jackson County; thence along CSAH 1 to CSAH 1, Nobles County; thence along CSAH 1 to CSAH 18, Nobles County; thence along CSAH 18 to CSAH 3, Nobles County; thence along CSAH 3 to the south boundary of Murray County; thence along the south boundary of Murray County to CSAH 42, Murray County; thence along CSAH 42 to STH 62; thence along STH 62 to U.S. Highway 59; thence along U.S. Highway 59 to STH 30; thence along STH 30 to the point of beginning.

Subp. 145. Registration Block 454. Registration Block 454 consists of that portion of the state lying within the following described boundary, except that part comprising Block 455:

Beginning at the intersection of U.S. Highway 14 and State Trunk Highway (STH) 91; thence along STH 91 to STH 30; thence along STH 30 to U.S. Highway 59; thence along U.S. Highway 59 to STH 62; thence along STH 62 to County State Aid Highway (CSAH) 42, Murray County; thence along CSAH 42 to the south boundary of Murray County; thence along said boundary to CSAH 3, Nobles County; thence along CSAH 3 to CSAH 18, Nobles County; thence along CSAH 18 to CSAH 32, Jackson County; thence along CSAH 32 to CSAH 9, Jackson County; thence along CSAH 9 to CSAH 5, Cottonwood County; thence along CSAH 5 to STH 62; thence along STH 62 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 14; thence along U.S. Highway 14 to the point of beginning.

Subp. 146. Registration Block 455. Registration Block 455 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 6, Murray County, and CSAH 42, Murray County; thence along CSAH 42 to the south boundary of Murray County; thence along said boundary to CSAH 3, Nobles County; thence along CSAH 3 to CSAH 18, Nobles County; thence along CSAH 18 to CSAH 32, Jackson County; thence along CSAH 32 to CSAH 9, Jackson County; thence along CSAH 9 to CSAH 5, Cottonwood County; thence along CSAH 5 to CSAH 13, Cottonwood County; thence along CSAH 13 to CSAH 6, Murray County; thence along CSAH 6 to the point of beginning.

Subp. 147. Registration Block 456. Registration Block 456 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 1, Nobles County, and CSAH 18, Nobles County; thence along CSAH 1 to CSAH 1, Jackson County; thence along CSAH 1 to State Trunk Highway (STH) 264; thence along STH 264 to CSAH 3, Nobles County; thence along CSAH 3 to the south boundary of the state; thence along the south boundary of the state to CSAH 23, Jackson County; thence along CSAH 23 to CSAH 8, Jackson County; thence along CSAH 8 to CSAH 29, Jackson County; thence along CSAH 29 to CSAH 36, Jackson County; thence along CSAH 36 to CSAH 1, Cottonwood County; thence along CSAH 1 to STH 60; thence along STH 60 to STH 62; thence along STH 62 to CSAH 5, Cottonwood County; thence along CSAH 5 to CSAH 9, Jackson County; thence along CSAH 9 to CSAH 32, Jackson County; thence along CSAH 32 to CSAH 18, Nobles County; thence along CSAH 18 to the point of beginning.

Subp. 148. Registration Block 457. Registration Block 457 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 14 and U.S. Highway 71; thence along U.S. Highway 71 to State Trunk Highway (STH) 60; thence along STH 60 to STH 15; thence along STH 15 to STH 257; thence along STH 257 to County State Aid Highway (CSAH) 20, Brown County; thence along CSAH 20 to CSAH 11, Brown County; thence along CSAH 11 to CSAH 24, Brown County; thence along CSAH 24 to STH 4; thence along STH 4 to U.S. Highway 14; thence along U.S. Highway 14 to the point of beginning.

Subp. 149. Registration Block 458. Registration Block 458 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 60 and County State Aid Highway (CSAH) 1, Cottonwood County; thence along CSAH 1 to CSAH 36, Jackson County; thence along CSAH 36 to CSAH 29, Jackson County; thence along CSAH 29 to CSAH 8, Jackson County; thence along CSAH 8 to CSAH 23, Jackson County; thence along CSAH 23 to the south boundary of the state; thence along the south boundary of the state to STH 15; thence along STH 15 to STH 60; thence along STH 60 to the point of beginning.

Subp. 150. Registration Block 459. Registration Block 459 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 30 and STH 15; thence along STH 15 to the south boundary of the state; thence along the south boundary of the state to STH 22; thence along STH 22 to County State Aid Highway (CSAH) 29, Faribault County; thence along CSAH 29 to CSAH 3, Waseca County; thence along CSAH 3 to STH 30; thence along STH 30 to the point of beginning.

Subp. 151. Registration Block 461. Registration Block 461 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 19 and County State Aid Highway (CSAH) 11, LeSueur County; thence along CSAH 11 to STH 99; thence along STH 99 to CSAH 15, LeSueur County; thence along CSAH 15 to CSAH 26, Blue Earth County; thence along CSAH 26 to STH 60; thence along STH 60 to CSAH 16, Rice County; thence along CSAH 16 to CSAH 15, Rice County; thence along CSAH 15 to Interstate Highway 35 (I-35); thence along I-35 to STH 19; thence along STH 19 to the point of beginning. STH 135 to the point of beginning.

Subp. 152. Registration Block 462. Registration Block 462 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 19 and Interstate Highway 35 (I-35); thence along I-35 to County State Aid Highway (CSAH) 12, Steele County; thence along CSAH 12 to CSAH 24, Dodge County; thence along CSAH 24 to CSAH 22, Dodge County; thence along CSAH 22 to STH 57; thence along STH 57 to U.S. Highway 52; thence along U.S. Highway 52 to STH 19; thence along STH 19 to the point of beginning.

Subp. 153. Registration Block 463. Registration Block 463 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 60 and STH 22; thence along STH 22 to STH 30; thence along STH 30 to STH 13; thence along STH 13 to STH 60; thence along STH 60 to the point of beginning.

Subp. 154. Registration Block 464. Registration Block 464 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 60 and STH 13; thence along STH 13 to STH 30; thence along STH 30 to U.S. Highway 218; thence along U.S. Highway 218 to Interstate Highway 35 (I-35); thence along I-35 to County State Aid Highway (CSAH) 15, Rice County; thence along CSAH 15 to CSAH 16, Rice County; thence

along CSAH 16 to STH 60; thence along STH 60 to the point of beginning.

Subp. 155. Registration Block 465. Registration Block 465 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 12, Steele County, and Interstate Highway 35 (I-35); thence along I-35 to U.S. Highway 218; thence along U.S. Highway 218 to State Trunk Highway (STH) 30; thence along STH 30 to CSAH 13, Dodge County; thence along CSAH 13 to U.S. Highway 14; thence along U.S. Highway 14 to STH 57; thence along STH 57 to CSAH 22, Dodge County; thence along CSAH 22 to CSAH 24, Dodge County; thence along CSAH 24 to CSAH 12, Steele County; thence along CSAH 12 to the point of beginning.

Subp. 156. Registration Block 466. Registration Block 466 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 30 and County State Aid Highway (CSAH) 3, Waseca County; thence along CSAH 3 to CSAH 29, Faribault County; thence along CSAH 29 to STH 22; thence along STH 22 to the south boundary of the state; thence along the south boundary of the state to STH 105; thence along STH 105 to STH 116 in Austin; thence along STH 116 to U.S. Highway 218; thence along U.S. Highway 218 to STH 30; thence along STH 30 to the point of beginning.

Subp. 157. Registration Block 467. Registration Block 467 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 30 and U.S. Highway 218; thence along U.S. Highway 218 to STH 116; thence along STH 116 to STH 105; thence along STH 105 to the south boundary of the state; thence along the south boundary of the state to U.S. Highway 63; thence along U.S. Highway 63 to STH 30; thence along STH 30 to the point of beginning.

SMALL GAME CHAPTER 6234

6234.0100 GENERAL RESTRICTIONS FOR TAKING SMALL GAME.

Subpart 1. Use of handguns. All species of small game which may lawfully be taken with a rifle may also be taken with a handgun, subject to the same caliber restrictions that apply to rifles.

Subp. 2. Unattended electronic devices prohibited. A person may not use an unattended electronic device for the purpose of taking small game, except game birds.

Subp. 3. Wounded game included in bag limit. Wounded or captured game reduced to possession must be killed before being removed from the site where taken, and once reduced to possession must be included in a person's daily bag limit.

Subp. 4. Shooting at grouse prohibited near motor vehicle. A person in the vicinity of a motor vehicle may not discharge a firearm or an arrow from a bow at a grouse, or at a decoy of a grouse placed by an enforcement officer, unless the person is at least 20 yards from the vehicle and the vehicle's engine is shut off. This subpart does not apply to a person with a disability permit under Minnesota Statutes, section 97B.055, subdivision 3. "Motor vehicle" as used in this subpart has the meaning given in Minnesota Statutes, section 97A.015, subdivision 32.

6234.0200 TAKING RUFFED GROUSE AND SPRUCE GROUSE.

Subpart 1. Open season. Ruffed grouse and spruce grouse may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to December 31.

Subp. 2. Bag limit. A person may not take more than an aggregate of five ruffed grouse and spruce grouse per day or possess an aggregate of more than ten ruffed grouse and spruce grouse at a time.

6234.0300 TAKING SHARP-TAILED GROUSE.

Subpart 1. Bag limits. A person may not take more than three sharp-tailed grouse per day or possess more than six sharp-tailed grouse at a time.

Subp. 2. Open area. The open area to take sharp-tailed grouse is statewide except in that portion of the state lying within the following described boundary:

Beginning on U.S. Highway 2 at the west boundary of the state; thence along U.S. Highway 2 to U.S. Highway 71; thence northeast along U.S. Highway 71 to State Trunk Highway (STH) 1; thence east along STH 1 to STH 73; thence south along STH 73 to U.S. Highway 2; thence west on U.S. Highway 2 to STH 200; thence west on STH 200 to STH 6; thence south on STH 6 to STH 18; thence east on STH 18 to STH 65; thence south on STH 65 to STH 70; thence east on STH 70 to the east boundary of the state; thence along the east, south, and west boundary of the state to the point of beginning.

In addition, a person with a valid prairie chicken license may take sharp-tailed grouse in an open prairie chicken permit area where the person is licensed to take prairie chickens during the time the license is valid. The taking of sharp-tailed grouse by a licensed prairie chicken hunter is subject to all other restrictions for taking sharp-tailed grouse and the person must meet small game hunting license requirements to take sharp-tailed grouse.

Subp. 3. Open season. Sharp-tailed grouse may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to November 30.

6234.0400 TAKING PHEASANTS.

Subpart 1. Open season. Only cock (male) pheasants may be taken by firearm or bow and arrow from the Saturday on or nearest October 13 to December 31 from 9:00 a.m. to sunset each day.

Subp. 2. Bag limit. A person may not take more than two cock pheasants per day or possess more than six cock pheasants at a time.

Subp. 3. Firearm restriction. A person may not take pheasants with a rifle or handgun other than a .22 caliber rimfire using short, long, or long rifle ammunition.

6234.0500 TAKING GRAY PARTRIDGE.

Subpart 1. Open season. Gray (Hungarian) partridge may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to December 31.

Subp. 2. Rifle restriction. A person may not take gray partridge with a rifle or handgun other than a .22 caliber rimfire using short, long, or long rifle ammunition.

6234.0600 TAKING JACK RABBITS, COTTONTAIL RABBITS, AND SNOWSHOE HARES.

Subpart 1. Open season. Jack rabbits, cottontail rabbits, and snowshoe hares may be taken by legal firearm, bow and arrow, and traps from the Saturday nearest September 16 to the last day in February.

Subp. 2. Bag limits. A person may not take more than ten cottontail rabbits, jack rabbits, and snowshoe hares, combined, per day or possess more than 20 cottontail rabbits, jack rabbits, and snowshoe hares, combined, at a time.

6234.0700 TAKING GRAY SQUIRRELS AND FOX SQUIRRELS.

Subpart 1. Open season. Gray squirrels and fox squirrels may be taken by legal firearm, bow and arrow, and traps from the Saturday nearest September 16 to the last day in February.

Subp. 2. Bag limits. A person may not take more than an aggregate of seven gray squirrels and fox squirrels per day or possess more than an aggregate of 14 gray squirrels and fox squirrels at a time.

6234.0800 HUNTING BY FALCONRY.

Subpart 1. Bag limits. A person may not take more than three small game animals per day in the aggregate or possess more than six small game animals in the aggregate, other than rabbits and squirrels. A person may take and possess the limits of rabbits and squirrels allowed under parts 6234.0600 and 6234.0700.

Subp. 2. Possession of firearms and bows and arrows prohibited. A person may not hunt by falconry while in possession of, or having under control, any firearm or bow and arrow.

Subp. 3. Open season and hours for nonmigratory small game. Nonmigratory small game may be taken by falconry from September 1 to the

last day in February. Falconry hunting hours are from one-half hour before sunrise to sunset, except that pheasants may not be taken before 9:00 a.m.

Subp. 4. Open season and hours for migratory game birds. Woodcock, sora and Virginia rails, and common snipe may be taken by falconry from September 1 to December 16. Ducks, coots, and moorhens (*Gallinules*) may be taken by falconry from the Saturday nearest October 1 to the Saturday nearest January 14. Geese may be taken by falconry during any open goose season. Crows may be taken by falconry during the open season. Falconry hours are from one-half hour before sunrise to sunset, except during the regular waterfowl season when falconry hours are the same as waterfowl shooting hours.

6234.0900 SCOPE AND DEFINITIONS.

Subpart 1. Scope. The provisions of parts 6234.0900 to 6234.2300 apply to the use of traps or snares capable of taking a wild animal protected under provisions of Minnesota Statutes, sections 97B.601 to 97B.671 or 97B.901 to 97B.945.

Subp. 2. Terms. The terms used in parts 6234.0900 to 6234.3500 have the meanings given them in this part.

Subp. 3. Authorized agent. "Authorized agent" means a person authorized by a trapper, in writing, who possesses all necessary licenses to check, pick up, or reset traps set by the trapper.

Subp. 4. Bait. "Bait" means any animal or animal parts, including live or dead fish, except that small aggregates of fur and feathers used for flagging purposes are not bait.

Subp. 5. Waterset. "Waterset" means any body-gripping trap or snare set in which the body-gripping portion of the jaws or the snare loop, when set, is at least half-submerged in water. A completely submerged waterset is any set in which the body-gripping portions of the jaws or the snare loop, when set, is completely submerged in water.

6234.1000 DESCRIPTION OF FURBEARER ZONES.

Subpart 1. Forest Furbearer Zone. That portion of the state lying within the following described boundary is known as the Forest Furbearer Zone.

Beginning on U.S. Highway 59 at the north boundary of the state; thence along U.S. Highway 59 to U.S. Highway 10; thence along U.S. Highway 10 to State Trunk Highway (STH) 210; thence along STH 210 to STH 18; thence along STH 18 to U.S. Highway 169; thence along U.S. Highway 169 to STH 23; thence along STH 23 to STH 65; thence along STH 65 to STH 70; thence along STH 70 to the east boundary of the state; thence along the east and north boundaries of the state to the point of beginning.

Subp. 2. Farmland Furbearer Zone. That portion of the state lying outside of the Forest Furbearer Zone is known as the Farmland Furbearer Zone.

Subp. 3. North Mink/Muskrat/Beaver/Otter Zone. That portion of the state lying within the following described boundary is known as the North Mink/Muskrat/Beaver/Otter Zone.

Beginning on State Trunk Highway (STH) 200 at the west boundary of the state; thence along STH 200 to U.S. Highway 2; thence along U.S. Highway 2 to STH 73; thence along STH 73 to STH 27; thence along STH 27 to Interstate Highway 35 (I-35); thence along I-35 to the Carlton-Pine County line; thence east along the Carlton-Pine County

line to the east boundary of the state; thence along the east, north, and west boundaries of the state to the point of beginning.

Subp. 4. South Mink/Muskrat/Beaver/Otter Zone. That portion of the state lying outside of the North Mink/Muskrat/Beaver/Otter Zone is known as the South Mink/Muskrat/Beaver/Otter Zone.

6234.1100 TAKING MINK AND MUSKRATS.

Subpart 1. Open season in North Zone. Mink and muskrats may be taken by trapping from 9:00 a.m. on the Saturday nearest October 26 to the last day in February in the North Zone.

Subp. 2. Open season in South Zone. Mink and muskrats may be taken by trapping from 9:00 a.m. on the Saturday nearest October 30 to the last day in February in the South Zone.

Subp. 3. Bag limits. Mink and muskrats may be taken and possessed without limit.

Subp. 4. Special provisions. The special provisions in items A to C apply to taking mink and muskrats.

A. Taking by the use of dogs or by digging is prohibited.

B. Openings may be made in any muskrat house for the purpose of trapping if they are plugged by replacing all materials removed and wetting the materials down to prevent freezing within the structure. Traps may be set at natural entrances to muskrat runways and bank burrows.

C. A person may not damage any muskrat house, muskrat runway, or muskrat bank den, except as provided by this part.

6234.1200 TAKING RACCOON.

Subpart 1. Open season. Raccoons may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22 to March 15.

Subp. 2. Bag limits. Raccoons may be taken and possessed without limit.

Subp. 3. Special provisions. A person may use an artificial light to locate, attempt to locate, or shoot a raccoon only if the raccoon has been treed or put at bay by dogs. The use of dogs and lights to take raccoon is regulated as provided by Minnesota Statutes, sections 97B.081, 97B.621, and 97B.931.

6234.1300 TAKING RED FOX AND GRAY FOX.

Subpart 1. Open season. Gray and red fox may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22 to March 15.

Subp. 2. Bag limits. Red fox and gray fox may be taken and possessed without limit.

Subp. 3. Repealed, 1994/1995

Subp. 4. Special provisions. The special provisions in items A and B apply to taking red fox and gray fox.

A. Fox may be run without being taken by the use of dogs at any time during the year except from March 16 to July 14 or under permit.

B. Dogs may be used for hunting fox during the open season.

6234.1400 TAKING BADGER AND OPOSSUM.

Subpart 1. Open season. Badgers and opossums may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest October 22 to March 15.

Subp. 2. Bag limits. Badgers and opossums may be taken and possessed without limit.

6234.1500 TAKING LYNX.

Taking lynx is prohibited statewide.

6234.1600 TAKING BOBCAT.

Subpart 1. Open season. Bobcats may be taken with legal firearms, bow and arrow, and by trapping from the first Saturday following Thanksgiving to the Sunday nearest January 6.

Subp. 2. Open area. Bobcats may be taken only in that area of the state lying north of Interstate Highway 94 (I-94) beginning at the west boundary of the state; thence along I-94 to U.S. Highway 10; and thence along U.S. Highway 10 to the east boundary of the state.

Subp. 3. Bag limits. A person may not take more than five bobcats per season by either hunting or trapping or both. A person may not possess more than five bobcats at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

Subp. 4. Tagging bobcats. Pelts and skinned carcasses are subject to the provisions of part 6234.2600.

6234.1700 TAKING FISHER AND PINE MARTEN.

Subpart 1. Open season. Fisher and pine marten may be taken by trapping from the first Saturday following Thanksgiving to the Sunday nearest December 12.

Subp. 2. Bag limits. The combined limit for fisher and pine marten is five per season, in aggregate. A person may not take more than five fisher and pine marten, combined, per season or possess more than five fisher and pine marten, combined, at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

Subp. 3. Tagging. Pelts and skinned carcasses of fisher and pine marten are subject to the provisions of part 6234.2600.

Subp. 4. Open area. Fisher and pine marten may be taken only in that area of the state lying north of Interstate Highway 94 (I-94) beginning at the west boundary of the state; thence along I-94 to U.S. Highway 10; and thence along U.S. Highway 10 to the east boundary of the state.

6234.1800 REPEALED, 2005

6234.1900 TAKING BEAVER.

Subpart 1. Open season and bag limits for beaver in North Zone. Beaver may be taken and possessed without limit by trapping from 9:00 a.m. on the Saturday nearest October 26 to May 15.

Subp. 2. Open season and bag limits for beaver in South Zone. Beaver may be taken and possessed without limit by trapping from 9:00 a.m. on the Saturday nearest October 30 to May 15.

6234.2000 TAKING OTTER.

Subpart 1. Open season for otter in North Zone. Otter may be taken by trapping from 9:00 a.m. on the Saturday nearest October 26 to the Sunday nearest January 6.

Subp. 2. Open season and area for otter in South Zone. Otter may be taken by trapping from 9:00 a.m. on the Saturday nearest October 30 to the Sunday nearest January 6 only in that portion of the zone lying north of Interstate Highway 94 beginning at the west boundary of the state; thence along Interstate Highway 94 to U.S. Highway 10; and thence along U.S. Highway 10 to the east boundary of the state.

Subp. 3. Bag limits. A person may not take more than four otter per season, or possess more than four otter at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

Subp. 4. Tagging otter. Pelts are subject to the provisions of part 6234.2600.

6234.2100 SPECIAL PROVISIONS FOR TAKING BEAVER AND OTTER.

Subpart 1. Setting of traps. Traps of any kind may not be set inside a beaver house or above the water line on the outside of a beaver house.

Subp. 2. Damage to beaver house or dam. A person may not damage a beaver house or dam, except as otherwise authorized by law or permit or by employees of the department in the performance of their official duties.

Subp. 3. Use of snowmobiles and all-terrain vehicles.

Snowmobiles and all-terrain vehicles may be used statewide to transport or check beaver or otter traps and to transport beaver or otter carcasses.

Subp. 4. Taking in wildlife management areas. Beaver and otter may be taken by licensed trappers in wildlife management areas by permit issued by the appropriate state wildlife manager.

Subp. 5. Taking in federal waterfowl production areas. Waterfowl production areas are open to the trapping of beaver and otter during established seasons.

Subp. 6. Taking in national wildlife refuges. Within the Agassiz, Minnesota Valley, Rice Lake, Sherburne, Tamarac, and Upper Mississippi National Wildlife Refuges, beaver may be taken by licensed trappers by permit issued by the appropriate refuge manager. All other national wildlife refuges are closed to beaver trapping. All national wildlife refuges are closed to otter trapping.

6234.2200 USE OF TRAPS.

Subpart 1. Trap-tending hours and use of lights. Trap-tending hours and use of lights are regulated as provided by Minnesota Statutes, section 97B.931.

Subp. 2. Trap-tending interval; nondrowning sets. Any trap, except a body-gripping or "conibear" type trap, capable of capturing a protected wild animal and not capable of drowning the animal must be tended at least once each calendar day and any animal captured must be removed from the trap. A body-gripping or "conibear" type trap need not be tended more frequently than once every third calendar day and any animal captured must be removed from the trap.

Subp. 3. Trap-tending interval; drowning sets. Except for traps set under the ice, any trap capable of drowning the captured animal must be tended at least once each third calendar day and any animal captured must be removed from the trap.

Subp. 4. Exposed bait. A person may not set or maintain any leghold trap within 20 feet of bait located in such a manner that it may be seen by soaring birds.

Subp. 5. Size restriction on body-gripping traps. A person may not set, place, or operate, except as a waterset, any body-gripping or "conibear" type trap that has a maximum jaw opening, when set, of greater than 7-1/2 inches measured from the inside edges of the body-gripping portions of the jaws.

Subp. 6. Size restriction on leghold traps. A person may not set, place, or operate any leghold trap that has a maximum jaw opening, when set, of greater than 8-3/4 inches measured from the inside edges of the jaws.

Subp. 7. Placement of body-gripping traps. A person may not set, place, or operate in or within three feet of a culvert, except as a completely submerged waterset, any body-gripping or "conibear" type trap that has a maximum jaw opening, when set, of greater than 6-1/2 inches measured from the inside edges of the body-gripping portions of the jaws.

Subp. 8. Repealed, 1997

Subp. 9. Preemption of trapping site. Prior to the opening of the trapping season for any protected species of wild animal, no trap, either set or unset, may be placed or staked and no flag, stake, or other device may be placed for the purpose of marking or preempting a trapping site.

Subp. 10. Removal of traps. A trap placed for a protected wild animal may not be left in place, either set or unset, after the close of the applicable trapping season.

Subp. 11. Repealed, 1991

Subp. 12. Authorized agent. A trapper may authorize, in writing, an agent who possesses all necessary licenses to check, pick up, and reset, at the same site, traps set by the trapper. Authorized agents may remove trapped animals and, if the animal removed from the trap is required to be tagged as provided by part 6234.2600, must affix their own tag to the animal as prescribed.

6234.2300 GENERAL RESTRICTIONS ON USE OF SNARES.

Subpart 1. Regulation of snares as traps. Unless otherwise specified, snares may be used for taking all species of protected wild animals that may be taken by the use of traps. The use of snares is subject to all rules for the use of traps that are consistent with parts 6234.2300 to 6234.2500.

Subp. 2. Repealed, 2005

Subp. 3. Repealed, 2005

6234.2400 SPECIAL RESTRICTIONS ON USE OF SNARES.

Subpart 1. Scope. The provisions of parts 6234.2300 to 6234.2500 apply to the use of snares capable of taking a wild animal protected under provisions of Minnesota Statutes, sections 97B.601 to 97B.671 or 97B.901 to 97B.945.

Subp. 2. Farmland Furbearer Zone restrictions. In the Farmland Furbearer Zone, a person may use snares as follows:

A. from April 1 to November 30, a person may not set, place, or operate any snare except as a waterset;

B. from December 1 to March 31, a person may not set, place, or operate any snare on public lands, on road rights-of-way, or in fencelines along road rights-of-way, except as a waterset.

Subp. 3. Snaring in culverts. A person may not set, place, or operate a snare in a culvert, except as a completely submerged waterset.

Subp. 4. Removal of snares. A snare set for a protected mammal may not be left in place after the close of the applicable trapping season.

Subp. 5. Prohibition on snares placed in deer trails. Snares may not be set in deer trails.

Subp. 6. Use of spring poles. Snares may not be used with spring poles or other devices where an animal caught in the snare will be wholly or partly lifted from the ground.

Subp. 7. Snare height. A snare may not be set so that the top of the loop is more than 16 inches above the ground or, when the ground is snow-covered, more than 16 inches above the bottom of a person's footprint made in the snow beneath the snare with full body weight on the foot.

Subp. 8. Snare loop diameter. The diameter of a snare loop may not exceed ten inches.

Subp. 9. Snare cable diameter. Snare cable or wire may not exceed one-eighth inch in diameter.

Subp. 10. Tending snares. All snares not capable of drowning the captured animal must be tended at least once each calendar day and any animal captured must be removed from the snare.

6234.2500 USE OF SNARES BY PREDATOR CONTROLLERS.

Certified predator controllers may use snares statewide at any time while conducting predator control authorized by the commissioner as provided by this chapter.

6234.2600 PELT TAGGING AND REGISTRATION.

Subpart 1. Repealed, 2005

Subp. 2. Repealed, 2005

Subp. 3. Registration of pelts. The pelt of each bobcat, fisher, pine marten, and otter and the whole carcass of each bobcat must be presented, by the person taking it, to a state wildlife manager designee for registration before the pelt is sold and before the pelt is transported out of the state, but in no event more than 48 hours after the season closes for each species, respectively. The entire carcass of bobcat and the entire head of pine marten must be surrendered to the state wildlife manager designee. The pelt of bobcat, otter, fisher, and pine marten must have been removed from the carcass.

Subp. 4. Prohibition on tagging animals not personally taken. A person may not affix any tag or seal to the pelt or carcass of any animal that the person did not take or is not authorized to take.

Subp. 5. Requirement for tags and seals to remain affixed. Registration tags or seals must remain affixed to the raw pelt until the pelt is tanned or mounted.

6234.2700 SPECIAL RESTRICTIONS ON TAKING AND POSSESSION OF FURBEARERS.

The restrictions in items A and B apply to the possession and transportation of accidental captures.

A. A person may not possess or transport a fisher, otter, pine marten, fox, bobcat, lynx, or gray wolf that was accidentally killed or was lawfully killed while causing or threatening injury or damage until the person notifies the local conservation officer, other authorized department employee, or regional

enforcement office, of the killing and receives authorization to possess, transport, or skin the animal.

B. A person may possess or transport mink, muskrat, beaver, badger, opossum, or raccoon accidentally killed or lawfully killed while causing or threatening injury or damage, only if the local conservation officer or other authorized employee of the department is notified within 24 hours of such killing and before any skinning has begun.

6234.2800 PAYMENT OF PELTING FEES.

If a person recovers, treats, preserves, or transports the pelt of any fur-bearing animal that was accidentally killed, or lawfully killed while causing or threatening injury or damage, the person may be entitled to a pelting fee equal to 50 percent of the average value of a pelt in the lot of fur in which the pelt was sold or 50 percent of the proceeds of the sale of the pelt if not sold in a lot of fur, not to exceed \$25 per pelt. A pelting fee will not be paid on muskrats.

6234.2900 PELTING FEE RESTRICTIONS.

The provisions in items A and B apply to the payment of pelting fees.

A. A person must provide the pelt and carcass to the commissioner at the earliest opportunity.

B. Claims for pelting fees must be submitted on forms provided by the commissioner. Claims will not be paid until the commissioner has certified that the claimant has used due care in recovering, treating, preserving, and transporting the pelt to maintain its value.

6234.3000 CERTIFICATION FOR PREDATOR CONTROL.

Subpart 1. Certification required. A person may not participate in the predator control program unless the person is certified.

Subp. 2. Application process. Application for certification as a predator controller may be made on forms provided by the commissioner to a conservation officer in the applicant's county of residence on forms provided by the commissioner. The application shall include a summary of the applicant's experience and skill as a trapper or hunter.

Subp. 3. Predator controller qualification requirements. A person will not be certified unless the person completes all information requested on the application and meets the following qualifications:

A. for three years prior to the date of application, the person must not have been convicted of a violation of Minnesota Statutes, sections 97B.601 to 97B.671 or 97B.901 to 97B.951, or a rule of the commissioner relating to furbearing animals; and

B. the person must either demonstrate or attest to the person's skill in hunting or trapping, including the ability to distinguish signs, tracks, and trails of predators.

Subp. 4. Revocation of certification. A certificate may be revoked if the controller is inactive in the program for 24 consecutive months.

Subp. 5. Inactivity in predator control program. A certificate may be revoked if the controller is inactive in the program for two consecutive years.

6234.3100 DESIGNATED CONTROL AREAS AND DATES OF OPERATION.

Subpart 1. Reporting of damage. Predator damage must be reported to a conservation officer on forms provided by the commissioner.

Subp. 2. Designation of corrective action. If it is determined that corrective action in an area is necessary, a directive will be issued designating:

A. the predator control area. The open area may not exceed a one-mile radius surrounding the damage site for coyotes and a one-half mile radius for fox;

B. the species of predators to be taken;

C. the allowable methods of control; and

D. the effective dates. Between October 1 and the last day of February no areas may be open for predator control for more than 30 days. All control activities must cease at the expiration of the date specified in the directive. If an earlier date is not specified, all open areas close on October 1.

Subp. 3. Notification of eligible predator controllers. When a predator control area has been opened, all certified predator controllers within 20 road miles of the control site will be notified. Additional predator controllers, more than 20 road miles from the control site, may be notified if necessary to abate the damage.

6234.3200 USE OF SNARES FOR PREDATOR CONTROL.

Certified predator controllers may use snares statewide at any time when participating in the predator control program.

6234.3300 PROHIBITED METHODS OF PREDATOR CONTROL.

Subpart 1. Motor vehicles. Predators may not be taken from motor vehicles, airplanes, or snowmobiles.

Subp. 2. Poison. Poison may not be used in taking predators.

6234.3400 COMPENSATION FOR PREDATOR CONTROL.

Subpart 1. Presentation of carcass. A predator controller must, within 48 hours, present the entire unskinned carcass of each predator to the conservation officer in the county where taken. The conservation officer must remove the front feet and the ears from the unskinned carcass. The remaining carcass is the property of the predator controller and must be immediately removed.

Subp. 2. Identification of sites and methods. Controllers must, upon request, specifically identify the method used to take the predator and the site where each predator for which payment is claimed was taken.

Subp. 3. Payment schedule. The payments in items A and B will be made for predators taken according to this part.

A. For predators taken from March 1 through September 30:

(1) coyote (Brush Wolf), \$45; and

(2) fox, \$15.

B. For predators taken from October 1 through the last day in February:

(1) coyote (brush wolf), \$30; and

(2) fox, \$10.

6234.3500 TAKE A KID HUNTING.

Take A Kid Hunting Weekend, as provided by Minnesota Statutes, section 97A.445, is the weekend beginning on the Saturday nearest September 23.

TURKEYS

CHAPTER 6236

6236.0100 DEFINITIONS.

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 2. Agricultural land or grazing land. "Agricultural land" or "grazing land" has the meaning given "agricultural land" under Minnesota Statutes, section 97B.001.

Subp. 3. Bearded turkey. "Bearded turkey" means a turkey with a visible beard. A beard is a feathered appendage protruding from the breast and generally found only on males.

Subp. 4. Landowner or tenant. "Landowner" or "tenant" means a person who is an owner or tenant of and who lives on at least 40 acres of agricultural or grazing land within the zone being applied for.

Subp. 5. Legal bow and arrow. "Legal bow and arrow" means a bow that has a pull of no less than 40 pounds, at or before full draw, and that is not drawn, held, or released by a mechanical device. Arrowheads must be of a blunt head design or:

A. sharp and have a minimum of two metal cutting edges;

B. of a barbless broadhead design and function, as follows:

(1) nonretractable arrowheads are barbless if the trailing edge of each blade creates a 90 degree or greater angle with the shaft of the arrow; and

(2) retractable arrowheads are a barbless design if the trailing edge of each blade creates a 90 degree or greater angle with the shaft when the blades are fully retracted. Retractable arrowheads function in a barbless manner if, when withdrawn from a wild turkey, the blades retract so that the trailing edge of each blade is at a 90 degree or greater angle to the arrow shaft; and

C. of a diameter of at least seven-eighths of an inch at or after impact with a wild turkey.

Subp. 6. Legal firearms. "Legal firearms" means shotguns 20 gauge or larger, or muzzleloading shotguns 12 gauge or larger, using fine shot size No. 4 or smaller diameter shot.

Subp. 7. Wild turkey permit area. "Wild turkey permit area" means an area of the state comprised of partial, single, or grouped registration blocks where taking wild turkeys is authorized by permit.

6236.0200 TURKEY LICENSE ELIGIBILITY.

To be eligible for a turkey license, a person must not have any small game hunting privileges revoked within one year prior to purchasing a turkey license.

6236.0300 TURKEY HUNT DRAWING.

Subpart 1. License application drawings. Applications for all hunts must be made according to this part and according to application instructions provided by the commissioner. Each person must apply at an electronic license system agent or the Department of Natural Resources License Center. Drawings will be conducted by the department to determine persons who will be eligible to purchase licenses for each season. The drawings will be subject to the quotas established by the commissioner. Preference in the respective drawings is given to applicants based upon the number of times they have

correctly applied for a license for that hunt but have been unsuccessful. A person selected by the drawings is eligible to purchase a license to hunt turkey. Upon issuance of a turkey license for the spring or fall season, all accumulated preference for that season is lost, except as provided in subpart 6.

Subp. 2. Participation in application drawings. Applicants may complete an application for either the spring or fall turkey hunt or both. A person may not apply more than once for a hunt, whether as an individual or as a member of a group. Qualifying individuals may apply for the resident landowner-tenant turkey drawing. All of the information in items A to G must be supplied on the application forms.

A. A resident applicant 18 years or older must provide the applicant's individual Minnesota driver's license number of 13 characters, a 13-character firearms safety number, or an official state of Minnesota identification number of 13 characters issued by the Department of Public Safety.

B. A nonresident 18 years or older must provide a driver's license number or other identification number.

C. A resident or nonresident applicant age 12 to 15 by the opening day of the season may provide one of the above numbers or may participate in the drawing without a number by providing the applicant's full first, middle, and last name and date of birth. Youthful applicants who do not provide a number will be placed into the drawing using a number generated by the department.

D. An applicant must select a first choice of wild turkey permit area and time period and may select a second choice of wild turkey permit area in specified time periods as authorized by the commissioner.

E. Up to four persons desiring to hunt together as a group may apply as a group. Group applications shall either all be selected or none selected. All group members must apply for the same wild turkey permit areas and time periods. The preference rating of applicants who apply as a group shall be determined by the individual in the group with the lowest preference. Group applications may be made up of all general or all landowner-tenant applications, but not both.

F. A person who applies as a landowner or tenant but does not meet the definition as provided by this part will be ineligible for that season's drawings.

G. Application deadlines are as follows:

(1) spring season: the first Friday in December; and

(2) fall season: the last Friday in July.

Subp. 3. Landowner-tenant drawing. A landowner-tenant license application drawing will be held subject to the restrictions in items A to F.

A. An applicant must meet all eligibility requirements and must provide a complete and accurate description of the qualifying land.

B. An applicant must be a landowner, tenant, or a member of the landowner's or tenant's immediate family. Family members include those related by blood, marriage, or adoption.

C. For each wild turkey permit area and time period, no more than 20 percent of the successful participants will be drawn from the special landowner-tenant applications.

D. An individual participant in the landowner-tenant drawing may submit only one application and only for the turkey wild turkey permit area in which the participant resides.

E. Applicants unsuccessful in the landowner-tenant drawing will be included in the general drawing.

F. Landowner-tenant licensees must allow turkey hunting as provided by Minnesota Statutes, section 97A.435, and the commissioner will make descriptions of these lands available to licensed turkey hunters.

Subp. 4. Modification of quota numbers for group applications. The quota of licenses or permits for a drawing may be increased to accommodate group members if the last applicant to be selected is a member of a group.

Subp. 5. Drawing application fee. An applicant must pay a fee as provided by statute at the time of application at the electronic license system-point of sale (ELS-POS) agent. Any check that is returned to the department for nonpayment will invalidate the application and the check will be destroyed. Refunds of application fees will not be made for any reason.

Subp. 6. Undersubscribed wild turkey permit areas. In permit areas and time periods with fewer applicants than available licenses, the remaining available licenses may be first offered to unsuccessful applicants for other permit areas or time periods on a first-come, first-served basis. An eligible person must apply individually and in person at an ELS-POS (point-of-sale) agent location or individually through the ELS-Internet or ELS-Telephone system to obtain a remaining available license. Any remaining available licenses not purchased by unsuccessful applicants may then be issued to any eligible person on a first-come, first-served basis. Individuals who purchase these remaining available licenses retain their accumulated preference.

6236.0400 OBTAINING LICENSE.

The following provisions apply to persons who have applied for a turkey license:

A. Only successful applicants will be notified.

B. Successful applicants will receive a license application with instructions for obtaining their licenses. Persons who do not return the license application and the fee according to the provisions specified on the license application or who do not provide all the requested information will be disqualified.

6236.0500 TURKEY HUNT LICENSE RESTRICTIONS.

Turkey hunters licensed for the same wild turkey permit area and time period may assist other licensed turkey hunters but each hunter may not shoot or tag a turkey for another hunter.

6236.0550 FIREARM AND BOW AND ARROW RESTRICTIONS.

While afield hunting turkeys, licensees may not have in possession or control any firearm or bow and arrow except those defined as legal as provided by part 6236.0100.

6236.0600 SPRING TURKEY SEASON.

Subpart 1. Open dates. The spring turkey season opens the Wednesday nearest April 15 and consists of six consecutive five-day periods followed by two consecutive seven-day periods.

Subp. 2. Shooting hours. Shooting hours for turkeys during the spring season are from one-half hour before sunrise to sunset.

Subp. 3. Bag limit. The bag limit for the spring season is one bearded turkey.

Subp. 4. Open areas. Wild turkey permit areas are open for the spring turkey season as prescribed by the commissioner. Turkey licenses are valid for taking turkeys only in the wild turkey permit area specified on the license,

except for archery-only licenses issued under Minnesota Statutes, section 97A.435, subdivision 5, paragraph (a).

Subp. 5. Registration. Turkeys must be registered within 24 hours after being taken during the spring turkey season.

6236.0700 FALL TURKEY SEASON.

Subpart 1. Open dates. The fall turkey season consists of two five-day periods, the first period beginning the Wednesday nearest October 15 and the second beginning the Wednesday nearest October 22.

Subp. 2. Shooting hours. Shooting hours for turkeys during the fall season are one-half hour before sunrise to sunset.

Subp. 3. Bag limit. The bag limit for the fall season is one turkey of either sex or any age.

Subp. 4. Open areas. Wild turkey permit areas are open for the fall turkey season as prescribed by the commissioner. Turkey licenses are valid for taking turkeys only in the wild turkey permit area specified on the license.

Subp. 5. Registration. Turkeys must be registered within 24 hours after being taken during the fall turkey season.

6236.0810 WILD TURKEY PERMIT AREA DESCRIPTIONS.

Wild turkey permit areas are comprised of registration blocks with the same numbers, as established in part 6232.4700.

6236.0900 SPECIAL PROVISIONS FOR TAKING TURKEYS.

Subpart 1. Use of dogs. A person may not be accompanied by a dog or dogs while taking turkeys.

Subp. 2. Electronic devices. Turkeys may not be taken with the aid of any electronic device, except that a hearing aid or other device designed to enhance hearing may be used and except that electronic sights that self-illuminate but that do not cast rays of light may be used.

Subp. 3. Live decoys. The use of live decoys is prohibited while taking turkeys.

Subp. 4. Game refuges open to taking turkeys. The Lost Lake Refuge in Fillmore County, the Whitewater State Game Refuge in Winona County, the Albert Lea and Moscow State Game Refuges in Freeborn County, the Linn Lake State Game Refuge in Chisago County, the Rochester State Game Refuge in Olmsted County, the Stearns County State Game Refuge in Stearns County, the Claremont State Game Refuge in Dodge County, the Nerstrand State Game Refuge in Dodge County, and the St. Croix River and Stillwater Game Refuges in Washington County are open for the taking of turkeys during open wild turkey seasons in the zones in which they are located.

Subp. 5. Wildlife management areas open to taking turkeys. Those portions of the Carlos Avery Wildlife Management Area posted with "Wildlife Sanctuary Do Not Trespass" signs that lie within an open turkey zone are open for the taking of turkeys during the spring turkey season.

6236.0950 TAGGING TURKEYS.

Immediately after taking a turkey, the hunter must punch date of kill, sign, and attach the tag provided with the license to the turkey as specified on the tag. This tag must remain attached to the turkey during transit.

6236.1000 TURKEY REGISTRATION.

A person taking a turkey must register the turkey at a designated registration station within the time specified for that season. The feathers, head, and feet must remain on the turkey until it is registered. An unregistered turkey may not be possessed outside the wild turkey permit area where taken unless it is being transported in a direct route to a registration station. Registration stations will be listed in materials provided to all licensees.

6236.1070 YOUTH WILD TURKEY SPECIAL HUNTS.

Subpart 1. Requirements. Persons participating in youth wild turkey hunts must be at least 12 years of age and under 18 years of age by The beginning hunt date. A valid wild turkey license and firearms safety certificate must be obtained prior to being issued a permit. All participants must be accompanied by a parent or legal guardian who is at least 18 years of age. The accompanying parent or guardian may not hunt, but may assist during the hunt. All participants and their accompanying parent or guardian must attend a prehunt orientation offered by the hunt sponsors. Participating youth hunters must be sponsored and selected by a sponsoring nonprofit or selected by lottery.

Subp. 2. Open areas. Youth hunt permittees may hunt in open areas and special seasons as designated by the commissioner.

6236.1100 REPEALED, 2005**6236.1300 REPEALED, 2005**

PRAIRIE CHICKENS CHAPTER 6237

6237.0100 PRAIRIE CHICKEN LICENSE ELIGIBILITY.

To be eligible for a prairie chicken license, a person must not have any small game hunting privileges revoked.

6237.0200 PRAIRIE CHICKEN HUNT DRAWING.

Subpart 1. License application drawings. Applications for all hunts must be made according to this part and according to application instructions provided by the commissioner. Each person must apply at an electronic license system agent or the Department of Natural Resources License Center. Drawings shall be conducted by the department to determine persons who are eligible to purchase licenses for the season. The drawings are subject to the quotas established by the commissioner. Preference in the respective drawings is given to applicants based upon the number of times they have correctly applied for a license for the hunt but have been unsuccessful. A person selected by the drawings is eligible to purchase a license to hunt prairie chicken. Upon issuance of a prairie chicken license, all accumulated preference for prairie chicken hunting is lost.

Subp. 2. Participation in application drawings.

A. Applicants must complete an application for the prairie chicken hunt. A person may not apply more than once as an individual or as a member of a group. Qualifying individuals may apply for the resident landowner-tenant prairie chicken drawing.

B. A resident applicant must provide the applicant's individual Minnesota driver's license number of 13 characters, a 13-character firearm safety number, or an official state identification number of 13 characters issued by the Department of Public Safety.

C. An applicant must choose one of the prairie chicken permit areas and one of the time periods.

D. Up to four persons desiring to hunt together as a group may apply as a group. Group applications shall either be all selected or none selected. Applications by a group must all be for the same prairie chicken permit area and time period. The preference rating of applicants who apply as a group shall be based on the individual in the group with the lowest preference. Group applications must be made up of either all general or all landowner-tenant applications.

E. A person who applies as a landowner or tenant but does not meet the definition as provided in this chapter is ineligible for that season's drawings.

F. The application deadline is the last Friday in July.

Subp. 3. Landowner-tenant drawing.

A. For purposes of this chapter, "landowner or tenant" means a person who is an owner or tenant of at least 40 acres of prairie or grassland within the zone being applied for. A landowner-tenant license application drawing shall be held subject to the restrictions in items B to G.

B. An applicant must meet all eligibility requirements and must provide a complete and accurate description of the qualifying land.

C. An applicant must be a landowner or tenant or a member of the landowner's or tenant's immediate family. Family members include those related by blood, marriage, or adoption.

D. For each prairie chicken permit area and time period, no more than 20 percent of the successful participants shall be drawn from the special landowner-tenant applications.

E. An individual participant in the landowner-tenant drawing may submit only one application and only for the prairie chicken permit area in which the participant's qualifying property is located.

F. Landowners or tenants unsuccessful in the landowner-tenant drawing shall be included in the general drawing.

G. Landowner-tenant licensees must allow public prairie chicken hunting on their land during that prairie chicken season and the commissioner shall provide descriptions of these lands to licensed prairie chicken hunters.

Subp. 4. Modification of quota numbers for group applications. The quota of licenses or permits for a drawing may be increased to accommodate group members if the last applicant to be selected is a member of a group.

Subp. 5. Drawing application fee. An applicant must pay a fee as prescribed by statute at time of application at the electronic license system-point of sale (ELS-POS). Refunds of application fees shall not be made for any reason.

Subp. 6. Undersubscribed prairie chicken permit areas. In permit areas with fewer applicants than available licenses, the remaining available licenses may be first offered to unsuccessful applicants for other permit areas on a first-come, first-served basis. An eligible person must apply individually and in person at an ELS-POS agent location or individually through the ELS-Internet or ELS-Telephone system to obtain a remaining available license. Any remaining available licenses not purchased by unsuccessful applicants may then be issued as prescribed by the commissioner to any eligible person on a first-come, first-served basis. Individuals who purchase these remaining available licenses retain their accumulated preference.

6237.0300 OBTAINING A LICENSE.

Subpart 1. Notification. Only successful applicants shall be notified.

Subp. 2. Obtaining licenses. Successful applicants shall receive instructions from the commissioner on how to obtain their license through the electronic license system.

6237.0400 TAKING PRAIRIE CHICKENS.

Subpart 1. Open season and methods. Prairie chickens may be taken during the five-day period beginning on the Saturday nearest October 20.

Subp. 2. Arms restrictions. Prairie chickens may be taken by shotgun or bow and arrow. A person may not take prairie chickens with a rifle or handgun.

Subp. 3. Bag limit. A person may not take more than two prairie chickens per season or possess more than two prairie chickens.

Subp. 4. Open areas. Prairie chicken permit areas are open for the prairie chicken season as prescribed by the commissioner. Prairie chicken licenses are valid only in the prairie chicken permit area specified on the license.

Subp. 5. Game refuges open to taking prairie chickens. The Clay County Game Refuge in Clay County is open for the taking of prairie chickens during open prairie chicken seasons in the zone in which it is located.

6237.0500 PRAIRIE CHICKEN PERMIT AREA DESCRIPTION.

Subpart 1. Generally. Prairie chicken permit areas are comprised of partial, single, or grouped registration blocks, as established in part 6232.4700, and are described according to this part.

Subp. 2. Area 405A. Prairie chicken permit area 405A consists of those portions of registration block 405 described as follows:

Beginning at the intersection of U. S. Highway 2 and State Trunk Highway (STH) 9; thence along U. S. Highway 2 to STH 32; thence along STH 32 to STH 102; thence along STH 102 to STH 9; thence along STH 9 to point of beginning.

Subp. 3. Area 407A. Prairie chicken permit area 407A consists of those portions of registration block 407 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and STH 102; thence along STH 102 to STH 32; thence along STH 32 to STH 200; thence along STH 200 or STH 9; thence along STH 9 to point of beginning.

Subp. 4. Area 407B. Prairie chicken permit area 407B consists of those portions of registration block 407 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and STH 200; thence along STH 200 to STH 32; thence along STH 32 to County State-Aid Highway (CSAH) 34, Clay County; thence along CSAH 34 to STH 9; thence along STH 9 to point of beginning.

Subp. 5. Area 407C. Prairie chicken permit area 407C consists of those portions of registration block 407 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and County State-Aid Highway (CSAH) 34, Clay County; thence along CSAH 34 to STH 32; thence along STH 32 to U. S. Highway 10; thence along U. S. Highway 10 to STH 9; thence along STH 9 to point of beginning.

Subp. 6. Area 420A. Prairie chicken permit area 420A consists of those portions of registration block 420 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and U. S. Highway 10; thence along U. S. Highway 10 to STH 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to STH 9; thence along STH 9 to point of beginning.

Subp. 7. Area 420B. Prairie chicken permit area 420B consists of those portions of registration block 420 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and Interstate Highway 94 (I-94); thence along I-94 to County State-Aid Highway (CSAH) 26, Wilkin County; thence along CSAH 26 to STH 9; thence along STH 9 to point of beginning.

Subp. 8. Area 421A. Prairie chicken permit area 421A consists of those portions of registration block 421 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 9 and County State-Aid Highway (CSAH) 26, Wilkin County; thence along CSAH 26 to Interstate Highway 94 (I-94); thence along I-94 to STH 210; thence along STH 210 to STH 9; thence along STH 9 to point of beginning.

6237.0600 TAGGING PRAIRIE CHICKENS.

Immediately after taking a prairie chicken, a hunter must validate the tag as prescribed by the commissioner and must attach a tag provided with the license to the prairie chicken as specified by the commissioner. The tag must remain attached to the prairie chicken during transit.

6237.0700 PRAIRIE CHICKEN REGISTRATION.

Prairie chickens must be registered no later than 24 hours after the close of the season.

FALCONRY CHAPTER 6238

6238.0100 DEFINITIONS.

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 2. Bred in captivity or captive-bred. "Bred in captivity" or "captive-bred" means raptors, including eggs, hatched or produced in captivity from parents that mated or otherwise transferred gametes in captivity.

Subp. 3. Eyases. "Eyases" means young raptors not yet capable of sustained flight.

Subp. 4. Falconry. "Falconry" means the taking of quarry by means of a trained raptor.

Subp. 5. Passage raptor. "Passage raptor" means a juvenile raptor capable of flight.

Subp. 6. Permit. "Permit" means a falconry permit issued by the commissioner under part 6238.0200, unless otherwise specified.

Subp. 7. Raptor. "Raptor" means a live bird of the family Falconidae, or the great horned owl (*Bubo virginianus*), or of the family Accipitridae, other than the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*).

Subp. 8. Take. "Take" means to trap, capture, or attempt to trap or capture for falconry purposes.

6238.0200 FALCONRY PERMIT.

Subpart 1. Permit requirements for residents. Unless a falconry permit has been obtained from the commissioner, a resident of this state may not take, possess, transport, transfer, use, sell, purchase, barter, or offer to sell, purchase, or barter raptors or their eggs.

Subp. 2. Permit requirements for nonresidents. Nonresidents who have a valid falconry permit in the country, state, province, or territory of their residence or who are lawfully entitled or permitted to practice falconry may transport, possess, and use raptors for falconry purposes in this state on a temporary basis for periods of up to 30 consecutive days without obtaining written permission from the commissioner. Nonresidents may acquire captive bred raptors or their eggs for falconry purposes in this state. While in this state, nonresidents must comply with all applicable provisions of this chapter.

Subp. 3. Permit application. An applicant for a permit must be a resident of this state and must submit a fully completed application form to the commissioner.

Subp. 4. Examination for permit. A permit may not be issued until the applicant has obtained a score of at least 80 percent on a supervised examination provided by the commissioner. An applicant who fails the examination must wait a minimum of two weeks before retaking the examination.

Subp. 5. Inspection. Before a falconry permit is issued, the raptor housing facilities and falconry equipment must be inspected and approved by the commissioner. If necessary, an inspection may be conducted prior to permit renewal.

Subp. 6. Facility standards. Applicants must possess the minimum facilities in items A and B.

A. Indoor facilities (mews) must be large enough to allow easy access for care of the raptors housed in the facility. If more than one raptor is to be kept in the mews, raptors must be tethered or separated by partitions and the area for each bird must be large enough to allow the bird to fully extend its wings. There must be a secure door that can be easily closed, and at least one window, protected on the inside by vertical bars, spaced narrower than the width of the bird's body. The floor of the mews must permit easy cleaning and must be well drained. Adequate perches must be provided. If tethers are used, they must be at least long enough to allow the birds to reach the floor.

B. Outdoor facilities (weathering area) must be fenced and covered with netting or wire, or roofed to protect the birds from disturbance and attack by predators except that perches more than 6-1/2 feet high need not be covered or roofed. The enclosed area must be large enough to ensure the birds cannot strike the fence when flying from the perch. Protection from excessive sun, wind, and inclement weather must be provided for each bird. Adequate perches must be provided. If tethers are used, they must be at least long enough to allow the birds to reach the ground.

Subp. 7. Equipment standards. An applicant must possess the following minimum equipment:

A. at least one pair of Alymeri jesses or similar type constructed of pliable, high-quality leather or suitable synthetic material, to be used when any raptor is flown free (traditional one-piece jesses may be used on raptors when not being flown);

B. at least one flexible, weather-resistant leash and one strong swivel of acceptable falconry design as specified in information provided by the department;

C. at least one suitable drinking and bathing container for each raptor, two to six inches deep and of a width and length each greater than the length of the raptor;

D. at least one weathering area perch of an acceptable design, as specified in information provided by the department, for each raptor; and

E. a reliable scale or balance suitable for weighing a raptor, graduated to increments of not more than one-half ounce (15 grams).

Subp. 8. Maintenance. Facilities and equipment must meet the standards provided by this part at all times.

6238.0300 FALCONRY PERMIT CLASSES.

Specifications for the three classes of falconry permits are contained in items A to C.

A. A Class III (apprentice) permittee:

(1) must be at least 14 years old;

(2) must be sponsored during the first two years in which an apprentice permit is held, regardless of the age of the permittee. The sponsor must be the holder of a Class II (general) or Class I (master) falconry permit. A sponsor may not have more than three apprentices at any one time;

(3) may not possess more than one raptor and may not obtain more than one raptor for replacement during any 12-month period;

(4) may possess only the following raptors, which must be taken from the wild: an American kestrel (*Falco sparverius*), or a red-tailed hawk (*Buteo jamaicensis*); and

(5) may only take an adult or passage kestrel or a passage red-tailed hawk from the wild.

B. A Class II (general) permittee:

- (1) must be at least 18 years old;
- (2) must have at least two years' experience in the practice of falconry at the Class III level or its equivalent;
- (3) may not possess more than two raptors and may not obtain more than two raptors for replacement birds during any 12-month period; and
- (4) may not take, transport, or possess any owls or any species listed as threatened or endangered under state or federal law.

C. A Class I (master) permittee:

- (1) must have at least five years' experience in the practice of falconry at the Class II level or its equivalent;
- (2) may not possess more than three raptors and may not obtain more than two raptors taken from the wild for replacement birds during any 12-month period;
- (3) may not take any species listed as endangered in state or federal regulations, but may transport or possess such species in accordance with applicable rules;
- (4) may not take, transport, or possess any golden eagle for falconry purposes unless authorized in writing in accordance with appropriate federal regulations and approved by the commissioner; and
- (5) may not take in any 12-month period, as a part of the three bird limitation, more than one raptor listed as threatened in state or federal regulations, and then only in accordance with applicable rules.

6238.0400 RESTRICTIONS ON TAKING RAPTORS.

Subpart 1. Eyases. Eyases may be taken from the wild only by a Class II or Class I falconer during the period of May 27 through July 14. No more than two eyases may be taken by the same permittee during the calendar year. In all cases at least one eyas must be left in a given nest.

Subp. 2. Passage raptors. Passage raptors may be taken from the wild only during the period of August 21 through December 29.

Subp. 3. Escaped raptors. An escaped, marked raptor may be retrapped at any time.

Subp. 4. American kestrels and great horned owls. Only American kestrels and great horned owls may be taken when over one year old, except that any raptor, other than state or federally listed endangered or threatened species, taken under a depredation or special purpose permit may be used for falconry by Class II or Class I falconers.

Subp. 5. Raptors taken in Minnesota. Raptors taken from the wild for falconry purposes in this state are subject to the restrictions in items A to D.

A. Raptors must be registered.

B. Title to raptors remains in the state of Minnesota.

C. Raptors may not be sold, bartered, transferred, or transported out of the state except with prior authorization from the commissioner.

D. Raptors may be transferred as gifts between holders of Minnesota permits, but the transfer must be reported by the recipient within five working days to the department regional headquarters where the bird was registered.

Subp. 6. Raptors taken outside Minnesota. Residents who obtain raptors lawfully taken outside this state may possess and use them for falconry purposes in this state only with proof of lawful possession. Raptors must be registered by submitting a Federal Form 3-186A (Migratory Bird Acquisition/Disposition Report) as provided by part 6238.0800.

Subp. 7. Areas closed to taking raptors. Raptors to be used for falconry may not be taken under any circumstances within state parks or scientific and natural areas, state wildlife management areas without a permit from the regional wildlife manager, state game refuges without a permit from the regional enforcement officer, or private property without permission from the owner.

Subp. 8. Use of traps. Traps used to capture raptors must be attended.

6238.0500 INTENTIONAL RELEASE OF RAPTORS.

Permittees must obtain written authorization from the commissioner before any species not indigenous to this state is intentionally released to the wild. The band from the released bird must be removed and surrendered to the department regional office within five working days of release. Whenever possible, a standard federal bird band must be attached to released birds.

6238.0600 TEMPORARY HOLDING OF RAPTORS.

Subpart 1. Federal form required. A raptor possessed under authority of a Minnesota falconry permit may be temporarily held by a person other than the permittee only if that person is otherwise authorized to possess raptors, and only if the person possessing the raptor is in possession at all times of a copy of a properly completed Federal Form 3-186A (Migratory Bird Acquisition/Disposition Report) designating the permittee as the possessor of record and by a signed, dated statement from the permittee authorizing the temporary possession. If the period of care will exceed 30 days, the permittee must inform the department regional office, in writing, within five days of the transfer, specifying where the birds are being held, the reason for the transfer, who is caring for them, and approximately how many days they will be in the care of the second person.

Subp. 2. Temporary facilities. A raptor may be transported or held in temporary facilities which must be provided with an adequate perch and protected from extreme temperatures and excessive disturbance, for a period not to exceed 30 days, unless written authorization to extend the period is obtained from the department regional office where the falconry permit is issued.

6238.0700 RETENTION AND EXCHANGE OF FEATHERS.

Feathers that are molted or feathers from birds lawfully held in captivity that have died may be retained and exchanged only for imping purposes. Such feathers may not be sold or bartered.

6238.0800 REPORTING AND MARKING OF FALCONS.

Subpart 1. Banding requirement. All raptors taken, possessed, or transported for falconry purposes must be banded. Captive-bred raptors must be banded with a numbered, seamless band provided by the department regional office where the permittee's permit is issued, or by the United States Fish and Wildlife Service. Raptors taken from the wild must be banded with a permanent, nonreusable band.

Subp. 2. Reporting of raptor acquisition or loss or removal of bands. All acquisitions of raptors or loss or removal of any band must be reported within five working days by submitting a Federal Form 3-186A in accordance with the instructions on the form. The blue copy must be submitted to the department regional office where the permittee's permit is issued.

Subp. 3. United States Fish and Wildlife Service band. If the United States Fish and Wildlife Service band affixed to a raptor becomes illegible, the owner must notify the department regional office where the permit is issued.

6238.0900 REPORTING REQUIREMENTS.

Subpart 1. Required reporting for each bird. A permittee may not take, purchase, receive, otherwise acquire, buy, sell, barter, transfer, or dispose of any raptor, including death of the raptor, unless the permittee submits, within five working days, Federal Form 3-186A completed, in accordance with the instructions on the form, for each bird. The blue copy must be submitted to the department regional office where the permit is issued.

Subp. 2. Change of address. Changes of address must be reported in writing to the department office where the falconry permit is issued within ten days following the move if the change of address will exceed 30 days. Facilities at the new address must be certified during the 30-day temporary holding period following a move to a new location.

Subp. 3. Reports by permit holders. Holders of permits issued for the taking, transportation, transfer, possession, and use of raptors for falconry purposes must report to the commissioner, as requested, listing:

A. all raptors in possession, by species, marker numbers, sex (if known), age (if known), date and where or from whom acquired;

B. all raptors possessed or acquired at any time during the specified period, but no longer possessed, by species, marker numbers, sex (if known), age (if known), date and where or from whom acquired, date and to whom given, if applicable, or whether escaped, died, or released, and when the event occurred; and

C. all unused markers in possession.

6238.1000 FALCONRY PERMIT DURATION AND RENEWAL.

Subpart 1. Duration of permits. Falconry permits may not exceed three years in duration and expire on September 30 of the year of expiration. Permits are not transferable.

Subp. 2. Renewal of permits. Falconry permits are renewable. Request for renewal must be made at least 30 days prior to the permit expiration date.

6238.1100 FALCONRY PERMIT REVOCATION.

A permittee violating the provisions of this chapter may be subject to permit revocation, and all raptors held may be subject to seizure and confiscation in the manner provided by law.

MIGRATORY BIRDS

CHAPTER 6240

6240.0100 DEFINITIONS.

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 1a. Early goose season. "Early goose season" means goose seasons beginning before September 16.

Subp. 2. In the field. "In the field" means at or between the place where taken and either:

- A. the person's automobile or principal means of land transportation;
- B. the person's abode or temporary or transient place of lodging;
- C. a migratory bird preservation facility;
- D. a post office; or
- E. a common carrier facility.

Subp. 2a. Late goose season. "Late goose season" means goose seasons beginning on or after December 1.

Subp. 3. Migratory game birds. "Migratory game birds" means coots, gallinules, sora and Virginia rails, American woodcock, common snipe, and migratory waterfowl.

Subp. 4. Regular goose season. "Regular goose season" means goose seasons beginning from September 16 to October 21.

6240.0200 GENERAL RESTRICTIONS FOR TAKING AND POSSESSION OF MIGRATORY GAME BIRDS.

Subpart 1. Shooting hours. Shooting hours for migratory waterfowl, coots, gallinules, rails, and snipe are one-half hour before sunrise to sunset, except as follows:

A. on the opening day of the duck season, shooting hours begin at 9:00 a.m.; and

B. from the opening day of the duck season to the Saturday nearest October 8, shooting hours end at 4:00 p.m.

Subp. 2. Possession limits. The possession limit is twice the daily limit, except for rails where the daily and possession limits are the same. All restrictions specific to a species or gender apply.

Subp. 3. Blinds on public lands and public waters. An unoccupied blind on public land or in public waters is available for use by the public and is not the property of the person who constructed it. A person may not use threat or force against another person to gain possession of a blind.

Subp. 4. Use of motorized watercraft. A person may use motorized watercraft in the waterfowl feeding and resting area established on South Heron Lake during the goose season established in part 6240.1600.

Subp. 5. Possession and transportation of migratory game birds. A person may not possess or transport unlawfully taken migratory game birds.

Subp. 6. Opening day possession limit. A person may not have in possession on the opening day of each of the established seasons any freshly killed migratory game birds in excess of the daily bag limit.

6240.0300 TAKING OF WOODCOCK.

Subpart 1. Open season. Woodcock may be taken during the 45-day period beginning the Saturday on or nearest September 22.

Subp. 2. Daily limit. A person may not take more than three woodcock per day during the open season.

6240.0400 TAKING OF RAILS.

Subpart 1. Open season. Sora and Virginia rails may be taken from September 1 to November 4. King rails may not be taken or possessed.

Subp. 2. Daily and possession limit. A person may not take more than 25 rails in aggregate per day or possess more than 25 rails in aggregate.

6240.0500 TAKING OF WILSON'S SNIPE.

Subpart 1. Open season. Wilson's snipe (Jacksnipe) may be taken from September 1 to November 4.

Subp. 2. Daily limit. A person may not take more than eight Wilson's snipe per day during the open season.

6240.0550 GENERAL RESTRICTIONS FOR TAKING MIGRATORY WATERFOWL.

A person may not take ducks, mergansers, geese, coots, or moorhens (gallinules) on any lands or waters within the state while possessing shotshells loaded with shot other than:

A. steel shot;

B. copper-plated, nickel-plated, or zinc-plated steel shot; or

C. shot made of other nontoxic material approved by the director of the United States Fish and Wildlife Service.

6240.0610 YOUTH WATERFOWL HUNTING DAYS.

Subpart 1. Dates, eligibility, and license requirements. Ducks, mergansers, coots, moorhens, and Canada geese may be taken statewide on special youth waterfowl hunting days by hunters 15 years of age or younger. An adult mentor 18 years of age or older, who is authorized by the youth's parent or guardian, must accompany the youth hunter at all times during the hunt. The accompanying adult may not hunt. No hunting license or waterfowl stamps are required.

Subp. 2. Shooting hours. Shooting hours are one-half hour before sunrise to 4:00 p.m.

Subp. 3. Bag limits. The daily bag limit for ducks, mergansers, coots, and moorhens is as allowed by federal rule. The daily bag limit for geese is five Canada geese, except in those areas where taking Canada geese near water is restricted under part 6240.1200, subpart 1, item A, where the daily bag limit is one Canada goose.

6240.0700 TAKING GEESE IN WEST CENTRAL GOOSE ZONE.

The West Central Goose Zone is the area lying within the following boundary:

Beginning at the intersection of State Trunk Highway (STH) 29 and U.S. Highway 212; thence West along U.S. Highway 212 to U.S. Highway 59; thence South along U.S. Highway 59 to STH 67; thence West along STH 67 to U.S. Highway 75; thence North along U.S. Highway 75 to County State Aid Highway (CSAH) 30, Lac qui Parle County; thence West along CSAH 30 to the west boundary of the state; thence North along the west boundary of the state to the point due south of the intersection of STH 7 and CSAH 7, Big Stone County; thence due North to said intersection; thence North along CSAH 7 to

CSAH 6, Big Stone County; thence East along CSAH 6 to CSAH 21, Big Stone County; thence South along CSAH 21 to CSAH 10, Big Stone County; thence East along CSAH 10 to CSAH 22, Swift County; thence East along CSAH 22 to CSAH 5, Swift County; thence South along CSAH 5 to U.S. Highway 12; thence East along U.S. Highway 12 to CSAH 17, Swift County; thence South along CSAH 17 to CSAH 9, Chippewa County; thence South along CSAH 9 to STH 40; thence East along STH 40 to STH 29; thence South along STH 29 to the point of beginning.

6240.0850 TAKING GEESE AND BRANT IN THE WEST GOOSE ZONE.

The West Goose Zone is the area lying within the following boundary:

Beginning at the intersection of U.S. Highway 72 and Interstate Highway 94 (I-94); thence west on I-94 to the west border of the state; thence south and east on the west and south borders of the state to State Trunk Highway (STH) 60; thence north on STH 60 to U.S. Highway 71; thence north on U.S. Highway 71 to the point of beginning.

6240.0860 TAKING GEESE AND BRANT IN THE NORTHWEST GOOSE ZONE.

The Northwest Goose Zone is the area lying within the following boundary:

Beginning at U.S. Highway 2 on the North Dakota-Minnesota border; thence east on U.S. Highway 2 to State Trunk Highway (STH) 32; thence north on STH 32 to STH 92; thence east on STH 92 to County State Aid Highway (CSAH) 2, Polk County; thence north on CSAH 2 to CSAH 27, Pennington County; thence north on CSAH 27 to STH 1; thence east on STH 1 to CSAH 28, Pennington County; thence north on CSAH 28 to CSAH 54, Marshall County; thence north on CSAH 54 to CSAH 9, Roseau County; thence north on CSAH 9 to STH 11; thence west on STH 11 to STH 310; thence north on STH 310 to the north border of Minnesota; thence west and south on the Minnesota border to the point of beginning.

6240.0900 TAKING GEESE AND BRANT IN LAC QUI PARLE GOOSE ZONE.

The Lac qui Parle Goose Zone is the area lying within the following boundary:

Beginning at the intersection of U.S. Highway 212 and County State Aid Highway (CSAH) 27, Lac qui Parle County; thence north along CSAH 27 to CSAH 20, Lac qui Parle County; thence west along CSAH 20 to State Trunk Highway (STH) 40; thence north along STH 40 to STH 119; thence north along STH 119 to CSAH 34, Lac qui Parle County; thence west along CSAH 34 to CSAH 19, Lac qui Parle County; thence north along CSAH 19 to CSAH 38, Lac qui Parle County; thence west along CSAH 38 to U.S. Highway 75; thence north along U.S. Highway 75 to STH 7; thence south and east along STH 7 to CSAH 6, Swift County; thence east along CSAH 6 to County Road 65, Swift County; thence south along County Road 65 to County Road 34, Chippewa County; thence south along County Road 34 to CSAH 12, Chippewa County; thence east along CSAH 12 to CSAH 9, Chippewa County; thence south along CSAH 9 to STH 7; thence south and east

along STH 7 to Montevideo; thence south and west along the municipal boundary of Montevideo to U.S. Highway 212; thence west along U.S. Highway 212 to the point of beginning.

6240.1000 TAKING GEESE IN SOUTHEAST GOOSE ZONE.

Subpart 1. Zone. The Southeast Goose Zone is comprised of that part of the state within the following described boundaries:

Beginning at the intersection of U.S. Highway 52 and the south boundary of the Twin Cities Metro Canada Goose Zone; thence southerly along U.S. Highway 52 to State Trunk Highway (STH) 57; thence southerly along STH 57 to U.S. Highway 14; thence along U.S. Highway 14 to County State-Aid Highway (CSAH) 13, Dodge County; thence southerly along CSAH 13 to STH 30; thence easterly along STH 30 to U.S. Highway 63; thence southerly along U.S. Highway 63 to the south boundary of the state; thence along the south and east boundaries of the state to the south boundary of the Twin Cities Metro Canada Goose Zone; thence along said boundary to the point of beginning.

Subp. 2. Repealed, 2005

6240.1100 TAKING GEESE IN REMAINDER OF STATE.

Subpart 1. Zone and season. The remainder of the state consists of all areas not within the Northwest, West Central, and West Goose Zones. Canada geese may be taken in the remainder of the state during the 70-day period beginning the Saturday on or nearest October 1.

Subp. 2. Daily limit. A person may not take more than two Canada geese each day in the remainder of the state.

6240.1150 TAKING SNOW, BLUE, ROSS' AND WHITE-FRONTED GEESE AND BRANT.

Subpart 1. Seasons. Snow, blue, Ross', and white-fronted geese and brant may be taken statewide during the 86-day period beginning the Saturday on or nearest October 1.

Subp. 2. Daily limit. A person may not take more than 20 snow, blue, and Ross' geese in combination; two white-fronted geese; and one brant each day.

6240.1200 SPECIAL PROVISIONS ON TAKING GEESE DURING EARLY SEASONS.

Subpart 1. Taking near water.

A. Taking Canada geese during the early seasons is prohibited on or within 100 yards of all surface waters in the following areas:

- (1) the Northwest, Southeast, and Twin Cities Metro Goose Zones;
- (2) all of the Carlos Avery Wildlife Management Area, including that portion outside the Twin Cities Metro Goose Zone; and
- (3) the Swan Lake area in Nicollet County, within the boundary described as follows:

Beginning at the junction of State Trunk Highway (STH) 14 and County State-Aid Highway (CSAH) 12 north along CSAH 12 to CSAH 5; thence east along CSAH 5 to CSAH 13; thence south along CSAH 13 to STH 99; thence west along STH 99 to CSAH 17; thence south along CSAH 17 to STH 14; thence northwest and west along STH 14 to CSAH 12.

B. Taking Canada geese on or within 100 yards of surface waters during the early Canada goose seasons is allowed for youth hunters participating in youth waterfowl hunting days and on specific bodies of water in closed zones as described or shown on maps provided by the commissioner.

Subp. 2. Taking on public roads and rights-of-way. Taking Canada geese on public roads and their rights-of-way is prohibited during the early seasons in the Twin Cities Metro Canada Goose Zone and in goose refuges open to goose hunting.

6240.1500 TAKING GEESE IN TWIN CITIES METRO CANADA GOOSE ZONE.

Subpart 1. Open season. The open season for taking Canada geese in the Twin Cities Metro Canada Goose Zone begins the first Saturday in September, except the season begins on Sunday, September 1, in any year when the first Saturday falls on September 7. The season closes on September 22, except the season closes on the first Friday before the duck season opens in years when the duck season opens on or before September 22.

Subp. 2. Daily limits. A person may not take more than five Canada geese per day during the early season.

Subp. 3. Zone description. The Twin Cities Metro Canada Goose Zone is described as follows:

A. All of Hennepin and Ramsey Counties.

B. In Anoka County, all of Columbus Township lying south of County State Aid Highway (CSAH) 18, Anoka County; all of the cities of Ramsey, Andover, Anoka, Coon Rapids, Spring Lake Park, Fridley, Hilltop, Columbia Heights, Blaine, Lexington, Circle Pines, Lino Lakes, and Centerville; and all of the city of Ham Lake except that portion lying north of CSAH 18 and east of U.S. Highway 65.

C. That part of Carver County lying north and east of the following described line:

Beginning at the northeast corner of San Francisco Township; thence west along the north boundary of San Francisco Township to the east boundary of Dahlgren Township; thence north along the east boundary of Dahlgren Township to U.S. Highway 212; thence west along U.S. Highway 212 to State Trunk Highway (STH) 284; thence north on STH 284 to County State Aid Highway (CSAH) 10; thence north and west on CSAH 10 to CSAH 30; thence north and west on CSAH 30 to STH 25; thence east and north on STH 25 to CSAH 10; thence north on CSAH 10 to the Carver County line.

D. In Scott County, all of the cities of Shakopee, Savage, Prior Lake, and Jordan, and all of the Townships of Jackson, Louisville, St. Lawrence, Sand Creek, Spring Lake, and Credit River.

E. In Dakota County, all of the cities of Burnsville, Eagan, Mendota Heights, Mendota, Sunfish Lake, Inver Grove Heights, Apple Valley, Lakeville, Rosemount, Farmington, Hastings, Lilydale, West St. Paul, and South St. Paul, and all of the Township of Nininger.

F. That portion of Washington County lying south of the following described line:

Beginning at County State Aid Highway (CSAH) 2 on the west boundary of the county; thence east on CSAH 2 to U.S. Highway 61; thence south on U.S. Highway 61 to State Trunk Highway (STH) 97;

thence east on STH 97 to the intersection of STH 97 and STH 95;
thence due east to the east boundary of the state.

6240.1600 TAKING GEESE IN FIVE GOOSE ZONE.

Subpart 1. Open season. The open season for taking Canada geese in the Five Goose Zone begins the first Saturday in September, except the season begins on Sunday, September 1, in any year when the first Saturday falls on September 7. The season closes on September 22, except the season closes on the first Friday before the duck season opens in years when the duck season opens on or before September 22.

Subp. 2. Daily limits. A person may not take more than five Canada geese per day during the early season.

Subp. 3. Zone description. The Five Goose Zone is described as follows:

Those areas of the state not included in the Northwest Goose Zone described in part 6240.0860; the Twin Cities Metro Canada Goose Zone as described in part 6240.1500, subpart 3; or the Two Goose Zone described in part 6240.1700, subpart 3.

Subp. 4. Closed area. The Lac qui Parle controlled hunting zone, as described in part 6230.0600, subpart 3, is closed to the taking of geese during the early season described in this part.

6240.1700 TAKING GEESE IN SOUTHEAST ZONE EARLY SEASON.

Subpart 1. Open season. The open season for taking Canada geese in the Southeast Zone begins the first Saturday in September, except the season begins on Sunday, September 1, in any year when the first Saturday falls on September 7. The season closes on September 22, except the season closes on the first Friday before the duck season opens in years when the duck season opens on or before September 22.

Subp. 2. Daily limit. A person may not take more than two Canada geese per day during the early season.

Subp. 3. Zone description. The Southeast Zone is that portion of the state described in part 6240.1000.

6240.1750 TAKING GEESE IN NORTHWEST GOOSE ZONE.

Subpart 1. Open season. The open season for taking Canada geese in the Northwest Goose Zone, described in part 6240.0860, begins the first Saturday in September, except the season begins on Sunday, September 1, in any year when the first Saturday falls on September 7. The season closes on September 15.

Subp. 2. Daily limits. A person may not take more than two Canada geese per day during the early season.

6240.1800 EARLY GOOSE HUNT LICENSE.

Subpart 1. License required. The early seasons described in parts 6240.1500, 6240.1600, and 6240.1700 are special seasons for purposes of the special season Canada goose license required under Minnesota Statutes, section 97B.802.

Subp. 2. Repealed, 2005

Subp. 3. Repealed, 2005

6240.1850 REFUGES OPEN TO THE TAKING OF GEESE.

Subpart 1. Goose refuges. Those portions of the Douglas County Goose Refuge in Douglas County, the Otter Tail County Goose Refuge in Otter Tail County, and the Sauk Rapids-Rice Goose Refuge in Benton County, in the respective zone or zones in which they are located, are open to goose hunting during the early, regular, and late goose seasons for those zones. All other goose hunting regulations apply in these refuges. Taking waterfowl from public roads and their rights-of-way is prohibited. The Ashby Goose Refuge in Grant County is open to Canada goose hunting during the early September goose season.

Subp. 2. Game refuges. The Fox Lake Game Refuge in Martin County and the Saint James Game Refuge in Watonwan County are open to goose hunting during the first three days of the regular goose season in the respective zones in which they are located. The Fox Lake Game Refuge is open to goose hunting from the Saturday on or nearest November 26 to the end of the goose season in the zone in which it is located, except there is no goose hunting within 100 yards of Fox and Temperence Lakes.

Subp. 3. Waterfowl refuges. The Harstad Slough Waterfowl Refuge in Stevens County is open to Canada goose hunting during the early September goose season. The Mud-Bardwell Waterfowl Refuge in Martin County is open to Canada goose hunting from the Saturday on or nearest October 30 to the end of the goose season in the zone in which it is located, except there is no goose hunting within 100 yards of Mud and Bardwell Lakes. The Rickert Lake Waterfowl Refuge in Steele County is open to Canada goose hunting during the early September goose season. The waterfowl sanctuary within this refuge is closed to hunting and trespass, as posted.

6240.1900 LATE SEASONS FOR TAKING CANADA GEESE.

Subpart 1. Daily limit. A person may not take more than five Canada geese per day during the late seasons, except that no more than two Canada geese per day may be taken in the Southeast Goose Zone.

Subp. 2. Public roads. Taking Canada geese from public roads and their rights-of-way is prohibited in the Twin Cities Metro Canada Goose Zone during the late season established by this part.

Subp. 3. Seasons. Canada geese may be taken statewide during the late seasons, except in the West Central Goose Zone.

Subp. 4. Special season Canada goose license required. The late seasons established in this part are special seasons for purposes of the special season Canada goose license required under Minnesota Statutes, section 97B.802.

6240.1950 TAKING GEESE IN FERGUS FALLS/ALEXANDRIA CANADA GOOSE ZONE.

The Fergus Falls/Alexandria Canada Goose Zone is the area lying with the following boundary:

Beginning at the intersection of State Trunk Highway (STH) 55 and STH 28; thence east on STH 28 to County State Aid Highway (CSAH) 33, Pope County; thence north along CSAH 33 to CSAH 3, Douglas County; thence north along CSAH 3 to CSAH 69, Otter Tail County; thence north along CSAH 69 to CSAH 46, Otter Tail County; thence east along CSAH 46 to the eastern boundary of Otter Tail County; thence north along the east boundary of Otter Tail County to CSAH 40,

Otter Tail County; thence west along CSAH 40 to CSAH 75, Otter Tail County; thence north along CSAH 75 to STH 210; thence west along STH 210 to STH 108; thence north along STH 108 to CSAH 1, Otter Tail County; thence west along CSAH 1 to CSAH 14, Otter Tail County; thence north along CSAH 14 to CSAH 44, Otter Tail County; thence west and north along CSAH 44 to CSAH 35, Otter Tail County; thence north along CSAH 35 to STH 108; thence west along STH 108 to CSAH 19, Wilkin County; thence south along CSAH 19 to STH 55; thence east and south along STH 55 to the point of beginning.

6240.2000 MIGRATORY WATERFOWL FEEDING AND RESTING AREA RESTRICTIONS.

Subpart 1. Entry restrictions. A person may not enter a posted migratory waterfowl feeding and resting area during the open migratory waterfowl season with watercraft or aircraft propelled by a motor, except as provided in subparts 2 to 4.

Subp. 2. Department employees in performance of their duties. The restriction in subpart 1 does not apply to uniformed employees of the department and other agents of the commissioner while in the performance of their official department duties.

Subp. 3. Disabled or handicapped persons. A disabled or handicapped person, under permit from the commissioner, may use an electric motor of less than 30 pounds thrust. A permit is not required for the lakes listed in subpart 4.

Subp. 4. Use of electric motors. On the lakes listed in items A to J, a person may use an electric motor of less than 30 pounds thrust within the designated migratory waterfowl feeding and resting area during the open waterfowl season:

- A. Beltrami County: Puposky Lake, Little Puposky Lake;
- B. Carver County: Tiger Lake;
- C. Faribault and Blue Earth Counties: Minnesota Lake;
- D. Freeborn County: Bear Lake;
- E. Jackson County: South Heron Lake, North Heron Lake;
- F. Kandiyohi County: Wagonga Lake, Lake Lillian;
- G. McLeod County: Bakers Lake, Unnamed Lake, in T. 114 N., R. 29W, S. 28;
- H. Polk County: Turtle Lake;
- I. Pope County: Nelson Lake; and
- J. Traverse County: Mud Lake.

6240.2100 DESIGNATED MIGRATORY WATERFOWL FEEDING AND RESTING AREAS.

Subpart 1. Designation of entire lakes. The following lakes are designated as migratory waterfowl feeding and resting areas:

Name	Location	County
A. Bakers Lake	T.114N; R.29W	McLeod
B. Bear Lake	T.101N; R.22W	Freeborn
C. Big Rice Lake	T.140, 141N; R.26W	Cass
D. Cottonwood Lake	T.106N; R.25W	Blue Earth
E. Diamond Lake	T.110N; R.23W	Le Sueur
F. Dora Lake	T.110N; R.23W	Le Sueur

Name	Location	County
G. Lake Johanna	T.123N; R.36W	Pope
H. Lake Lillian	T.117N; R.33, 34W	Kandiyohi
I. Little Puposky Lake	T.149N; R.33, 34W	Beltrami
J. Mud Lake	T.131N; R.43W	Otter Tail
K. Mud Lake	T.114N; R.26W	Sibley
L. Nelson Lake	T.124N; R.38W	Pope
M. Oakleaf Lake	T.110N; R.26W	Nicollet
N. Pleasant Lake	T.113N; R.23W	Scott
O. Puposky Lake	T.149N; R.33, 34W	Beltrami
P. Rice Lake	T.148, 149N; R.27W	Itasca
Q. Rice Lake	T.111N; R.23W	Le Sueur
R. Sanborn Lake	T.112N; R.23W	Le Sueur
S. Scotch Lake	T.110N; R.25W	Le Sueur
T. Squaw Lake	T.148, 149N; R.27W	Itasca
U. Tiger Lake	T.115N; R.26W	Carver
V. Turtle Lake	T.148N; R.39W	Polk
W. Unnamed Lake	T.114N; R.29W; S.28	McLeod
X. Upper Rice Lake	T.145N; R.36, 37W	Clearwater
Y. Wagonga Lake	T.118, 119N; R.34, 35W	Kandiyohi
Z. Washington Lake	T.114N; R.26W	Sibley

Subp. 2. Marsh Lake, Big Stone, Lac qui Parle, and Swift Counties. The following portion of Marsh Lake in Big Stone, Lac qui Parle, and Swift Counties is designated as a migratory waterfowl feeding and resting area:

That portion of the lake lying east and southeast of a line beginning at the point where the west section line of Section 10, Township 120 North, Range 44 West, meets the lake water line; thence running southeast approximately 370 rods to the southwest corner of Egret Island located in Section 15, Township 120 North, Range 44 West; thence running southeast approximately 340 rods to a point where the east section line of Section 22, Township 120 North, Range 44 West, intersects the water line of the south shore of the lake.

Subp. 3. Lake Lizzie, Otter Tail County. All that portion of Lake Lizzie in Otter Tail County in Sections 3, 4, 5, 6, 7, 8 and 9, Township 136 North, Range 42 West is designated as a migratory waterfowl feeding and resting area.

Subp. 4. Repealed, 1999

Subp. 5. South Heron Lake, Jackson County. That part of Heron Lake known as South Heron Lake in Jackson County except those portions described as follows is designated as a migratory waterfowl feeding and resting area except during the early Canada goose season:

That part of the lake lying northwest of a straight line beginning at the state-owned access on the west shore in Section 15, Township 103 North, Range 37 West; thence running northeast to the point of the peninsula on the east side of the inlet to Okabena and Division Creeks located in Section 10, Township 103 North, Range 37 West; also that part lying South of a straight line beginning at Burmeisters Point in Section 13, Township 103 North, Range 37 West; thence running west to Sandy Point in Section 24, Township 103 North, Range 37 West.

Subp. 6. North Heron Lake, Jackson County. That part of Heron Lake known as North Heron Lake in Jackson County except those areas known as

Winzer Bay and North Marsh is designated as a migratory waterfowl feeding and resting area.

Subp. 7. Lake Christina, Grant and Douglas Counties. All of Lake Christina in Grant and Douglas Counties except that part lying south of a straight line beginning at the east terminus of the north line of Government Lot 3, Section 12, Township 130 North, Range 41 West, at the water's edge of Lake Christina; thence running east to the water's edge at the northwest point of the peninsula of Government Lot 1, Section 8, Township 130 North, Range 40 West, that projects into said lake is designated as a migratory waterfowl feeding and resting area.

Subp. 8. Mud Lake, Traverse County. All that portion of Mud Lake in Traverse County within the following described area is designated as a migratory waterfowl feeding and resting area:

Beginning at the point where the Bois de Sioux River enters the bed of Mud Lake north of Reservation Dam; thence northeast along the west boundary of Minnesota to a point due west of the farthest north portion of Lewis Point; thence east to said point on Lewis Point; thence southeast along the shoreline of Mud Lake defined by the prevailing water level to the point of beginning.

Subp. 9. Minnesota Lake, Faribault and Blue Earth Counties. All that portion of Minnesota Lake in Faribault and Blue Earth Counties within the area posted by signs or buoys and identified as a migratory waterfowl feeding and resting area is designated as a migratory waterfowl feeding and resting area.

6240.2300 COMMON CROW SEASON.

Subpart 1. Open dates. Common crows may be taken from July 15 through October 15 and from March 1 through March 31.

Subp. 2. Bag limits. Common crows may be taken and possessed without limit during the open season. Common crows taken must be retrieved and removed from the field.

Subp. 3. Eligibility to take common crows. Residents and nonresidents may take common crows with legal firearms, bow and arrow, and by falconry without a license.

Subp. 4. Open zone to take common crows. Common crows may be taken statewide during the prescribed dates and hours.

6240.2400 METHODS OF TAKING COMMON CROW.

Subpart 1. Taking common crows by firearms. A person may take common crows with a shotgun not larger than ten gauge or with a handgun or rifle of any caliber.

Subp. 2. Use of electronic calls and radios. Common crows may be taken by the use or aid of recorded or electronically amplified calls or sounds. Electronic devices may not be left unattended.

6240.2500 TAKING COMMON CROWS IN DEPREDAATION SITUATIONS.

Subpart 1. Taking common crows when causing damage. Persons may take common crows statewide at any time of year when found committing or about to commit depredations upon ornamental or shade trees, agricultural crops, livestock or wildlife, or when concentrated in such numbers and manner as to constitute health problems or other nuisances.

Subp. 2. Disturbance of nests and eggs. Common crows' nests and eggs may not be disturbed at any time.

**6240.2600 TAKING COMMON CROWS IN WATERFOWL PRODUCTION
AREAS, GAME REFUGES, AND WILDLIFE MANAGEMENT AREAS.**

Common crows may be taken on wildlife management areas and federal waterfowl production areas that are open to hunting. Common crows may also be taken within state game refuges open to small game hunting, except those refuges closed to waterfowl hunting.

SHOOTING PRESERVES AND GAME FARMS CHAPTER 6242

6242.0100 DEFINITION OF SHOOTING PRESERVE.

A shooting preserve is a privately operated facility where protected wild animals are released for shooting outside regularly established seasons and regulations. Only species authorized on the shooting preserve license may be released and taken. A person, corporation, or partnership may not operate a shooting preserve without a valid license. There are two classes of shooting preserve, private and commercial, as provided by Minnesota Statutes, sections 97A.115 and 97A.121.

6242.0200 GENERAL PROVISIONS FOR SHOOTING PRESERVES.

Subpart 1. License requirement and application procedure for shooting preserves. Application for a shooting preserve license must be made on forms provided by the commissioner. Additional information may be required when renewing a license or changing an area or species.

Subp. 2. Tagging requirements. Harvested game, except ducks that are marked according to regulations of the United States Fish and Wildlife Service, must be tagged with a self-sealing tag, purchased from the commissioner, identifying the private shooting preserve. Birds dressed and packaged in a nonreusable sealed bag identified by the shooting preserve's name or license number need not be tagged. The tag or package labeling must remain attached while the bird is transported.

Subp. 3. Posting requirements. The boundaries of shooting preserves must be posted with signs with letters at least two inches high. The sign must include the language "Licensed Shooting Preserve" and "No Trespassing," must be signed by the owner or manager, and must be posted at intervals of not more than 500 feet around the entire boundary of the shooting preserve.

Subp. 4. Marking of released birds. Released ring-necked pheasants must be identifiable by a clipped outer toe of the right foot, evidence of wearing blinders, or debeaking. Released ducks must be identifiable by having had the hind toe (Hallux) of the right foot removed before the age of four weeks. Marking is not required on other species released for hunting.

Subp. 5. Required records. Records must be kept current within 48 hours and maintained for three years following the year of creation.

Subp. 6. Required annual report. An annual report must be submitted by each shooting preserve on a form provided by the commissioner. This report is due by March 15 of each year for the preceding calendar year.

Subp. 7. Other species for commercial shooting preserves. In addition to the species authorized in Minnesota Statutes, section 97A.115, subdivision 2, the following species are designated for commercial shooting preserves:

- A. gray partridge; and
- B. unprotected birds.

6242.0300 OPERATION OF PRIVATE SHOOTING PRESERVES.

Private shooting preserves are authorized in counties outside the pheasant range including Norman, Becker, Wadena, Cass, Crow Wing, Aitkin, and Carlton counties and counties to the north of those counties.

6242.0400 OPERATION OF COMMERCIAL SHOOTING PRESERVES.

A person hunting waterfowl on a commercial shooting preserve is required to have federal and state waterfowl stamps and a small game license, except when taking only pen-reared and marked mallards.

6242.0500 GAME FARM LICENSE REQUIREMENTS, DEFINITION.

Subpart 1. Species specified on license. The game farm license must specify the species which may be propagated or sold.

Subp. 2. Definition. For purposes of game farm record keeping, "upland game birds" means the birds identified in Minnesota Statutes, section 97B.711, subdivision 1, except turkeys.

6242.0600 GAME FARM LICENSE CONDITIONS.

A game farm license may be issued to an applicant who:

- A. is primarily responsible for the care of the animals;
- B. has adequate knowledge to properly care for the species involved;
- C. provides a fenced area of adequate size on the premises to effectively confine the animals to be kept;
- D. provides clean and healthy facilities to house, breed, and maintain the animals; and
- E. provides for adequate food, water, shelter, sanitation, protection from injury, and prevention of overcrowding.

Failure to meet these requirements may be grounds for revocation or nonrenewal of the license.

6242.0800 ACQUISITION OF GAME FARM ANIMALS.

A game farm licensee may acquire protected captive-reared mammals and game birds or their eggs only from a licensed game farm operator or other person exempt from the licensing requirement.

6242.0900 RESTRICTIONS ON SALE OR DISPOSAL OF GAME FARM ANIMALS.

Subpart 1. Sales receipt requirement. For every sale or disposal of an animal, animal parts, or products, the game farm licensee must complete a sales receipt, provided by the commissioner, containing the following information:

- A. name, address, and game farm license number of licensee;
- B. name and address of purchaser or person to whom sale or disposal is made;
- C. species, number, and kinds of animals, parts, or products sold or disposed of; and
- D. identification numbers, if the animals sold or disposed of are marked with numbered tags, bands, or tattoos.

Subp. 2. Routing of sales receipts. The original sales receipt of a game farm animal must be mailed to the Division of Enforcement within 48 hours of completion of the transaction. A copy must be given to the purchaser at the time the transaction is made. A second copy must be retained by the licensee and be subject to inspection by the commissioner. A third copy must be submitted to the local conservation officer.

Subp. 3. Shipping animals by common carrier. When animals, parts, or products are shipped by common carrier or are transported other than by the purchaser or receiver, a second copy of the receipt must be attached to the

outside of the box, crate, or container, or to one of the containers if a single shipment is made in several containers.

6242.1000 REQUIRED GAME FARM RECORDS.

Subpart 1. Record keeping. Game farm licensees must keep complete and current business records for all species, except upland game birds, in a record book provided by the commissioner. These records must include the following:

A. for each animal acquired other than by birth on the licensee's game farm, the sex (if known), species, name and address of the source from which acquired, date of acquisition, and number of any band, tag, or tattoo attached to the animal before or after acquisition;

B. for each animal born on the licensee's game farm, the sex (if known), species, date of birth, and number of any band, tag, or tattoo subsequently attached to the animal;

C. for each animal sold or disposed of other than by death, the same information required by part 6242.0900; and

D. for each animal which dies or is destroyed on the licensee's game farm, the sex (if known), species, date of death, and number of any band, tag, or tattoo attached to the animal.

Subp. 2. Retention of receipts. The licensee's copies of all sales and disposal receipts required to be retained must be kept with and are considered part of the record book.

Subp. 3. Entry, retention, and inspection of records. Records required to be kept by this part must be entered into the record book within 48 hours of the birth, transaction, acquisition, death, or disposal of the animal, animal part, or product. Records must be maintained for three years following the year of creation. All records and receipts required to be retained must be open to inspection by the commissioner at any reasonable time.

6242.1100 REPORTS ON OPERATIONS.

On or before March 15 of each year, licensees must submit, on forms provided by the commissioner, reports of their game farm operations during the preceding license year. These reports must be one of two types:

A. for upland game birds and waterfowl, an inventory of all livestock acquired, hatched, possessed, sold, deceased, or disposed of; and

B. for all other species, a report of the required records.

These reports must be submitted to the Division of Enforcement.

6242.1200 THREATENED OR ENDANGERED SPECIES.

Subpart 1. Game farm licensees. A game farm license is not a license to possess, breed, propagate, sell, or dispose of any threatened or endangered species, unless the threatened or endangered species is specifically listed on the game farm license and has been lawfully obtained.

Subp. 2. Permit for purchaser. For purposes of Minnesota Statutes, section 84.0895, the game farm sales receipt showing lawful acquisition of a threatened or endangered species shall serve as a permit to possess the threatened or endangered species.

CAPTIVE WILDLIFE CHAPTER 6244

6244.0100 PURPOSE.

The purpose of sections 6244.0100 to 6244.2000 is to establish reasonable standards for the rehabilitation of orphaned, sick, and injured wild animals, and to establish a permit system and other criteria for such rehabilitation pursuant to Minnesota Statutes, sections 97A.401 and 97A.418. Sections 6244.0100 to 6244.2000 establish criteria for issuing permits to individuals and to individuals in the name of institutions, to provide for the care, treatment, and release of orphaned and debilitated wild animals obtained by those individuals or received from other parties. The permit process is designed to provide for the participation of selected volunteers to the maximum extent possible consistent with Minnesota Statutes. The intent of sections 6244.0100 to 6244.2000 is to help ensure that all persons engaged in rehabilitation of wild animals are qualified, undergo periodic training, house animals under proper conditions, provide a high level of humane care for animals, and are protected as much as is possible from injury caused by animals or from contracting disease that may be carried by animals. Nothing in sections 6244.0100 to 6244.2000 is intended to authorize ownership or possession of wild animals for purposes other than rehabilitation and release.

Nothing in sections 6244.0100 to 6244.2000 authorizes, or is intended to authorize any person with a wildlife rehabilitation permit to practice veterinary medicine in violation of Minnesota Statutes, chapter 156.

6244.0200 SCOPE.

Sections 6244.0100 to 6244.2000 apply to rehabilitation of any orphaned, sick, or injured wild animal carried out by individuals or individuals in the name of institutions, except that the portions of sections 6244.0100 to 6244.2000 pertaining to qualification testing and continuing education and training requirements shall not apply to the Raptor Center and the Wildlife Rehabilitation Clinic at the University of Minnesota, Saint Paul. Sections 6244.0100 to 6244.2000 are not intended to prohibit any person from transporting an orphaned, sick, or injured wild animal to a rehabilitation facility.

6244.0300 DEFINITIONS.

Subpart 1. Scope. The terms used in sections 6244.0100 to 6244.2000 have the meanings given them in this part.

Subp. 2. Advisor. "Advisor" means a master class permit holder who has volunteered to provide counsel and to serve as a mentor for novice class permit holders.

Subp. 3. Applicant. "Applicant" means a person who applies for a Minnesota Department of Natural Resources wildlife rehabilitation permit pursuant to part 6244.0430.

Subp. 4. Big game. "Big game" means deer, moose, elk, bear, antelope, and caribou.

Subp. 5. Commissioner. "Commissioner" means the commissioner of natural resources or the commissioner's designated employees or other agents.

Subp. 6. Continuing education and training. "Continuing education and training" means instruction, courses of instruction, study guides, or other

materials determined by the commissioner to be acceptable for use by wildlife rehabilitation permit holders to satisfy the requirements for renewal of permits upon expiration.

Subp. 7. Department. "Department" means the Minnesota Department of Natural Resources.

Subp. 8. Endangered species or threatened species. "Endangered species" or "threatened species" means species of animals officially listed pursuant to Minnesota Statutes, section 84.0895, as endangered or threatened.

Subp. 9. Facilities. "Facilities" means equipment, housing, or other shelter used in, or necessary for, the rehabilitation of wildlife.

Subp. 10. Federal permit. "Federal permit" means a permit for the rehabilitation of migratory birds issued by the United States Fish and Wildlife Service.

Subp. 11. In-shelter assistant. "In-shelter assistant" means a person designated by novice, general, or master permit holders to assist permittees with basic care and feeding of animals undergoing rehabilitation in the facility of the permittee.

Subp. 12. Nonreleasable wildlife. "Nonreleasable wildlife" means an animal that cannot be released because of a permanent injury, degenerative physical condition as a result of illness, or habituation to humans that would significantly reduce the chance of the animal surviving in the wild.

Subp. 13. Outshelter permit. "Outshelter permit" means a form of wildlife rehabilitation permit issued to an individual affiliated with an institution allowing that person to receive animals for short-term, temporary care only from the named institution with the stipulation that the animals are returned to the institution.

Subp. 14. Permit. "Permit" means a wildlife rehabilitation permit issued by the commissioner under parts 6244.0400 to 6244.0450, unless otherwise specified.

Subp. 15. Permit holder or permittee. "Permit holder" or "permittee" means a person who possesses a valid novice, general, or master wildlife rehabilitation permit issued by the commissioner under parts 6244.0410 to 6244.0450.

Subp. 16. Public exhibition. "Public exhibition" means a display to the general public of wild animals undergoing rehabilitation, either on the permittee's premises or elsewhere.

Subp. 17. Rehabilitation. "Rehabilitation" means providing care for orphaned, injured, or sick wild animals.

Subp. 18. Resident. "Resident" means:

A. an individual who is a citizen of the United States or a resident alien, and has maintained a legal residence in the state for at least the immediately preceding 60 days;

B. a nonresident under the age of 21 who is the child of a resident;

C. a domestic corporation; or

D. a foreign corporation, authorized to do business in the state, that has conducted a licensed business at a location within the state for at least ten years.

Subp. 19. Transport. "Transport" means the act by a permittee of causing or attempting to cause wild animals to be carried or moved other than within the premises of a permittee.

Subp. 20. Veterinarian. "Veterinarian" means a person licensed to practice veterinary medicine as defined in Minnesota Statutes, chapter 156.

Subp. 21. Volunteers. "Volunteers" means persons who are experienced with wildlife rehabilitation and are designated by the commissioner to assist with the process of issuing wildlife rehabilitation permits to individuals.

Subp. 22. Wild animals. "Wild animals" means all living creatures, not human, wild by nature, endowed with sensation and power of voluntary motion, and includes mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks.

Subp. 23. Wildlife rehabilitator. "Wildlife rehabilitator" means a person who has a valid Department of Natural Resources novice, general, or master class wildlife rehabilitation permit issued under parts 6244.0400 to 6244.0440.

Subp. 24. Wildlife section. "Wildlife section" means the section of wildlife of the Department of Natural Resources.

6244.0400 WILDLIFE REHABILITATION PERMITS.

Subpart 1. Requirement. No person shall rehabilitate a wild animal without a permit from the commissioner issued under sections 6244.0100 to 6244.2000. A person with a rehabilitation permit may capture, receive, possess, transport, or transfer an orphaned, sick, or injured wild animal for purposes of rehabilitation according to conditions in the permit and sections 6244.0100 to 6244.2000. Permits shall only be issued to residents of Minnesota except when the commissioner determines that there are special circumstances where the interests of wildlife rehabilitation in Minnesota are served by issuing permits to nonresidents. Nonresidents must meet the same requirements as residents.

Subp. 2. Limit on number of permits. The commissioner may limit the number of wildlife rehabilitation permits in total or in certain geographic areas of the state, as needed, when limitations are determined to be in the best interest of the wildlife resource or to provide for the most efficient management of the permitting process by the department.

Subp. 3. Restrictions on species. The commissioner may restrict the rehabilitation of certain species of animals, either statewide or in certain geographic areas, as needed due to disease, overpopulation, or other limiting factors. The permit may be limited to certain species if deemed to be in the best interest of the wildlife resource, or upon request of the applicant.

Subp. 4. Restriction on having both a game farm license and rehabilitation permit. No person shall be authorized to have both a game farm license and a wildlife rehabilitation permit at the same time except under circumstances deemed by the commissioner to be in the best interest of the wildlife resource.

6244.0410 PERMIT CLASSES.

Subpart 1. Scope. There are three classes of wildlife rehabilitation permits, as outlined in subparts 2 to 4.

Subp. 2. Novice class.

A. Requirements:

- (1) must be at least 18 years of age;
- (2) must have experience at handling and caring for animals according to criteria established by the commissioner in part 6244.0420, subpart 3;
- (3) must pass a written test for the novice class with a score of at least 80 percent;

(4) must maintain satisfactory applicable facility requirements as described in parts 6244.0440 and 6244.0900;

(5) must identify a licensed veterinarian who has agreed to assist and consult with the applicant on the treatment and care of animals being rehabilitated; and

(6) must have at all times a master level permit holder who has agreed to act as an advisor/mentor for the applicant.

B. Privileges:

(1) may possess an orphaned, sick, or injured wild animal up to 48 hours for transport to another novice, general, or master class permittee authorized to possess for rehabilitation the particular animal, or to a licensed veterinarian;

(2) may provide emergency care for a sick or injured wild animal designated on the permit and transport within 48 hours to a general or master class permittee authorized to possess for rehabilitation the particular animal, or to a licensed veterinarian;

(3) may possess for rehabilitation only healthy orphaned wild animals subject to the following restrictions:

(a) no possession for rehabilitation is allowed of any species of endangered or threatened wild animal other than for transport or emergency care as described in subitems (1) and (2);

(b) no possession for rehabilitation is allowed of any species of bird belonging to the orders *Falconiformes* (hawks, eagles, harriers, osprey, and falcons) and *Strigiformes* (owls); and

(c) the only mammals that may be possessed for rehabilitation are those belonging to the orders *Lagomorpha* (rabbits and hares) and *Rodentia* (squirrels, pocket gophers, rats, mice, voles, lemmings, beaver, and porcupine); and

(4) may designate no more than five persons as in-shelter assistants who may work in the facility of the permittee to assist with care and feeding of animals being rehabilitated. The permittee is responsible to notify the wildlife section, in writing, of the names, addresses, and telephone numbers of in-shelter assistants.

Subp. 3. General class.

A. Requirements:

(1) must be at least 18 years of age;

(2) must have been a novice class permit holder for at least two years;

(3) as a novice class permit holder, must demonstrate ongoing animal rehabilitation activities;

(4) as a novice class permit holder, must have successfully completed continuing education and training as defined in parts 6244.0700 and 6244.1600;

(5) must pass a written test for the general class with a score of at least 80 percent;

(6) must maintain satisfactory applicable facility requirements based on criteria as described in parts 6244.0440 and 6244.0900;

(7) must identify a licensed veterinarian who has agreed to assist and consult with the applicant on the treatment and care of animals being rehabilitated; and

(8) must have a letter from the applicant's advisor at the novice class recommending the applicant for a general class permit.

B. Privileges:

(1) may possess an orphaned, sick, or injured wild animal up to 48 hours for transport to a novice, general, or master class permittee authorized to possess for rehabilitation the particular animal, or to a licensed veterinarian;

(2) may provide emergency care for a sick or injured wild animal designated on the permit and transport within 48 hours to another general or master class permittee authorized to possess for rehabilitation the particular animal, or to a licensed veterinarian;

(3) may possess for rehabilitation healthy orphaned, sick, or injured wild animals, subject to the following restrictions:

(a) no possession is allowed of any species of endangered or threatened wild animal other than for transport or emergency care as described in this subitem and subitem (2);

(b) except for American kestrels, no bird belonging to the order *Falconiformes* may be possessed for rehabilitation;

(c) except for saw-whet and screech owls, no bird belonging to the order *Strigiformes* may be possessed for rehabilitation; and

(d) except for deer and bear, as specifically authorized in the permit, no species of big game may be possessed for rehabilitation; and

(4) may designate no more than ten persons as in-shelter assistants who may work in the facility of the permittee to assist with care and feeding of animals being rehabilitated. The permittee is responsible to notify the wildlife section, in writing, of the names, addresses, and telephone numbers of in-shelter assistants.

Subp. 4. Master class.

A. Requirements:

(1) must be at least 18 years of age;

(2) must have been a general class permit holder for at least four years;

(3) as a general class permit holder, must have demonstrated ongoing animal rehabilitation activities;

(4) as a general class permit holder, must have successfully completed continuing education and training as defined in parts 6244.0700 and 6244.1600;

(5) must pass a written test for the master class with a score of at least 80 percent;

(6) must maintain satisfactory applicable facility requirements as described in parts 6244.0440 and 6244.0900; and

(7) must identify a licensed veterinarian who has agreed to assist and consult with the applicant on the treatment and care of animals being rehabilitated.

B. Privileges:

(1) may possess an orphaned, sick, or injured wild animal up to 48 hours for transport to a novice, general, or master class permittee authorized to possess for rehabilitation the particular animal, or to a licensed veterinarian;

(2) may provide emergency care for a sick or injured wild animal and transport within 48 hours to a general or master class permittee authorized to possess for rehabilitation the particular animal, or to a licensed veterinarian;

(3) may possess for rehabilitation healthy orphaned, sick, or injured wild animals, subject to the following restrictions:

(a) except as may be specifically authorized in the permit, no possession is allowed of any species of endangered or threatened wild animal other than for transport or emergency care as described in subitems (1) and (2); and

(b) except for deer and bear, as specifically authorized in the permit, no species of big game may be possessed for rehabilitation;

(4) may serve voluntarily as an advisor of novice permit holders. Master class permit holders who desire to serve as advisors to novice class permittees must:

(a) submit a written request to the commissioner requesting designation as a novice advisor; and

(b) have experience rehabilitating the species of animals that novice class permit holders are allowed to possess as described in subpart 2, item B, subitem (3), units (b) and (c); and

(5) may designate no more than 15 persons as in-shelter assistants who may work in the facility of the permittee to assist with care and feeding of animals being rehabilitated. The permittee is responsible to notify the wildlife section, in writing, of the names, addresses, and telephone numbers of in-shelter assistants.

6244.0420 PERMIT REQUIREMENTS.

Subpart 1. Qualifications. In order to be issued a permit, applicants must satisfy the requirements in subparts 2 to 7.

Subp. 2. Minimum age. The applicant must be at least 18 years of age at the time the application is received by the department.

Subp. 3. Experience at handling and caring for animals. Applicants for novice level permits must be able to demonstrate reasonable experience and skills at handling and caring for animals. This may include:

A. a degree in veterinary medicine, veterinary technology, or animal science;

B. experience working with a practicing veterinarian or at a publicly owned or operated zoo, university animal clinic, animal shelter, or wildlife rehabilitation clinic;

C. experience working with an individual licensed as a wildlife rehabilitator, including hands-on experience with animals; or

D. other experience in caring for animals.

Subp. 4. Examination for permit. The applicant must obtain a score of at least 80 percent on a supervised examination provided by the commissioner. An applicant who fails the examination must wait a minimum of six months before retaking the examination.

Subp. 5. Adequate facilities. The applicant must have on the premises adequate facilities to carry out wildlife rehabilitation activities. This includes types of cages, cage sizes, and other facility criteria as described in part 6244.0900, or as otherwise prescribed by the commissioner.

Subp. 6. Veterinarian consultant. All classes of wildlife rehabilitation permit holders, except licensed veterinarians, must have and identify to the commissioner a licensed veterinarian consultant to advise and assist permittees in the care and treatment of animals.

Subp. 7. Advisor. Novice class wildlife rehabilitation permit holders must have a master class wildlife permit holder as an advisor.

6244.0430 PERMIT APPLICATION.

Written application for wildlife rehabilitation permits shall be made on the form provided by the commissioner and contain the following information:

A. the name, address, telephone number, and date of birth of the applicant;

- B. the address of the proposed wildlife rehabilitation activity or facility;
- C. a detailed description of the applicant's facilities, including numbers and sizes of cages and other pertinent information as requested by the commissioner;
- D. a description of educational background related to animal biology, veterinary medicine, and wildlife rehabilitation;
- E. a description of experience and training related to wildlife rehabilitation, including a compilation of the types of department wildlife rehabilitation permits possessed in the past and the duration of the permit;
- F. certification from the commissioner that the applicant has obtained a score of at least 80 percent on a supervised examination provided by the commissioner for the class of rehabilitation permit requested;
- G. the name, address, and telephone number of the licensed veterinarian who has agreed to assist and consult with the permittee on the treatment and care of animals being rehabilitated;
- H. for applicants for novice level wildlife rehabilitation permits, the name, address, telephone number, and department rehabilitation permit number of the master class permit holder who has agreed to serve as an advisor for the applicant;
- I. the types of wildlife the applicant desires to rehabilitate (mammals, passerine birds, or all species) allowed by the permit level applied for; and
- J. an agreement to comply with the requirements of sections 6244.0100 to 6244.2000.

6244.0440 INSPECTION AND ISSUANCE.

After receipt of the application for a rehabilitation permit, and a determination by the commissioner that the applicant has satisfied all requirements for a permit as described in parts 6244.0420 and 6244.0430, the commissioner may inspect the applicant's facility.

6244.0450 NONTRANSFERABILITY.

No permit issued under parts 6244.0400 to 6244.0450 shall be transferable.

6244.0500 ROLE OF VETERINARIANS.

Subpart 1. Voluntary consultants. Licensed veterinarians may serve as voluntary consultants to novice, general, or master class permittees as described in parts 6244.0410 and 6244.0420.

Subp. 2. Consultation. Veterinarians are not required to have a department wildlife rehabilitation permit to consult with department rehabilitation permit holders nor to advise the permittees on care and treatment of animals undergoing rehabilitation.

Subp. 3. Treatment. Veterinarians may treat wild animals, protected birds, and protected mammals in their office or clinic without possessing a department wildlife rehabilitation permit, provided the animals are not kept at the veterinary office or clinic longer than 48 hours.

Subp. 4. Longer term. Veterinarians who have in their possession a wild animal longer than 48 hours are required to either have a novice, general, or master level permit or notify a conservation officer of the possession of an injured or orphaned wild animal.

Subp. 5. Permit requirements. Veterinarians may obtain a general class permit by meeting the written test requirements for these permits described in

sections 6244.0100 to 6244.2000, and by maintaining satisfactory applicable facilities requirements.

Subp. 6. Possession of animals. Veterinarians who have a general or master class rehabilitation permit may possess a sick or injured wild animal, for purposes of treatment. The commissioner shall be notified within 24 hours of receipt of a state or federal endangered or threatened animal.

6244.0600 RECORD KEEPING AND REPORTING REQUIREMENTS.

All permittees shall retain complete and up to date records on forms provided by the commissioner. Rehabilitation records must be updated within 24 hours of the event. A copy of each year's record shall be submitted to the department by January 31 of the following year. Permit holders are required to retain records for three calendar years and make the records available for inspection by the commissioner at any reasonable hour.

6244.0700 EXAMINATION; CONTINUING EDUCATION AND TRAINING; ROLE OF VOLUNTEERS.

The commissioner shall establish examinations for initial issuance of each class of permit, and requirements for continuing education and training needed for renewal of permits. These requirements must be fully met before permits are renewed.

The department wildlife rehabilitation permit process has been designed to make maximum use of volunteers. Persons experienced with wildlife rehabilitation may be designated by the commissioner to assist in the development of examinations and continuing education and training materials under direction of the commissioner, to assist in the administration of examinations for various levels of permits under direction of the commissioner, to conduct continuing education under direction of the commissioner, and to consult with the commissioner regarding the wildlife rehabilitation permit process.

6244.0800 GENERAL PROVISIONS GOVERNING WILDLIFE REHABILITATION.

Subpart 1. Receipt of animals. The receipt of animals shall be according to items A to C.

A. Permittees may capture orphaned, sick, or injured animals themselves or receive animals from others for purposes of rehabilitation.

B. Permittees may not import or accept animals for rehabilitation from outside Minnesota, except as allowed by the commissioner.

C. The commissioner shall be notified immediately of the receipt of a threatened or endangered species by a permittee.

Subp. 2. Rehabilitation care.

A. Animals being rehabilitated shall have contact with the permittee or designated in-shelter assistants only to the extent necessary for adequate care and treatment. Under no circumstances shall animals be habituated to humans, tamed, used as pets, or used in inappropriate ways. The separation of facilities from humans is contained in parts 6244.0300 and 6244.0900, subpart 1.

B. Mammals being rehabilitated may be housed only with others of the same species.

C. Public exhibition of animals being rehabilitated is prohibited, except as provided in subpart 4, item B.

D. Transfers of animals being rehabilitated may be made to the same level or to higher level permit holders and, in the case of master permit holders, to lower level permit holders, when:

(1) in the judgment of the permittee after discussion with the permittee's master class advisor or veterinarian consultant, it is determined that a transfer would result in improved care of the animal; and

(2) it is determined by the permittee that the permit holder to whom the transfer is being made is authorized to possess the animals being transferred.

E. Costs incurred by the permittee for rehabilitation activities shall be the responsibility of the permittee only. Permittees may not charge a fee for rehabilitating animals. The provisions of this item do not apply to licensed veterinarians.

F. Permittees may not delegate to others the authority granted by their permit except that permittees may designate others as in-shelter assistants as described in parts 6244.0300, subpart 11, and 6244.0410 to assist with the care and feeding of animals on the premises of the permittee and under the direct supervision of the permittee. Treatment of injured and sick animals may not be delegated to other persons.

Subp. 3. Release of animals.

A. When, in the judgment of the permittee, after discussion with the permittee's master class advisor or veterinarian consultant, an injured or sick animal has sufficiently recovered, or an orphaned animal is matured to the point where it has a reasonable chance to survive in the wild, the animal shall be released immediately in suitable habitat as near to the point where the animal was captured as practical.

B. Rehabilitated animals are not to be transported across state lines for release or for any other purposes unless expressly authorized by the commissioner.

C. When authorized by the commissioner, animals that are not sufficiently recovered from injuries or illnesses, or are not otherwise ready for release prior to the onset of cold weather in the fall, may be kept over winter and released in the spring.

Subp. 4. Disposition of nonreleasable animals.

A. When, in the judgment of the permittee, and on advice of the permittee's master class advisor or veterinarian consultant, an injured, sick, or orphaned animal is incapable of surviving if released to the wild, the animal must be:

(1) humanely euthanized under the direction of the veterinarian consultant as described in item C;

(2) turned over to the commissioner; or

(3) transferred as directed by the commissioner.

B. Use of nonreleasable animals for scientific, educational, or exhibition purposes is allowed only under separate permit from the commissioner.

C. Euthanizing shall be done by the most humane means possible by either the permittee or veterinarian consultant and only by methods specifically prescribed by the veterinarian consultant according to criteria established by the American Veterinary Medical Association or the National Wildlife Rehabilitators Association.

D. Except where it is necessary to relieve immediate pain, and in cases where recovery is highly unlikely, threatened or endangered species may be euthanized only on express approval of the commissioner.

E. Animals that die of natural causes or that are euthanized must be buried, incinerated, rendered, or turned over to a person or institution that possesses a valid salvage permit from the department and, in the case of migratory birds, a valid federal salvage permit. Threatened or endangered species or any parts thereof shall be disposed of only at the direction of the commissioner.

F. Live or dead animals or any parts thereof shall not be sold, bartered, or given away.

6244.0900 FACILITIES AND OPERATING STANDARDS.

Subpart 1. Separation of animal facilities from humans. Except as required for the care provider to feed, water, and exercise animals, indoor and outdoor facilities, cages, pens, enclosures, or other areas must be sufficiently separate and protected from pets and from human living or work space to prevent human contact with animals. Animals must be kept in separate facilities at all times except when removal is necessary for veterinary care, transfer to another licensed rehabilitator, or release to the wild.

Subp. 2. Size; construction. The facility must be constructed of a material and strength that is appropriate for the animals involved. The housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

Enclosures shall be constructed and maintained to provide sufficient space to allow each animal to make normal postural and social adjustments with adequate freedom of movement. Inadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavior patterns. Guidelines for space requirements for various species shall be provided by the commissioner.

Adequate potable water shall be available on the premises with reliable and adequate electric power if required to comply with other provisions of the permit.

Subp. 3. Sanitation. Provisions shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, trash, and debris. Disposal facilities shall be provided and operated to minimize vermin infestation, odors, and disease hazards. Permittees shall comply with all applicable laws pertaining to disposal. A suitable sanitary method shall be provided to rapidly eliminate excess water from indoor housing facilities. If drains are used, they shall be properly constructed and installed to prevent any backup of sewage and kept in good repair to avoid foul odors.

Subp. 4. Indoor facilities. Temperature in indoor housing facilities shall be sufficiently regulated by heating or cooling to protect the animals from the extremes of temperature, to provide for their health, and to prevent their discomfort. The ambient temperature shall not be allowed to fall below nor rise above temperatures compatible with the health and comfort of the animal.

Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health and to prevent discomfort of the animals at all times. The facilities shall be provided with fresh air either by means of windows, doors, vents, fans, or air conditioning, and shall be ventilated to minimize drafts, odors, and moisture condensation.

Indoor housing facilities shall have ample lighting, by natural or artificial means, or both, of good quality, distribution, and duration as appropriate for the species involved. The lighting shall be uniformly distributed and of sufficient intensity to permit routine inspection and cleaning. Lighting of

primary enclosures shall be designed to protect the animals from excessive illumination.

Subp. 5. Outdoor facilities. When sunlight is likely to cause overheating or discomfort of the animals, sufficient shade by natural or artificial means shall be provided to allow all animals kept outdoors to protect themselves from direct sunlight.

Natural or artificial shelter appropriate to local climatic conditions for the species concerned shall be provided for all animals kept outdoors to afford them protection and to prevent discomfort to the animals. Individual animals shall be acclimated before they are exposed to the extremes of weather.

6244.1000 ANIMAL HEALTH AND HUSBANDRY.

Subpart 1. Feeding. Dietary guidelines for various species shall be provided by the commissioner. The food shall be wholesome, palatable, and free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health. The diet shall be prepared with consideration of the age, species, condition, size, and type of the animal. Animals shall be fed at least once a day except as dictated by hibernation, veterinary treatment, normal fasts, or other professionally accepted practices.

Food and food receptacles, if used, shall be sufficient in quantity, accessible to all animals in the enclosure, and placed to minimize contamination. Food receptacles shall be kept clean and sanitary at all times. If self-feeders are used, adequate measures shall be taken to prevent molding, contamination, and deterioration or caking of food.

Subp. 2. Watering. If potable water is not accessible to the animals at all times, it must be provided as often as necessary for the health and comfort of the animal. Frequency of watering shall depend upon age, species condition, size, and type of the animal. Water receptacles shall be kept clean and sanitary.

Subp. 3. Sanitation. Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained in the enclosures, to minimize disease hazards, and to reduce odors. When enclosures are cleaned by hosing or flushing, adequate measures shall be taken to protect the animals confined in the enclosures from being directly sprayed with the stream of water or wetted involuntarily.

Subsequent to the presence of an animal with an infectious or transmissible disease, cages, rooms, and hard-surfaced pens or runs shall be sanitized either by washing them with hot water, 180 degrees Fahrenheit at source, and soap or detergent, as in a mechanical washer, or by washing all soiled surfaces with a detergent solution followed by a safe and effective disinfectant, or by cleaning all soiled surfaces with saturated live steam under pressure. Pens or runs using gravel, sand, or dirt shall be sanitized when necessary as directed by the attending veterinarian.

Areas in which animals are kept shall be kept clean and in good repair to protect the animals from injury and to facilitate the prescribed husbandry practices in this subpart. Accumulations of trash shall be placed in designated areas and cleared as necessary to protect the health of the animals.

A safe and effective program for the control of insects; ectoparasites, such as flies, ticks, and fleas; and avian and mammalian pests shall be established and maintained.

Subp. 4. Veterinary care. Programs of disease prevention and parasite control, euthanasia, and adequate veterinary care shall be established and

maintained under the supervision of the permittee's veterinarian consultant. The pest control program shall be reviewed by the veterinarian adviser for the safe use of materials and methods.

Animals shall be observed at least once every day by the person in charge of the care of the animals or by a designated in-shelter assistant working under the permittee's direct supervision. Sick, diseased, stressed, injured, or lame animals that are determined to be nonreleasable shall be dealt with according to part 6244.0800, subpart 4.

Subp. 5. Handling. Handling of animals shall be kept to a minimum, but when necessary shall be done expeditiously and carefully in a way that does not cause unnecessary discomfort, behavioral stress, or physical harm to the animal or harm to the handler. Human contact with animals being rehabilitated shall be kept to an absolute minimum.

6244.1100 TRANSITION FROM PREVIOUS RULES.

Sections 6244.0100 to 6244.2000 apply to permits issued or renewed after July 1, 1996. Any permit issued or renewed after July 1, 1996, is subject to the requirements of sections 6244.0100 to 6244.2000.

6244.1110 INITIAL TESTING AT TIME OF RULES ADOPTION.

Commencing July 1, 1996, the commissioner may allow a person who has or previously had a valid wildlife rehabilitation permit, other than an outshelter permit, to test at either the novice, general, or master level based on the following criteria:

A. a person who has had a wildlife rehabilitation permit for less than two years during the past five years may test at the novice level only;

B. a person who has had a wildlife rehabilitation permit for more than two years but less than six years of the past ten years may test at the novice or general level only; and

C. a person who has had a wildlife rehabilitation permit for six years or more during the past ten years may test at the novice, general, or master level.

A person holding a valid wildlife rehabilitation permit on July 1, 1996, who initially tests at the general or master level, and fails either the general or master level test may immediately test at the novice level without waiting six months as stipulated in part 6244.0420, subpart 4.

6244.1200 CREATION OF MASTER CLASS PERMITTEES.

To provide for a group of master class permit holders to serve as sponsors for novice level permittees commencing July 1, 1996, and before a group of master class permittees would evolve through the process described in part 6244.0410, subparts 2, 3, and 4, the commissioner may issue provisional master class permits to individuals who are otherwise qualified and who have demonstrated special ability, knowledge, training, and experience in wildlife rehabilitation, provided that such provisional permittees must pass the master class test within one year after issuance of the provisional permit.

6244.1300 NEW MINNESOTA RESIDENTS.

A person moving to Minnesota on a permanent basis, who is at the time of relocation to Minnesota a licensed wildlife rehabilitator in the state of previous residence, may be allowed to test at either the general or master level based on the criteria in part 6244.1110.

6244.1400 FEDERAL PERMITS; LOCAL LAWS; PRACTICING VETERINARY MEDICINE.

Subpart 1. Federal permits. A permittee authorized to rehabilitate migratory birds under a department permit must also possess a valid United States Fish and Wildlife Service special purpose rehabilitation permit. Other rehabilitation activities may also require a federal permit. Issuance of a permit by the department shall not exempt the permittee from the permit requirements of federal law.

Subp. 2. Local laws. No rehabilitation permit nor any provisions of sections 6244.0100 to 6244.2000 shall be construed to exempt the permittee from any local laws, ordinances, or regulations that apply to the activities authorized by the permit.

Subp. 3. Practicing veterinary medicine. A permittee may not practice veterinary medicine as defined by Minnesota Statutes, chapter 156, unless licensed as a veterinarian.

6244.1500 REVIEW OF PERMIT DECISIONS.

If a rehabilitation permit is granted with conditions, or is denied, the applicant may file with the commissioner a request for a contested case hearing under Minnesota Statutes, chapter 14, within 30 days after mailed notice.

6244.1600 PERMIT DURATION AND RENEWAL.

Subpart 1. Duration of permits. Wildlife rehabilitation permits shall be issued for a period of up to two years.

Subp. 2. Renewal of permits. Novice, general, and master wildlife rehabilitation permits are renewable. Conditions for renewal of all classes of permits include the following:

A. compliance with parts 6244.0410, 6244.0420, 6244.0600, and 6244.0800 to 6244.1000;

B. adequate record keeping as defined in part 6244.0600;

C. ongoing rehabilitation activity;

D. successful completion of continuing education and training as defined in parts 6244.0300, subpart 6, and 6244.0700;

E. for novice class permits, having a master class permittee to serve as an advisor as described in part 6244.0410;

F. identification of the veterinarian consultant as described in parts 6244.0410, subpart 2, and 6244.0500, subpart 1; and

G. maintain satisfactory applicable facility requirements as determined by an inspection that may be conducted at least once during every other permit renewal period, or once every four years, or if the permittee's place of animal care is moved to a new address, or upon application for a higher level rehabilitation permit.

Subp. 3. Expired permits. Expired permits may be renewed within one year of the expiration date upon fulfillment of all conditions established in part 6244.1500 for the renewal. Permits which have been expired for more than one year shall not be renewed, and the person wishing to be reinstated must apply and go through the process described in parts 6244.0410 and 6244.0420 to obtain an initial permit. Persons who have had a rehabilitation permit previously, but whose permit has been expired for more than one year but less than five years, may apply for and be allowed to take the test for the

permit class previously held after meeting all other conditions for permit renewal described in parts 6244.0410 and 6244.0420.

6244.1700 PERMIT REVOCATION.

The commissioner may at any time revoke all or part of a permit issued under sections 6244.0100 to 6244.2000 under the conditions in this part whenever the commissioner has determined that a permittee has failed to comply with provisions of sections 6244.0100 to 6244.2000, when it is necessary to protect the interests of the public, or to protect the wildlife covered by the permits. Except in an emergency, at least 14 days prior to the effective date of the revocation the permit holder must be informed in writing of the nature of the revocation and of the conditions which, in the commissioner's opinion, require the revocation. Within 30 days of mailed notice of revocation, the permit holder may apply for an amendment to the permit or to request a hearing by the commissioner to contest the revocation, support the permit holder's proposed amendment, or both. The permit shall be revoked on the date stated in the revocation notice.

6244.1800 DISCLAIMER OF LIABILITY.

Any rehabilitation permit issued under sections 6244.0100 to 6244.2000 is permissive only and no liability shall be incurred by the state or any of its officers, agents, or employees by reason of the issuance of a rehabilitation permit or by reason of any acts or operations of the permittee or any wildlife in possession of the permittee. A rehabilitation permittee shall be solely responsible for damage or injury to persons, domestic or wild animals, and real or personal property of any kind, resulting from any activities undertaken pursuant to the permit.

6244.1900 VARIANCES.

Subpart 1. Parts subject to variance provisions. Individuals and individuals in the name of institutions that are subject to parts 6244.0100 to 6244.1800 may request that the commissioner grant a variance from the following parts:

- A. resident requirements, as specified in part 6244.0400, subpart 1;
- B. restrictions on having both a game farm license and a rehabilitation permit, as specified in part 6244.0400, subpart 4;
- C. qualifications testing and continuing education and training requirements, as specified in parts 6244.0410 to 6244.0450 and 6244.0700;
- D. the maximum number of in-shelter assistants that may be designated to work in a facility of the permittee, as specified in part 6244.0410, subparts 3, item L; and 4, item L;
- E. the minimum age requirement, as specified in part 6244.0420, subpart 2;
- F. the restriction on accepting animals for rehabilitation from outside of Minnesota, as specified in part 6244.0800, subpart 1, item B; and
- G. the restriction on transport of animals across state boundaries for release, as specified in part 6244.0800, subpart 3, item B.

Subp. 2. Application for variance. A proceeding for requesting a variance begins when the permit applicant or permittee files an application for a variance with the commissioner. The application must include information necessary for the commissioner to determine that the proposed variance is directed toward the attainment of the goals of parts 6244.0100 to 6244.1800,

and is consistent with the general public interest and animal welfare including, but not limited to:

A. how the alternative measure proposed is equivalent to or superior to that prescribed in sections 6244.0100 to 6244.2000; and

B. how strict compliance with sections 6244.0100 to 6244.2000 will impose an undue burden on the applicant.

Under no circumstance shall a variance be granted that varies a statutory standard.

Subp. 3. Determination by commissioner. Within 30 days after receipt of the application, the commissioner shall determine whether the proposed variance constitutes a substantial change from the requirements of the provision from which a variance is requested.

A. If the commissioner determines that a substantial change would result, the decision of whether or not to grant the variance shall be based on a determination by the commissioner that the proposed variance is directed toward the attainment of the goals of the provision from which a variance is requested and is consistent with the general public interest and animal welfare.

B. If the commissioner determines that there would be no substantial change, and that the variance is consistent with the public interest and animal welfare and meets the goals and intent of the provision from which a variance is requested, a variance shall be granted.

Subp. 4. Simultaneous filing of applications. Applications for variance from sections 6244.0100 to 6244.2000 may be filed simultaneously with an application for a permit to conduct animal rehabilitation, provided that the application contains all information required for applications for a permit to conduct animal rehabilitation.

6244.2000 PENALTY.

Subpart 1. Misdemeanor. A person who violates sections 6244.0100 to 6244.2000 is guilty of a misdemeanor.

Subp. 2. Administrative penalty. The commissioner may amend, revoke, or refuse to renew the permit of a person who violates sections 6244.0100 to 6244.2000 or any provision of a permit issued under sections 6244.0100 to 6244.2000.

6244.2100 PURPOSE.

The purpose of parts 6244.2100 to 6244.3300 is to establish reasonable standards for the care and treatment of captive wildlife for public exhibition purposes, and a permit system for such display, pursuant to the legislative mandate contained in Minnesota Statutes, section 97A.041.

6244.2200 SCOPE.

Parts 6244.2100 to 6244.3300 shall apply to the care and treatment of all living captive wildlife for public exhibition in connection with any commercial enterprise, excluding displays owned by any municipality, county, or the state of Minnesota, any publicly owned zoo or wildlife exhibit, any privately owned traveling zoo or circus, or any pet shop.

6244.2300 SEVERABILITY.

The provisions of parts 6244.2100 to 6244.3300 shall be severable, and the invalidity of any paragraph, subparagraph, or subdivision thereof shall not make void any other paragraph, subparagraph, subdivision, or any other part.

6244.2400 DEFINITIONS.

Subpart 1. Scope. For the purpose of parts 6244.2100 to 6244.3300, the terms defined in this part have the meaning given in this part:

Subp. 2. Captive. "Captive" means all forms of human control including but not limited to confinement within physical barriers, limitation of movement through the use of any manner of attachment physically affixed to any wildlife, or limitation of movement of wildlife by restraining in some manner the parent or offspring.

Subp. 3. Commissioner. "Commissioner" is the commissioner of the Department of Natural Resources, state of Minnesota, acting directly or through authorized agents.

Subp. 4. Pet shop. "Pet shop" means any commercial business venture, including a game farm, where animals are displayed only for the purpose of the sale of the animals so displayed.

Subp. 5. Public exhibition in connection with any commercial enterprise. "Public exhibition in connection with any commercial enterprise" means any exhibition or display from which monetary gain is procured either directly or indirectly, including but not limited to any display or exhibition, the viewing of which is offered for a fee to the public, any display or exhibition which tends to attract customers to any business operated by the owner of such display or exhibition, or any business operated by a client or relative of the owner of such display or exhibition, or any live display used for advertising purposes.

Subp. 6. Traveling zoo or circus. "Traveling zoo or circus" means any display or exhibit of wildlife alone or in combination with domestic animals which does not remain in any one county for more than one month at a time, nor make consecutive engagements at the same location.

Subp. 7. Wildlife. "Wildlife" means any wild mammal, wild bird, reptile, or amphibian.

6244.2500 PERMIT.

Subpart 1. Requirement. No person shall display captive wildlife under the jurisdiction of parts 6244.2100 to 6244.3300 in this state unless such display is pursuant to and in compliance with a permit acquired from the commissioner of natural resources. Application for such a permit shall be made on forms provided by the commissioner and shall be mailed or delivered to the Department of Natural Resources, regional supervisor, Division of Enforcement.

Subp. 2. Issuance. After receipt of the application, the local conservation officer will inspect the premises, and a permit will be issued only after applicant complies with or agrees to comply with standards for wildlife exhibits as described in these parts.

Subp. 3. Nontransferability. No permit issued under parts 6244.2100 to 6244.3300 shall all be transferable.

6244.2600 KNOWLEDGE AND BACKGROUND OF CARETAKERS.

Subpart 1. Minimum age; knowledge of caring. The applicant must be at least 18 years of age and shall demonstrate that the applicant or any employee of the applicant who is primarily responsible for the care of the wildlife knows how to care for the involved species properly.

Subp. 2. Visit by licensed veterinarian. If the applicant or employee does not have such knowledge, the applicant may arrange for a regular semiannual visit to the display and housing facility by a licensed veterinarian who shall certify by mail to the commissioner on forms provided, that to the best of the veterinarian's knowledge, all requirements of the permit are being complied with and that any suggestions that the veterinarian could make to substantially improve the living conditions within the general limits of said permit are being or have been accomplished.

Subp. 3. Amendment to permit. In the event that the knowledge or background of an employee is deemed by the commissioner to be sufficient to satisfy this requirement for said permit, the applicant shall apply for an amendment to such permit before the termination of the employment of said employee or as soon thereafter as possible, setting forth the qualifications of a new caretaker if neither the permit holder nor another employee has previously been accepted as qualified. If said amendment is not granted by the commissioner, the permit will terminate concurrently with the denial of said amendment or the termination of the employment of the qualified employee, whichever is later.

6244.2700 FACILITIES AND OPERATING STANDARDS.

Subpart 1. In general. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

Reliable and adequate electric power, if required to comply with other provisions of this permit, and adequate potable water shall be available on the premises.

Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against deterioration, molding, or contamination by vermin. Refrigeration shall be provided for supplies of perishable food.

Provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, trash, and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors, and disease hazards.

Subp. 2. Indoor facilities. Temperature in indoor housing facilities shall be sufficiently regulated by heating or cooling to protect the animals from the extremes of temperature, to provide for their health, and to prevent their discomfort. The ambient temperature shall not be allowed to fall below nor rise above temperatures compatible with the health and comfort of the animal.

Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health and to prevent discomfort of the animals at all times. Such facilities shall be provided with fresh air either by means of windows, doors, vents, fans, or air conditioning and shall be ventilated so as to minimize drafts, odors, and moisture condensation.

Indoor housing facilities shall have ample lighting, by natural or artificial means, or both, of good quality, distribution, and duration as appropriate for the species involved. Such lighting shall be uniformly distributed and of

sufficient intensity to permit routine inspection and cleaning. Lighting of primary enclosures shall be designed to protect the animals from excessive illumination.

A suitable sanitary method shall be provided to eliminate rapidly, excess water from indoor housing facilities. If drains are used, they shall be properly constructed and kept in good repair to avoid foul odors and installed so as to prevent any backup of sewage.

Subp. 3. Outdoor facilities. When sunlight is likely to cause overheating or discomfort of the animals, sufficient shade by natural or artificial means shall be provided to allow all animals kept outdoors to protect themselves from direct sunlight.

Natural or artificial shelter appropriate to local climatic conditions for the species concerned shall be provided for all animals kept outdoors to afford them protection and to prevent discomfort to such animals. Individual animals shall be acclimated before they are exposed to the extremes of the individual climates.

A suitable method shall be provided to rapidly eliminate excess water.

Subp. 4. Space requirements. Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal to make normal postural and social adjustments with adequate freedom of movement. Inadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavior patterns.

6244.2800 ANIMAL HEALTH AND HUSBANDRY.

Subpart 1. Feeding. The food shall be wholesome, palatable, and free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health. The diet shall be prepared with consideration of the age, species, condition, size, and type of the animal. Animals shall be fed at least once a day except as dictated by hibernation, veterinary treatment, normal fasts, or other professionally accepted practices.

Food and food receptacles, if used, shall be sufficient in quantity and located so as to be accessible to all animals in the enclosure and shall be placed so as to minimize contamination. Food receptacles shall be kept clean and sanitary at all times. If self-feeders are used, adequate measures shall be taken to prevent molding, contamination, and deterioration or caking of food.

Subp. 2. Watering. If potable water is not accessible to the animals at all times, it must be provided as often as necessary for the health and comfort of the animal. Frequency of watering shall consider age, species, condition, size, and type of the animal. All water receptacles shall be kept clean and sanitary.

Subp. 3. Sanitation. Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained therein and to minimize disease hazards and to reduce odors. When enclosures are cleaned by hosing or flushing, adequate measures shall be taken to protect the animals confined in such enclosures from being directly sprayed with the stream of water or wetter involuntarily.

Subsequent to the presence of an animal with an infectious or transmissible disease, cages, rooms, and hard-surfaced pens or runs shall be sanitized either by washing them with hot water (180 degrees Fahrenheit at source) and soap or detergent, as in a mechanical washer, or by washing all soiled surfaces with a detergent solution followed by a safe and effective disinfectant, or by cleaning all soiled surfaces with saturated live steam under pressure. Pens or

runs using gravel, sand, or dirt, shall be sanitized when necessary as directed by the attending veterinarian.

Areas in which animals are kept shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this subpart. Accumulations of trash shall be placed in designated areas and cleared as necessary to protect the health of the animals.

A safe and effective program for the control of insects, ectoparasites (such as flies, ticks, and fleas), and avian and mammalian pests shall be established and maintained.

Subp. 4. Separation. Animals housed in the same primary enclosure must be compatible. Animals shall not be housed near animals that interfere with their health or cause them discomfort.

Subp. 5. Veterinary care. Programs of disease prevention and parasite control, euthanasia, and adequate veterinary care shall be established and maintained under the supervision of a licensed veterinarian. The pest control program shall be reviewed by the veterinarian for the safe use of materials and methods. Animals subject to rabies or distemper (skunks, raccoons, and members of the dog and cat families) shall receive vaccinations against these diseases by a licensed veterinarian, and records of this vaccination program shall be kept on the premises and made available to conservation officers at all reasonable times.

Animals shall be observed every day by the person in charge of the care of the animals or by someone working under that person's direct supervision. Sick or diseased, stressed, injured, or lame animals shall be provided with veterinary care or humanely destroyed.

Subp. 6. Handling. Handling of animals shall be done expeditiously and carefully in a way so as not to cause unnecessary discomfort, behavioral stress, or physical harm to the animal. Care should be exercised also to avoid harm to the handler.

Animals within reach of the public shall only be displayed for periods of time and under conditions consistent with the animals' health and not leading to their discomfort.

During public display, the animals must be handled so there is minimal risk of harm to the public with sufficient distance allowed between animal acts and the viewing public to assume safety to both the public and the animals.

6244.2900 PERMIT FEE.

Subpart 1. Amount; submission. The fee for a permit shall be \$10 which shall be submitted with the original application and every amendment and annual renewal thereof.

Subp. 2. Return of fee. Such fee will be returned in the event the permit, or the amendment thereof, applied for is denied or in the event the permittee does not accept the permit as issued with conditions.

Subp. 3. Annual renewal. The permit shall be renewed annually.

6244.3000 REVIEW OF PERMIT DECISIONS.

If the permit is granted with conditions, or is denied, the applicant may, within 30 days after mailed notice thereof, file with the commissioner of natural resources a demand for review of the application. The review shall be conducted as a contested case pursuant to Minnesota Statutes, chapter 14. If

no demand for review is made within the 30 days, the permit decision becomes final.

6244.3100 REVOCATION.

The commissioner of natural resources may at any time revoke all or part of any permit issued under these parts under the following conditions, whenever, in the commissioner's opinion, it is necessary to protect the interests of the public, or to protect the wildlife covered by said permit:

A. The permit holder must be informed in writing of the nature of the revocation and of the conditions which in the commissioner's opinion require such revocation at least 14 days prior to the effective date of the revocation.

B. The permit holder, at any time prior to revocation, shall have the opportunity to apply for an amendment to the permit or to demand a hearing pursuant to part 6244.3000 to contest the revocation, support the holder's proposed amendment, or both.

Upon receipt of such an application or demand, the revocation is stayed until a determination by the commissioner can be made on the matter.

If no such application or demand be made, the permit shall be revoked on the date stated in the revocation notice.

C. Nothing in this part shall preclude legal action by the commissioner at any time for injunctive relief from a permit violation pursuant to Minnesota Statutes, section 97A.041, subdivision 6. All costs associated with seizures of neglected or mistreated animals shall be borne by the owner thereof including the expenses of keeping, disposing of, and treating animals pursuant to Minnesota Statutes, section 343.23.

6244.3200 DISCLAIMER.

Any permit issued under the provisions of these parts is permissive only and no liability shall be incurred by the state or by any of its officers, agents, or employees by reason of the issuance of such permit or by reason of any acts or operations of the permittee or any wildlife. At all times, the state of Minnesota, its officers, agents, and employees shall be held harmless from any liability for damage or injury arising from the issuance of such permit.

6244.3300 PENALTY.

Anyone who violates any provision of these parts or any provision of a permit issued hereunder shall be guilty of a misdemeanor.

**PRIVATE FISH HATCHERIES
CHAPTER 6250**

6250.0101 PRIVATE FISH HATCHERY OPERATIONS.

Private fish hatcheries are subject to the provisions for aquatic farms in Minnesota Statutes, chapter 17, to the extent they are now and in the future consistent with statutes pertaining specifically to private fish hatcheries.

MINNOWS CHAPTER 6254

6254.0100 PERMITTED ACTIVITIES FOR TAKING MINNOWS.

Subpart 1. Minnow retailer's license required for retail purposes. A person possessing a valid minnow retailer's license, as provided by Minnesota Statutes, section 97C.501, may buy and possess any amount of minnows, for the purpose of reselling them at retail, and may transport minnows from the place of wholesale purchase to an established, stationary place of business located in the state and owned or operated by the licensee, where the minnows are sold at retail, or to a licensed private fish hatchery or aquatic farm.

Subp. 2. Required vehicle licenses. The provisions in items A and B apply to license requirements on vehicles used to transport minnows.

A. A vehicle may not be used to contain or transport more than 12 dozen minnows in this state unless it is licensed for that purpose by the commissioner, except as provided by Minnesota Statutes, section 97C.501, subdivision 3. Vehicle licenses must be kept in the vehicle and must be available for inspection by the commissioner at all reasonable times. Minnow dealers and retailers may obtain vehicle licenses only for vehicles registered in this state. A motor vehicle licensed as a common carrier is not required to be licensed under the game and fish laws to transport minnows for another person.

B. Each vehicle licensed for the transport of minnows must be identified with the licensee's name and town of residence as it appears on the retailer's, dealer's, exporter's, or hauler's license. Required vehicle identification must be displayed so that it is readily visible from either side of the vehicle in letters and numbers not less than 2-1/2 inches high and with a three-eighths inch wide stroke. Required vehicle identification may be permanently affixed to vehicles or displayed on removable plates or placards placed on opposite doors of the vehicle or on tanks carried on the vehicle. In addition, vehicle identification for vehicles used to transport minnows out of the state must bear the exporting dealer's or hauler's license number.

Subp. 3. Angling license requirement exemption. A properly endorsed aquatic farm or private fish hatchery license allows the licensee to conduct activities provided by subparts 1 and 2 and exempts the licensee from angling license requirements when conducting activities specified under this part.

6254.0200 WATERS OPEN TO TAKING MINNOWS; PERMITS.

Subpart 1. Waters open to taking. Minnows may be taken from all waters of the state, except as otherwise specified in this part, part 6254.0300, and Minnesota Statutes, section 84D.03, subdivision 3.

Subp. 2. Permits. Minnows may be taken from the waters described in items A to E only if a person possesses a permit issued by the commissioner:

A. waters within the boundaries of wildlife management areas when taking for commercial purposes;

B. waters within the boundaries of state parks;

C. within 50 yards of any site where loons are nesting;

D. designated trout waters as provided by Minnesota Statutes, section 97C.505, subdivision 5; and

E. infested waters as provided by part 6216.0400, subpart 1a, pursuant to Minnesota Statutes, sections 84D.03, subdivision 3, and 84D.11, subdivision 2a.

6254.0300 WATERS CLOSED TO COMMERCIAL TAKING OF MINNOWS.

Subpart 1. Closed waters. The waters described in this part are closed to commercial taking of minnows:

Lake	Location	County
A. Amber	T.102, R.30	Martin
B. Armstrong	T.108, R.29, S.17,18,19,20	Blue Earth
C. Budd	T.102, R.30	Martin
D. Eagle	T.108, R.25, S.6,7; T.108, R.26, S.1,12; T.109, R.25, S.31; T.109, R.26, S.35,36	Blue Earth
E. Elysian	T.108, R.24; T.109, R.24	Le Sueur, Waseca
F. Fox	T.102, R.32; T.103, R.32	Martin
G. George	T.102, R.30	Martin
H. Hall	T.102, R.30	Martin
I. Lydia	T.121, R.32, S.33	Meeker
J. Lieberg	T.108, R.29, S.15,16,21	Blue Earth
K. Martha	T.33, R.20, S.6; T.33, R.21, S.1	Chisago
L. Okabena	T.102, R.40	Nobles
M. Sandshore	T.34, R.24, S.25,26	Anoka
N. Scotch	T.110, R.25, S.22,23,24,26,27	Le Sueur
O. Silver, So.	T.101, R.30	Martin
P. Sisseton	T.102, R.30	Martin
Q. Warren	T.105, R.36, Area--Lake and 100 feet below dam	Cottonwood

Subp. 2. Waters in southwestern counties. All streams, stream tributaries, sidechannels, oxbows, backwaters, or other seasonally or permanently connected waters of the Missouri River Watershed that are in Lincoln, Pipestone, Murray, Rock, or Nobles counties and that lie south of U.S. Highway 14 to the Iowa border and west of U.S. Highway 59 to the South Dakota border are closed to commercial taking of minnows, except that a licensed minnow dealer, aquatic farm licensee, private fish hatchery licensee, or commercial crayfish permittee who is in possession of a federal endangered species incidental take permit allowing the taking of Topeka shiners (*Notropis topeka*) as authorized under United States Code, title 16, section 1539, may take minnows in that area. These waters include, but are not limited to, Medary Creek, Flandreau Creek, East Branch Flandreau Creek, Willow Creek, Pipestone Creek, North Branch Pipestone Creek, Split Rock Creek, Beaver Creek, Little Beaver Creek, Springwater Creek, Rock River, East Branch Rock River, Ask Creek, Little Rock River, Little Rock Creek, Kanaranzi Creek, Norwegian Creek, East Branch Kanaranzi Creek, Elk Creek, Champepadan Creek, Mound Creek, Poplar Creek, Chanarambie Creek, North Branch Chanarambie Creek, and Mud Creek.

6254.0500 DEFINITIONS, EXEMPTIONS, AND IDENTIFICATION REQUIREMENTS FOR TAKING MINNOWS IN TRAPS AND NETS.

Subpart 1. Scope. Minnows may be taken in traps and nets subject to the conditions in this part and part 6254.0510.

Subp. 2. Definitions.

A. A "minnow trap" is any device, other than a hoop net or trap net, used for the capture of minnows or leeches.

B. A "hoop net" is a cylindrical or conical net distended by two or more hoops, and may have one or two wings or a leader of webbing attached.

C. A "trap net" is a modified hoop net that has a framed rectangular opening with one or two wings or a leader of webbing attached.

Subp. 3. Exemptions. The provisions of part 6254.0510 do not apply to aquatic farm or private fish hatchery licensees taking minnows in waters listed on their aquatic farm or private fish hatchery licenses.

Subp. 4. Ownership required to be displayed.

A. Minnow traps of persons not licensed as minnow dealers or aquatic farm or private fish hatchery operators must display the name, full street address, and town of residence of the person to whom they belong.

B. Minnow traps, hoop nets, and trap nets used by persons licensed as minnow dealers or aquatic farm or private fish hatchery operators must display the name, town of residence, and minnow dealer, aquatic farm, or private fish hatchery license number of the licensee.

C. Required information must be legible and must be displayed on a waterproof tag securely attached to the trap, or be branded or stamped into a permanent portion of the trap. Identification on nonsubmerged minnow traps, hoop nets, and trap nets must be unobscured and located above the water surface.

6254.0510 USE OF MINNOW TRAPS, HOOP NETS, AND TRAP NETS.

Subpart 1. Setting minnow traps, hoop nets, and trap nets.

A. A minnow trap, string of minnow traps, hoop net, or trap net, including the wings or leads, may not extend across more than one-half the width of any stream.

B. A person may not set a minnow trap, hoop net, or trap net, including the wings or lead, within 50 feet in any direction of any portion of another person's minnow trap, hoop net, or trap net.

C. A person setting their own minnow traps, single string of minnow traps, hoop nets, or trap nets is subject to the provisions in subitems (1) and (2):

(1) A hoop net, trap net, or single string of minnow traps attached together, including the wings or leads, may be set at intervals of not less than 50 feet in any direction of any portion of another hoop net or trap net or single string of minnow traps.

(2) An individual minnow trap, including the lead, may be set at intervals of not less than 20 feet in any direction of any portion of another minnow trap, single string of minnow traps, trap net, or hoop net, except that submerged minnow traps may be set up to four at one site, side by side, within 12 inches of one another.

Subp. 2. Tending minnow traps, hoop nets, and trap nets. Minnow traps, hoop nets, and trap nets must be lifted and emptied of fish as frequently as necessary to prevent the loss of minnows or other fish, provided that under no circumstances may they be emptied less frequently than once every 72 hours from April 1 to October 31, and once every seven days from November 1 to March 31. All minnow traps, hoop nets, and trap nets, and any associated gear, must be removed from the water immediately upon ceasing operations. A licensee shall not leave traps on public or private land without permission from the managing body or owner. The openings of traps that are

left on the shore must be blocked to prevent nontarget animals from entering or must allow escapement of nontarget animals.

Subp. 3. Minnow trap specifications for persons not licensed as minnow dealers.

A. A person not licensed as a minnow dealer may use minnow traps not exceeding 30 inches in width or length or 15 inches in height. The diameter or width of the opening must not exceed 1-1/2 inches and mesh size may not exceed one-half inch bar mesh.

B. A person not licensed as a minnow dealer may not use minnow traps with leads.

Subp. 4. Minnow trap, hoop net, and trap net specifications for licensed minnow dealers.

A. Licensed minnow dealers may take minnows using minnow traps not exceeding four feet in width, four feet in height, and eight feet in length. The traps must have no more than two throats per entrance. The outermost throat may be split into two sections by a center structure. The diameter or width of the innermost throat opening may not exceed 1-1/2 inches and mesh size may not exceed one-half inch bar mesh. The top of the outermost throat must allow escapement of nontarget species, if it is possible for the nontarget species to be caught within the throat. Leads used in conjunction with minnow traps may not exceed 50 feet in length.

B. Licensed minnow dealers may take minnows with hoop nets or trap nets. Trap net frames may not exceed four feet in height and six feet in width, and hoops for hoop nets and trap nets may not exceed four feet in diameter. The length of hoop nets or trap nets from the front of the entrance to the rear of the net (cod end) may not exceed 25 feet. Leads used in conjunction with hoop nets or trap nets may not exceed 50 feet in length. Mesh size for hoop nets and trap nets may not exceed three-fourths inch bar measure. Trap nets or hoop nets used to take minnows must have a screen with openings not exceeding 1-1/2 inches placed across the entrance of the net.

C. A licensed minnow dealer must notify the area fisheries supervisor or local conservation officer 24 hours prior to setting any trap nets or hoop nets.

6254.0600 REQUIREMENTS TO HOLD AND MOVE MORE THAN 24 DOZEN MINNOWS.

Subpart 1. Restrictions apply to quantities of minnows in excess of 24 dozen. This part applies only to quantities of minnows in excess 24 dozen.

Subp. 2. Water volume for handling and transporting minnows. After being taken, minnows may not be moved in less water than the volume that will sustain them in good condition.

Subp. 3. Oxygen content and temperature requirements. All containers used to hold minnows other than for transport must be provided with aerating equipment or with a continuous flow of water which at all times maintains sufficient dissolved oxygen to sustain the minnows in good condition, except that containers so equipped are not required for holding leeches. Leeches may not be held in any container in which the dissolved oxygen in the water or the temperature is not maintained at a level that will sustain the leeches in good condition. Minnows, including leeches, may be transported only in containers in which the dissolved oxygen in the water is maintained at a level that will sustain the minnows in good condition.

Subp. 4. Inspection of minnow containers. Minnows must be transported only in containers that permit inspection of the minnows by the commissioner at any time.

Subp. 5. Required reporting. Minnow dealers and exporting minnow dealers must report, on forms provided by the commissioner, for the previous calendar year. Reports must be submitted to the address identified on the form so that they are received prior to February 15 of each year. A minnow dealer's license or exporting minnow dealer's license may not be renewed until the yearly report has been received.

Subp. 6. Exemption from water volume, oxygen, and temperature requirements. Subparts 2 and 3 do not apply to persons licensed as aquatic farm or private fish hatchery operators.

6254.0700 PRIVATE HATCHERY LICENSE EXEMPTIONS.

Minnow dealers are not required to obtain an aquatic farm, as defined by Minnesota Statutes, section 17.4982, subdivision 4, or private fish hatchery license when holding minnows in ponds for bait purposes, provided that no more than three ponds are used and no pond exceeds one acre.

6254.0800 TAKING MINNOWS ON LEECH LAKE INDIAN RESERVATION.

A person may not take minnows for commercial purposes within the boundaries of the Leech Lake Indian Reservation without having obtained the prior permission of the Leech Lake Band of Chippewa Indians in a manner and form the band requires.

FROGS AND TURTLES

CHAPTER 6256

6256.0050 DEFINITION OF FROGS.

"Frogs" means the following species:

- A. northern cricket frog (*Acris crepitans*);
- B. Cope's gray tree frog (*Hyla chrysoscelis*);
- C. gray tree frog (*Hyla versicolor*);
- D. spring peeper (*Pseudacris crucifer*);
- E. chorus frog (*Pseudacris triseriata*);
- F. bull frog (*Rana catesbeiana*);
- G. green frog (*Rana clamitans*);
- H. pickerel frog (*Rana palustris*);
- I. northern leopard frog (*Rana pipiens*);
- J. mink frog (*Rana septentrionalis*);
- K. wood frog (*Rana sylvatica*);
- L. American toad (*Bufo americanus*);
- M. great plains toad (*Bufo cognatus*);
- N. Canadian toad (*Bufo hemiophrys*);
- O. plains leopard frog (*Rana blaini*);
- P. southern leopard frog (*Rana utricularia*);
- Q. pig frog (*Rana grylio*); and
- R. river frog (*Rana becksheri*).

6256.0100 ALLOWED TIMES FOR TAKING FROGS.

Frogs may only be taken between sunrise and sunset, except as otherwise permitted.

6256.0200 SIZE LIMITS FOR LEOPARD FROGS AND BULL FROGS.

Northern leopard frogs (*Rana pipiens*) and bull frogs (*Rana catesbeiana*) must be more than six inches long when taken or possessed for purposes other than bait.

6256.0300 PERMITS FOR IMPORTING FROGS.

Live frogs may not be imported for purposes other than bait, unless authorized by a specific permit issued by the commissioner.

6256.0400 REPORTS, RECORDS, AND INSPECTIONS TO TAKE FROGS FOR NONBAIT.

All licensees and permittees who have taken frogs for purposes other than bait must report activities of the previous license year, on forms provided by the commissioner, before relicensing.

All licensees and permittees who take or possess frogs for purposes other than bait must keep a record book that includes the number or weight of each species of frog acquired by taking or purchase and sold, the name and address of each purchaser and seller, and the date of each transaction. These records must be kept current within 48 hours of a transaction.

6256.0500 TAKING TURTLES.

Subpart 1. Scope. This part applies to individuals possessing a turtle seller's, turtle seller's apprentice, or recreational turtle license or an angling license. The following turtle species may be taken: western painted turtle

(*Chrysemys picta bellii*), snapping turtle (*Chelydra serpentina*), and spiny softshell (*Apalone spinifera*). A person possessing or selling turtles or turtle eggs under this part must also comply with other state and federal laws that regulate these activities.

Subp. 2. Equipment. Turtles may be taken by a person possessing a turtle seller's, turtle seller's apprentice, or recreational turtle license by means of floating or submerged turtle traps, turtle hooks, and other commercial fishing gear authorized by the commissioner. Traps must not exceed five feet in width, four feet in height, and eight feet in length.

Subp. 2a. Submerged turtle traps. Submerged traps must be constructed of either flexible webbing or wire. Flexible webbing traps must be of mesh size not less than 3-1/2 inches bar measure or seven inches stretch measure. Wire traps must be of mesh size not less than two inches by four inches bar measure and must have at least one square opening in the top panel measuring at least four inches on a side and two of the same dimension on each of the side panels near the top of the trap. A trap must be set in water shallow enough so that the top of the trap is at least level with the water surface.

Subp. 2b. Floating turtle traps. Floating traps must have: (1) one or more openings above the water surface that measure at least ten inches by four inches; and (2) a mesh size of not less than one-half inch bar measure.

Subp. 3. Repealed, 2003

Subp. 4. Operation of turtle trap. Each submerged trap must be checked and emptied at intervals not exceeding 48 hours and each floating trap must be checked and emptied at intervals not exceeding 120 hours. A turtle seller licensee or turtle seller's apprentice operating under a turtle seller's license may not operate more than 40 submerged turtle traps. A turtle seller's apprentice is not entitled to any traps in addition to those of the turtle seller. A recreational turtle licensee may not operate more than three turtle traps.

Subp. 5. Required marking of turtle traps.

A. When in use, each turtle trap must have affixed on it a tag of permanent material visible from above, legibly bearing the name, address, and license number of the operator. This information must be recorded in an indelible manner on the tag. The tag must be of dimensions not less than 2-1/2 inches in length by five-eighths inch in width.

B. The commissioner shall issue 40 submerged turtle trap identification tags to a turtle seller licensee and three recreational turtle trap identification tags to a recreational turtle licensee. Tags must be attached to submerged and recreational traps at all times. Lost tags must be reported within 48 hours to the local conservation officer or the commercial fisheries program consultant. The commissioner may reissue tags upon request.

Subp. 6. Turtles taken incidental to other operations. Turtles listed in subpart 1 that are taken incidental to other commercial fishing operations may be possessed, transported, and sold, provided the operator is a holder of a turtle seller's license.

Subp. 7. Required reporting by turtle seller; record keeping.

A. A holder of a turtle seller's license must submit reports, on forms provided by the commissioner, to the address identified on the form by the tenth day of each month for the preceding month for the months of March through November, whether or not any equipment was used to take turtles.

B. In the report required in item A, the licensee must record daily operations, including separate entries for each water body. The records must include water body location, equipment used, numbers and pounds of each species of turtles taken, numbers of each species of turtles released at that water body, and other information about the operation as specified on the form provided by the commissioner. The records must be kept current within 48 hours of the last daily operation.

C. A license shall not be renewed until all of the licensee's monthly reports for the previous calendar year are submitted and received at the address identified on the form.

Subp. 8. Report on buying turtles for resale. A licensee who buys turtles for resale or for processing and resale must keep a correct and complete book record of all transactions and activities covered in the license, not inconsistent with Minnesota Statutes, section 97A.425. Copies of the shipping documents for turtles being sent out of state must be part of and included with the monthly reports required under subpart 7.

Subp. 9. Size limits. A turtle seller, turtle seller's apprentice, or recreational turtle licensee or a person harvesting turtles under an angling license is restricted to taking and possessing sizes of turtles as specified in items A and B. The turtle size is determined by measuring the top shell length (carapace, not including the curvature) from above the neck to above the tail.

A. Spiny softshells (*A. spinifera*) must be greater than 12 inches in shell length.

B. Snapping turtles (*Chelydra serpentina*) must be greater than 12 inches in shell length.

Subp. 10. Turtle nests and eggs.

A. A person may not collect turtle eggs from natural nests, except under a permit issued by the commissioner.

B. A person with a turtle seller's license may not possess or sell turtle eggs, except as provided in item C. A person must have an aquatic farm license with a turtle endorsement or a private fish hatchery license with a turtle endorsement to possess or sell turtle eggs, as allowed by federal law, or to keep turtles for propagation.

C. A person with a turtle seller's license may take the eggs from legally harvested gravid turtles and must place the eggs back into man-made nests in the wild within 48 hours of taking the eggs.

6256.0600 CLOSED TURTLE SEASONS.

Subpart 1. Snapping turtles. A person may not take snapping turtles during the months of May and June, including persons harvesting turtles for personal use under an angling or recreational turtle license and persons harvesting turtles under a commercial netting, turtle seller's, turtle seller's apprentice, aquatic farm, or private fish hatchery license.

Subp. 2. Spiny softshells. A person shall not take spiny softshells from June 1 to July 15, including persons harvesting turtles for personal use under an angling or recreational turtle license and persons harvesting turtles under a commercial netting, turtle seller's, turtle seller's apprentice, aquatic farm, or private fish hatchery license.

6256.0900 TURTLE PROPAGATION.

Subpart 1. Licensee with turtle endorsement. A person with an aquatic farm license with a turtle endorsement or a private fish hatchery license with a

turtle endorsement shall sell, obtain, possess, transport, and propagate turtles and turtle eggs according to subparts 2 to 9.

Subp. 2. Turtle endorsement application. A licensee who is requesting a turtle endorsement must submit an application, on forms provided by the commissioner, to the address on the form. An application must include the species of turtle, location of rearing and incubation facilities, and site diagram with turtle containment descriptions. The commissioner shall send applications for a turtle endorsement to other state and federal agencies that regulate turtles for review.

Subp. 3. Application of other law. A person propagating turtles under this part must meet the requirements in Minnesota Statutes, sections 17.46 to 17.4999, and other state and federal laws that regulate the possession, processing, and sale of turtles and turtle eggs.

Subp. 4. Out-of-state sources. Turtles and turtle eggs may not be obtained outside of the state unless the commissioner approves the species and source. The commissioner may apply more stringent requirements to turtles and eggs or sources of turtles and eggs from outside the state than are applied to turtles and eggs and sources of turtles and eggs from within the state to protect Minnesota's natural resources.

Subp. 5. Acquisition of brood stock. A licensee shall apply for a permit to harvest adult turtles from the wild for brood stock. The commissioner shall issue a permit to the licensee to take from the wild, by use of commercial gear, up to 40 turtles of each species requested if:

- A. the turtles or gravid turtles are not available for purchase;
- B. the licensee does not have a turtle seller's license;
- C. the commissioner determines that wild populations of the requested species can sustain the harvest; and
- D. a permit to harvest turtle brood stock from the wild has not been issued to the licensee for the species requested in the last three years.

Game and fish laws and rules relating to daily limits, seasons, and methods apply to the taking of turtles pursuant to a permit issued under this subpart.

Subp. 6. Containment. The turtle propagation facility must be an artificial pond, or other artificial containment structure, that has a system to prevent the escape of turtles into the wild. The commissioner shall conduct an inspection of the facility prior to licensing to determine compliance with this subpart.

Subp. 7. Disposal. Disposal of live turtles, turtle offspring, viable eggs, carcasses, and eggs that did not hatch must be in compliance with other state and federal laws that regulate such disposal.

Subp. 8. Inspection and enforcement. Inspection of the facility and enforcement of this part shall be conducted according to Minnesota Statutes, section 17.4984, subdivision 6.

Subp. 9. Record keeping. Record keeping for the propagation of turtles must comply with Minnesota Statutes, section 17.4984, subdivision 7.

MUSSELS CHAPTER 6258

6258.0100 SEASON FOR HARVESTING MUSSEL SHELLS FOR PERSONAL USE.

Live mussels may not be harvested for personal use. During the open season, a person possessing a valid resident or nonresident angling license or a person exempt from licensing may take and possess at any time, for personal use only, not more than 24 whole shells or 48 shell halves of dead freshwater mussels. Mussel shells may be harvested in waters of the state where fish may be taken by angling. Mussel shells must be harvested by hand picking only and may not be purchased or sold.

6258.0200 SEASON TO COMMERCIALY HARVEST MUSSELS BY PERMIT.

Subpart 1. Open season for commercially harvesting mussels. The open season for taking mussels is May 16 through August 31.

Subp. 2. Allowed times for harvesting. Mussels may be harvested from sunrise to sunset only.

6258.0300 COMMERCIAL PERMITS FOR MUSSELS.

Subpart 1. Commercial permit required. A person may not take, possess, buy, sell, or transport live freshwater mussels or more than 24 whole shells or 48 shell halves of dead freshwater mussels, or assist another person in such taking, without first obtaining a commercial mussel permit from the commissioner.

Subp. 2. Commercial permit issuance. Commercial mussel permits may be issued subject to the criteria in items A to C.

A. Applications must be submitted to the local area or regional fisheries office on forms provided by the commissioner.

B. Approved permits will be issued only to Minnesota residents who possess a valid Minnesota resident angling license or who are exempt from licensing.

C. Application forms must be signed by the applicant. All requested information must be provided. Failure to properly and fully complete an application form will result in its rejection.

Subp. 3. Commercial permit duration. A commercial mussel permit may be issued annually and may be issued for periods shorter than one season, at the discretion of the commissioner.

Subp. 4. Commercial permit termination to protect resource. The commissioner may terminate a commercial mussel permit upon 48 hours' written notice to protect aquatic resources.

6258.0400 SPECIES FOR COMMERCIAL HARVEST.

Only three ridge (*Amblema plicata*) mussels may be harvested under a commercial mussel permit. Additional species may be requested for harvest from specific sites by special permit. Three ridge mussels may lawfully be harvested, as live whole mussels or shell halves, provided that they cannot pass through a three-inch diameter hole.

6258.0500 HARVEST SITES FOR PERMITTEES.

Subpart 1. Identification of mussel harvest sites. Mussel harvest sites must be identified in the application and permit by legal description or in other defining terms as needed to accurately locate the area.

Subp. 2. Harvesting restricted outside of permitted site. The taking of mussels by a permittee from a place outside the permitted harvest site is prohibited.

6258.0600 HARVEST GEAR FOR PERMITTEES.

Mussels may be taken only by hand picking with or without aid of breathing apparatus.

6258.0700 PERMITTEE HARVEST OPERATIONS.

Subpart 1. Notice of harvest operations. To ensure compliance with permit conditions, the commissioner may require the permittee to inform the local area fisheries office and conservation officer 24 hours in advance of any intended mussel harvest operations. Changes in location or dates may require an additional notification.

Subp. 2. Repealed, 1995/1996

Subp. 3. Repealed, 1995/1996

Subp. 4. Return of undersized mussels or shells. Undersized three ridge mussels or unlawful mussel shells, live or dead, must be returned immediately to the water at the site where taken.

Subp. 5. Restriction on harvesting mussels near dams. Harvesting of mussels may not occur within 1,000 feet downstream of a dam.

6258.0800 PERMITTEE REPORTS, RECORDS, AND INSPECTIONS.

Subpart 1. Required records. A permittee must keep records of each mussel sales transaction. The records must be verifiable with supporting sales slips and include:

- A. pounds of mussels sold;
- B. name and address of the buyer; and
- C. date of transaction.

Records must be kept current within 48 hours of each transaction. Failure to keep complete and current records may result in immediate revocation of the permit and may render the permittee ineligible for permits for one year. All records must be maintained and available for inspection, at the permittee's address, for three years.

Subp. 2. Required reports. A permittee must submit reports monthly while the permit is valid on forms provided by the commissioner. Reports for the previous month must be submitted by the permittee to the address identified on the form so that they are received by the department by the 15th of each month even if no harvest activity took place. All information requested on the report must be provided. Failure to submit required reports may result in revocation of the existing permit and may render the permittee ineligible for permits for one year.

Subp. 3. Inspections. Records required in this part, business and operation premises, and boats, vehicles, and gear used in the mussel harvesting operations may be inspected at all reasonable times by the commissioner.

6258.0900 SPECIAL RESTRICTIONS ON TAKING MUSSELS.

Subpart 1. Restriction on returning processed mussels to the water.

Meats resulting from the processing of live whole mussels may not be returned to the water or deposited on a shoreline or adjacent land. The meat of mussels lawfully obtained may be used as bait for angling purposes.

Subp. 2. Restriction on harvest of certain species of mussels. The Higgins' eye (*Lampsilis higginsi*), elephant ear (*Elliptio crassidens*), ebony shell (*Fusconaia ebena*), winged mapleleaf (*Quadrula fragosa*), fat pocketbook (*Proptera capax*) mussels, or any mussel listed as endangered or threatened in this state may not be harvested or intentionally disturbed. If these species are located within the harvest site, all harvest operations must immediately stop and the permittee or personal use harvester must notify the area fisheries office within 24 hours.

Subp. 3. Transfer of mussels prohibited. Live mussels may not be transferred within or between bodies of water, except under permit issued by the commissioner.

CRAYFISH CHAPTER 6259

6259.0100 GENERAL RESTRICTIONS ON TAKING CRAYFISH.

Subpart 1. Seasons and size restrictions. The open season for taking crayfish is April 1 through November 30. Crayfish less than one inch in length from tip of rostrum to tip of tail must be returned unharmed to the water.

Subp. 2. Gear and marking requirements. The following provisions in this subpart apply to gear and marking requirements on the taking of crayfish:

A. Crayfish may be harvested with gear allowed for rough fish and minnows in addition to gear specified in this part. Crayfish traps or harvesting devices must be identified in a permanent and legible manner with a plastic or metal tag not smaller than one inch by three inches bearing the user's name and address.

B. The mesh size for crayfish traps may not be less than one-half inch, stretch measure.

C. Floats used to mark traps may not be larger than four inches square or four inches in diameter.

D. Rough fish parts may be used within a crayfish trap as bait.

6259.0200 SALE OF CRAYFISH.

All crayfish species in this state may be harvested and crayfish may be cultured for sale for food and processed bait. Crayfish may not be sold for live bait use within this state. Crayfish that are imported under a permit issued by the commissioner may be sold for aquarium use according to part 6259.1000, subpart 4.

6259.0300 TENDING CRAYFISH TRAPS.

Crayfish traps may be lifted from one hour before sunrise until one hour after sunset. Crayfish traps must be lifted at least once in each 24 hour period weather permitting. All trapped fish must be returned to the water.

6259.0400 DISPOSAL OF CRAYFISH.

Dead crayfish or the shells or meats of crayfish may not be returned to the water or deposited on any shoreline or adjacent area.

6259.0500 TRANSPORTATION AND STOCKING OF CRAYFISH.

The transportation of any crayfish from one body of water to another within the state is prohibited, except by written permission from the commissioner.

6259.0600 IMPORTATION OF CRAYFISH PROHIBITED.

The placement in waters of the state of any crayfish imported from outside the state is prohibited, except under permit by the commissioner.

6259.0700 PENALTIES FOR VIOLATION.

Violation of any provision of state law pertaining to the harvest of crayfish, parts 6260.2500 to 6260.3400, or any terms or conditions of any permit may result in the permit being revoked in addition to any other penalties provided by law.

6259.0800 TAKING OF CRAYFISH FOR PERSONAL USE.

Subpart 1. License requirement for taking crayfish for personal use. A person possessing a valid resident or nonresident angling license may take and possess for personal use not more than 25 pounds of live, whole freshwater crayfish.

Subp. 2. Sale of crayfish taken for personal use prohibited. Crayfish taken for personal use may not be sold.

Subp. 3. Locations for taking crayfish for personal use. Crayfish may be harvested for personal use in any waters of the state where fish may be taken by angling, and to which the harvester has legal access, unless otherwise posted.

Subp. 4. Use of crayfish for bait. Live crayfish taken may be used as bait only in the body of water where taken.

6259.0900 TAKING CRAYFISH FOR COMMERCIAL USE.

Subpart 1. Permits and resident angling license requirements. A person taking or possessing more than 25 pounds of live, whole freshwater crayfish must first obtain a written permit from the commissioner. This permit is required to harvest crayfish for sale.

Subp. 2. Persons allowed to assist permit holders. Only persons listed on the permit may assist the permit holder in any phase of the crayfish harvesting operations.

Subp. 3. Commercial use permit procedures. Permits may be issued upon application pursuant to the criteria in this subpart:

A. Application must be made on forms, provided by the commissioner, and must be submitted to the area fisheries office.

B. Permits will be issued only to residents who possess a valid Minnesota angling license or are otherwise exempt from angling license requirements.

C. A person working for a permit holder must possess a valid Minnesota angling license or be otherwise exempt from angling license requirements.

D. Applications must be signed by the applicant. Failure to properly and fully complete an application may result in its rejection.

6259.1000 PERMIT CONDITIONS FOR COMMERCIAL CRAYFISH OPERATIONS.

Subpart 1. Permit duration. A permit is not valid for more than one season and may be issued for shorter periods of time at the discretion of the commissioner.

Subp. 2. Permit revocation. The commissioner may revoke any permit upon determination that revocation is necessary for protection of natural resources.

Subp. 3. Variance of harvest operations. Any variance from permit conditions requires a written amendment which must be attached to and become part of the permit.

Subp. 4. Importation of crayfish. The importation of live crayfish or crayfish eggs into the state is prohibited except by written permit from the commissioner. Permits to import live crayfish for processing may only be issued provided no live crayfish are allowed to exit the processing facility. The commissioner may issue a permit to import live crayfish for aquarium sales for species that cannot survive in Minnesota if accidentally released.

Subp. 5. Required records. Permit holders must keep records of all crayfish sales transactions. Records must be verifiable with supporting sales

slips and include the number or weight of all species of crayfish acquired by taking or purchase and sold, name and address of buyer, and date of each transaction. Records must be kept current within 48 hours. Failure to keep complete and current records may result in immediate revocation of the permit and may render the permit holder ineligible for future permits.

Subp. 6. Commercial sale, purchase, and transportation of crayfish.

Crayfish legally harvested may be bought, sold, and transported for food purposes and as processed bait only, except as otherwise provided by part 6260.2900 and this part.

Crayfish must be kept separated from live fish when being transported within the state.

Subp. 7. Exportation of crayfish. Crayfish legally possessed may be exported for any purpose.

Subp. 8. Notification of harvest operations. The permit holder must inform the area fisheries office at least 24 hours in advance of the start of harvest operations for each water body.

Subp. 9. Responsibility for harvest activities. The permit holder must be in personal attendance at harvest operations and is responsible for all harvest activities. All members of the crew must be listed on the permit.

Subp. 10. Identification of harvest sites. Crayfish harvest sites will be identified to the area fisheries office by name and legal description or, if available, the Division of Waters inventory number.

Subp. 11. Permits to rear and hold crayfish. The commissioner may issue a permit to rear or hold crayfish of the species *Orconectes virilis* and *Orconectes immunis* for any waters, including waters that are not isolated from other waters.

COMMERCIAL FISHING OPERATIONS CHAPTER 6260

6260.0100 DEFINITIONS.

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 2. Net bar measurement. "Net bar measurement" means the interior distance between adjacent angles of a single mesh of a net when extended. An entire net or lot of netting is considered to be of the same mesh size as the majority of ten or more meshes in any part of the net or lot at least three meshes removed from the selva or side lines selected at random.

Subp. 3. Net stretch measurement. "Net stretch measurement" means the interior distance between opposite knots or corners of a single mesh of a net, taken between the thumb and forefingers and applying enough pressure laterally to allow the opposite side of the mesh to meet. An entire net or lot of netting is considered to be of the same mesh size as the majority of ten or more meshes in any part of the net or lot of netting at least three meshes removed from the selva or side lines selected at random.

6260.0200 COMMERCIAL FISHING CONDITIONS AND PROHIBITIONS.

Subpart 1. License, permit, or contract required. A person may not conduct a commercial fishing operation on any waters of the state except under license, permit, or contract and in conformance with the requirements of the license, permit, contract, parts 6260.0100 to 6260.2400, and other applicable law. The commissioner may require any commercial operator to cease fishing operations when the commissioner finds that the operations are destructive to game fish or for any other reasonable cause.

Subp. 2. Angling license requirements. Permittees, contractors, licensed commercial operators, or their helpers may not engage in any commercial fish removal operations without first being in possession of a valid Minnesota angling license or be otherwise permitted by law to take fish by angling.

6260.0300 COMMERCIAL FISHING PERMIT ISSUANCE.

Subpart 1. Issuance of permits for designated species. The commissioner may issue the permits listed in subparts 2 to 4 for the taking of designated species of fish by means and conditions and in such waters and times as may be necessary for the removal of the designated species.

Subp. 2. Class A permits. Class A permits may be issued for the use of a hand-held implement or device used by a single operator. Class A permits may also be issued for the taking of turtles at night with the aid of an artificial light, subject to the provisions of all applicable laws and part 6256.0500.

Subp. 3. Class B permits. Class B permits may be issued for:

- A. permanently or temporarily installed traps in waters of the state with fish migrations;
- B. the use of seines, hoop nets, and fyke nets by persons other than licensed inland commercial operators;
- C. licensed inland commercial operators to fish waters other than the core waters of their assigned area;
- D. licensed inland commercial operators to fish unassigned waters; or
- E. licensed inland commercial operators to crib fish in waters other than where taken.

Subp. 4. Class C permits. Class C permits may be issued for:

6260.0400 Commercial Fishing Reports.

- A. licensed inland commercial operators to fish waters assigned to other inland commercial operators;
- B. licensed inland commercial operators to use gear other than seines or hoopnets; or
- C. experimental, research, or special projects.

6260.0400 COMMERCIAL FISHING REPORTS.

All commercial fishing operators must submit reports, on forms provided by the commissioner, on their commercial fishing activities containing all information as required by the commissioner. Issuance of licenses, contracts, or permits may be delayed until all reports have been received. The commissioner may revoke a commercial fishing license, contract, or permit of a person who fails to submit reports.

6260.0500 REQUIRED NOTIFICATION OF OPERATIONS.

Subpart 1. Notification of activities. Licensed commercial operators must notify the area fisheries supervisor of each operation prior to the start of any fishing activity. If contact with the area fisheries supervisor cannot be made, the local conservation officer must be notified.

Subp. 2. Notification of lost or stolen nets. Licensed commercial operators must notify the area fisheries supervisor on the same day of discovering any lost or stolen nets. A licensed commercial operator must report where a lost or stolen net was last known to be located. If contact with the area fisheries supervisor cannot be made, the local conservation officer must be notified.

6260.0600 INSPECTION BY COMMISSIONER.

Inland commercial fish operators, their helpers, records, premises, and operating sites, are subject to and must be available for supervision and inspection by the commissioner with respect to all commercial fishing activities and transactions, including the disposition of fish removed.

6260.0700 ENTRY UPON OR USE OF LAND.

The licensee, permittee, or contractor must obtain any permission necessary for entry upon or use of land in connection with the fishing operations. Issuance of the license, permit, or contract is not a guarantee by the state of access to or use of land, nor does the state have any obligation to obtain permission for access or use.

6260.0800 DISPOSITION OF NONLICENSED SPECIES.

Licensed commercial operators must use all reasonable means to avoid taking, killing, or injuring fish other than those which may be lawfully taken under their license. Fish of any kind not permitted to be lawfully taken in licensed commercial fishing operations must be immediately returned to the water.

6260.0900 SPORT ANGLING EQUIPMENT RESTRICTIONS.

Licensed commercial operators, crew members, or any person associated with the commercial taking of fish may not possess any game fish or sport angling equipment while operating licensed commercial fishing gear or while traveling to or from the place of operation of the gear.

6260.1000 DISCOVERY OF A FISH KILL.

Upon the discovery of a fish kill, an operator must notify the area fisheries supervisor as soon as possible.

6260.1100 MARKING UNCOVERED HOLES IN ICE.

Uncovered holes through the ice must be marked in accordance with part 6110.1500, subpart 5, item F. Marking signs must be obtained and placed by the operator.

6260.1200 PROPER MAINTENANCE AND OPERATION OF FISHING GEAR.

Commercial fish operators must perform all measures necessary to ensure proper maintenance and operation of their fishing gear, including webbing repair of nets and daily cleaning of stationary fish trap panels.

6260.1300 PREVENTION OF INTERFERENCE WITH PUBLIC USE OF WATERS.

Commercial fish operators must make every effort to prevent interference with navigation, recreational activities, other authorized commercial fishing operations, game fish spawning areas, or other public use of the public waters in which they are operating. They may not, in their operations, materially impede or obstruct the flow of water or cause any overflow upon public or private property.

6260.1400 GEAR SPECIFICATIONS FOR TAKING ROUGH FISH.

Subpart 1. Seine specifications. The mesh of seines may not be more than the following specifications:

A. Seine bag: three inches, stretch measure.

B. The first 300 feet of seine on each side of the bag: three inches, stretch measure.

C. The mesh in the balance of the seine: five inches, stretch measure.

Subp. 2. Hoop net specifications. Hoop nets may not have center leads over 25 feet long nor hoops that exceed four feet in diameter. The mesh in all hoop nets, including leads, may not be over two inches stretch measure. Twine used in hoop nets, including leads, may not be smaller than size 18.

6260.1500 COMMERCIAL FISHING ON NAMAKAN AND SAND POINT LAKES.

Subpart 1. Species, seasons, and limits. Whitefish and rough fish may be taken by licensed commercial operators in Namakan Lake and Sand Point Lake only from January 1 through March 15 and from May 16 through December 31.

The minimum size limit for whitefish taken by commercial fishing operations is 18 inches total length.

Subp. 2. Use of gill nets. Gill net sections of 500 feet in length or less in Namakan Lake are considered a single net. Gill nets may not extend more than 50 meshes in depth when in operation. Gill nets may be set in connected strings of any number.

Subp. 3. Use of pound and fyke nets. The mesh of the pound in pound and fyke nets may not exceed four inches, stretch measure.

Subp. 4. Use of submerged trap nets. The mesh of the pound or crib of submerged trap nets may not exceed three inches, stretch measure.

Subp. 5. Restrictions on gear. The provisions of this subpart apply to commercial gear restrictions on Namakan and Sand Point Lakes:

A. Gill nets and submerged trap nets must contain a buoy at each end of each net or string of nets and each buoy must be marked with a white flag extending not less than three feet above the water. The flag must not be less than one foot square.

B. Pound, fyke, and submerged trap nets may be set in connected strings of not more than two.

C. Licensees may not operate more than 3,500 feet of gill nets on Namakan Lake.

D. All nets must be lifted and emptied of fish at least once in every 48-hour period when set in open water and at least once in every 96-hour period, weather permitting, when set under the ice.

6260.1600 COMMERCIAL FISHING ON RAINY LAKE.

Subpart 1. Species, seasons, and limits. Whitefish and rough fish may be taken by licensed commercial operators in Rainy Lake from June 1 through December 31 subject to the specified length limits. The minimum length for whitefish taken by commercial fishing operations is 18 inches.

Subp. 2. Use of pound nets. Pound net leads may not exceed 825 feet in length. Pound nets may be not set in connected strings of more than two.

Subp. 3. Net locations. Nets may not be set within 500 feet of the mouth of any stream nor within that portion of Rainy Lake, including Black Bay, within the boundaries of Koochiching County under the jurisdiction of this state. Under special permit, pound, trap, or fyke nets may be set at any place within any closed area of Rainy Lake which is approved by the commissioner during the period from June 15 through April 15 for the sole purpose of taking rough fish and whitefish. Nets may not be lifted except during daylight hours.

Subp. 4. Lifting of nets. All nets in Rainy Lake must be lifted and emptied of fish at least once in every 48-hour period, unless a longer period is granted by the commissioner.

Subp. 5. Special provisions for commercial fishing on Rainy Lake. The provisions in this subpart apply to commercial fishing operations on Rainy Lake:

A. Monthly reports must be submitted by the tenth day of the month following the month reported to Area Fisheries Headquarters.

B. In case of the death of a licensed commercial operator during the fishing season, the operator's legal representative or successor in interest succeeds to the rights of the deceased license holder and may continue operations under the license until its expiration.

6260.1700 COMMERCIAL FISHING ON LAKE OF THE WOODS.

Subpart 1. Species, seasons, and limits. The commercial fishing season on Lake of the Woods is January 1 through December 31.

Subp. 2. Use of fyke nets. Fyke nets may be used as provided by Minnesota Statutes, section 97C.825, except that a lead may not exceed 300 feet in length. The size of the mesh in the crib may not be less than 2-1/2 inches nor more than four inches, stretch measure. The wings may not exceed 100 feet in length and the lead may not exceed 300 feet in length. The hoops may not exceed six feet in height.

Subp. 3. Use of staked trap nets. The crib of staked trap nets in Lake of the Woods may not exceed 22 feet on any side with the top open and breaching the water surface. The lead may not exceed 400 feet in length.

Subp. 4. Use of pound nets. There is no limit on the size of the crib of pound nets in Lake of the Woods. The crib must have an opening at the top breaching the water surface. The lead may not exceed 825 feet in length.

Subp. 5. Use of submerged trap nets. Submerged trap nets in Lake of the Woods must contain a buoy at each end of each net and each buoy must be marked with a yellow or blaze orange flag displaying not less than one square foot of surface and rising not less than three feet above the water. Attached to the staff of each buoy must be an identification tag. The minimum size of the tag must be 2-1/2 inches by five-eighths inch. Each tag must have the operator's name and license number engraved upon it.

Subp. 6. Restrictions on gear used in Lake of the Woods. The provisions in this subpart apply to commercial gear restrictions on Lake of the Woods:

A. Fyke, staked trap, and pound nets have no depth limitation, but may be set only in areas specified in the license, and may be set in strings of not more than two.

B. Commercial fishing in Lake of the Woods is prohibited within 500 feet of the mouth of any stream, within two miles of the lakeside shoreline of Pine Island, or in Four Mile Bay and Zippel Bay.

In Muskeg Bay from June 20 through October 14, no portion of a net may be in water less than 15 feet deep. Along the southern shoreline of Big Traverse Bay from June 1 through October 14, no portion of a net may be in water less than 15 feet deep. Submerged trap nets may be set in strings of not more than two. Submerged trap nets may not be placed in the Northwest Angle Inlet west of a line from a point on the international boundary midway between Buckets Island and Magnuson Island; thence southeasterly to the easterly shore of Magnuson Island; thence southerly and westerly along said shore to the line between Twp. 168 N., Rge. 34 W., Sec. 23 and Sec. 24; thence south to the shore of the mainland in Twp. 168 N., Rge. 34 W., Sec. 26.

C. All nets must be lifted and emptied of fish at least once every 48-hour period in Lake of the Woods, unless a longer period is granted by the commissioner.

Subp. 7. Required reporting. Commercial operators licensed to fish Lake of the Woods must submit monthly reports on forms provided by the commissioner for each month that commercial fishing activity takes place. The reports must be sent to the address identified on the form so that they are received by the tenth day of the month following the month that the activity took place.

Subp. 8. Helper's license restrictions. A person may not be issued more than one helper's license for Lake of the Woods unless they are the holder of a commercial master license.

Subp. 9. Operation under two licenses. A person may not operate under a master and a helper commercial fishing license during the same license year on Lake of the Woods.

Subp. 10. Death of commercial operator. In case of the death of a licensed commercial operator licensed to fish Lake of the Woods, the operator's legal representative or successor in interest succeeds to the rights of the deceased license holder, and may continue operations under the license until its expiration.

Subp. 11. Required stake removal. Within ten days after removing nets, commercial operators must remove from the lake bed all net stakes used in their operations.

6260.1800 COMMERCIAL FISHING ON LAKE SUPERIOR.

Subpart 1. Species, seasons, and limits. The species of fish in this subpart may be taken in Lake Superior by licensed commercial operators according to this subpart.

A. Chubs, alewives, whitefish, menominee whitefish, smelt, and rough fish may be taken at any time. Ciscoes may be taken from December 1 through October 31, except that ciscoes may be taken from November 1 through November 30 under a special permit approved by the commissioner.

B. Whitefish may be taken in pound or trap nets at any time but no whitefish less than 20 inches total length may be possessed, bought, or sold. Whitefish less than 20 inches in length must be returned to the water immediately.

C. Lake trout may not be taken by commercial fishing except by permit. Lake trout legally taken under permit must be sealed with a tag, provided by the commissioner, affixed through the mouth and out the gill. The tag must be affixed immediately upon removal from the water and before the boat is brought to shore. No untagged lake trout may be possessed, bought, or sold by licensed commercial operators. Lake trout of lawful size incidentally taken to commercial operations and dead when removed from the water may be possessed only if sealed with a tag, provided by the commissioner, affixed through the mouth and out the gill. Untagged incidentally taken lake trout may not be possessed, bought, or sold by licensed commercial operators. All incidentally taken live lake trout and all untagged dead lake trout must be returned to the water immediately.

Subp. 2. Use of gill nets. While used on Lake Superior, a tag which is not smaller than 2-1/2 inches by five-eighths inch permanently bearing the owner's name and address must be attached to one end of the gill net float line near the first float.

While used on Lake Superior, herring nets are considered gill nets which are weighted to fish in a floating or suspended position off the bottom, and cisco or chub nets are gill nets which are weighted to fish on the bottom.

Subp. 3. Use of pound or trap nets. Hoops and center leads of pound or trap nets used on Lake Superior may be of any length and diameter. The webbing for pound or trap nets, including leads, may not exceed 2-1/2 inch stretch measure, or be of twine size less than 9 gauge or 70 pound strength. Pound or trap nets may not be set within one-quarter mile of the mouth of any stream unless approved by the commissioner. Pound or trap nets may not be set in harbors from May 25 through March 31, except for St. Louis Bay, unless approved by the commissioner. Commercial operators must notify the Lake Superior Fisheries Office within 48 hours if they are unable to lift and empty pound or trap nets at least once every 48 hours. All net stakes, lines, and anchors must be removed from the lake bed within ten days of removing pound and trap nets. Commercial operators must notify the Lake Superior Fisheries Office prior to setting pound or trap nets and at the beginning of each week that pound or trap nets are used. The commissioner may deny the use of pound or trap nets during periods when such use would conflict with fisheries management activities. Pound or trap nets must be marked with a tag which is at least 2-1/2 inches by five-eighths inch permanently bearing the

owner's name and address and attached to the top rope of the back side of the pound or crib. Trap nets set with anchors must have attached to the end farthest from shore one fluorescent orange or fluorescent red marker buoy constructed so that a minimum of 18 inches of buoy surface is visible above water in the absence of current or under the weight of nets and line. The number of the owner's Lake Superior commercial fishing license must be plainly marked, in black, on the marker buoy. The marker buoy must be marked with a fluorescent orange or fluorescent red flag, at least one foot square, attached to the top of a flag staff at least five feet long, and the buoy constructed so that the flag staff is supported in a vertical position. All buoys and floats used in pound or trap net sets must be constructed of styrofoam, plastic, rubber, or other materials nonhazardous to navigation.

Subp. 4. Required net markings. Gill nets, when set in Lake Superior, must be attached at each end to fluorescent orange or fluorescent red marker buoys constructed such that a minimum of 18 inches of buoy surface is visible above water in the absence of current or under the weight of nets and lines. The number of the owner's Lake Superior commercial fishing license must be plainly marked, in black, on each end marker buoy. Each end marker buoy must be marked with a fluorescent orange or fluorescent red flag, at least one foot square, attached to the top of a flag staff at least five feet long, and the buoy must be constructed so that the flag staff is supported in a vertical position. In addition, the marker buoy attached to the shoreward (or westerly) end of each set must have a one foot square white flag positioned immediately below the fluorescent orange or fluorescent red flag. No other buoys employed in gill net sets may be marked with fluorescent orange or fluorescent red flags. All buoys and floats used in gill net sets must be constructed of styrofoam, plastic, rubber, or other materials nonhazardous to navigation.

Subp. 5. Net limits for individual operators. No more than 100,000 feet of herring net may be licensed in Minnesota waters of Lake Superior and no more than 2,000 feet of herring net may be allocated to an individual licensee, except as provided by Minnesota Statutes, section 97C.835.

No more than 120,000 feet of cisco or chub net may be licensed in Minnesota waters of Lake Superior and no more than 12,000 feet of cisco or chub net may be allocated to an individual licensee, except as provided by Minnesota Statutes, section 97C.835.

Subp. 6. Net locations. Gill nets may not be set within one-quarter mile of the shore in the area extending from the Superior entrance to Pigeon River, except under permit issued by the commissioner. Gill nets set on the bottom may not be in water shallower than 50 fathoms if closer than one mile from the Minnesota shore and 40 fathoms if farther than one mile from the Minnesota shore except under permit.

Subp. 7. Required reporting. Commercial fishing operators must submit a record of their commercial fishing operations for each month of the calendar year on forms provided by the commissioner. These reports must be submitted to the address identified on the form so that they are received within ten days after the end of the month for which the report is made. Reports must be made regardless of whether fish are taken and regardless of whether any fishing operations have taken place. Separate records must be kept for each pound or trap net used in Lake Superior and St. Louis Bay. Reports for pound or trap nets must include the number of game fish kept and released, and must be submitted to the Lake Superior Office by the tenth day

of each month for the preceding month, whether or not pound or trap nets were fished.

6260.1900 COMMERCIAL FISHING ON INLAND MISSISSIPPI RIVER.

Subpart 1. Species, seasons, and limits. Rough fish may be taken in the Mississippi River from the St. Croix River junction to St. Anthony Falls, including the following waters:

Waters	County	Description
A. River Lake	Dakota	T.27 N.; R.22 W.; S.23,26,27
B. Spring Lake	Dakota	T.115 N.; R.18 W.; S.13,14,15, 16,17,18,21,22,23
C. Pickerel Lake	Dakota and Ramsey	T.28 N.; R.23 W.; S.12,13
D. Pig's Eye Lake except for the following portions known as Hog Lake (T.28N, R.22W, SE 1/4 of the S 1/2 of S.15) and the channel running from Pig's Eye Lake through Hog Lake to the main channel of the Mississippi River (T.28N, R.22W, NW 1/4, NE 1/4 of the N 1/2 of S.22)	Ramsey	T.28N; R.22W; S.10,11, 14,15,23
E. Baldwin Lake	Washington	T.26 N.; R.22 W.; S.1; T.27 N.; R.22 W.; S.25, 26,35,36
F. Connelly's Lake (Conley)	Washington	T.26 N.; R.20 W.; S.7,8
G. Grey Cloud Slough	Washington	T.27 N.; R.21 W.; S.30,31,32,33; T.27 N.; R.22 W.; S.24,25
H. Moore Lake	Washington	T.27 N.; R.21 W.; S.30; T.27 N.; R.22 W.; S.25,26

Subp. 2. Restrictions on use of bait for set lines. A person using set lines may not use any frogs, bullheads, or perch of any size for bait on the Inland Mississippi River.

Subp. 3. Set line markings. All set lines on the Inland Mississippi River must be equipped with a tag furnished by the commissioner. At one end of every set line there must be a white flag at least 16 inches square, the upper end of which must extend at least two feet above the water and which must be numbered with figures at least three inches in height corresponding with the number of the license authorizing the use of the set line.

Subp. 4. Lifting and set times. Set lines must be lifted and all fish removed at least once every 48 hours and may be set or lifted only between sunrise and sunset. Commercial fishing regulations for boundary waters are found in chapter 6266 under the listing for each state.

6260.2000 COMMERCIAL FISHING ON INLAND WATERS.

Subpart 1. Repealed, 1995/1996

Subp. 2. Assignment of fishing areas. Licensees will be assigned an inland commercial fishing area at the time the license is issued. When it is determined that the issuance of a class B or C permit is desirable for waters which are included within the boundaries of an existing licensee's specified fishing area, that licensee will be given the first opportunity to apply for the permit, and will be considered before other applicants. When it is determined that the issuance of a contract is desirable for waters which are included within the boundaries of an existing licensee's specified fishing area, that licensee must be given first opportunity to apply for the contract, and must be considered before other applicants.

Subp. 3. Use of seines. The mesh in the seine bag and first 150 feet of each side of the bag used in inland waters may not be larger than three inches, stretch measure. The balance of the seine may not be of mesh size larger than five inches, stretch measure. There is no limit on the depth of the seine measured perpendicularly from cork line to lead line or in the twine size or strength.

Subp. 4. Use of hoop nets. Center leads of hoop nets used in inland waters may not exceed 25 feet in length and hoops may not exceed four feet in diameter. The webbing for the entire net may not exceed 2-3/4 inches, stretch measure, or be of twine size less than 18 gauge or 150 pound strength.

Subp. 5. Use of crib nets. Crib net design for inland waters is at the discretion of the operator, except that mesh size in cribs may not be larger than 2-3/4 inches, stretch measure for cribbing of bullheads and three inches stretch measure for cribbing of other rough fish species, or be of twine size smaller than 18 gauge or 150 pound strength. Wooden cribs must be constructed so that the sides and bottoms have no openings larger than 1-1/4 inches for bullheads and 1-1/2 inches for other rough fish species.

Subp. 6. Restrictions on seines and hoop nets. Seines and hoop nets used in inland commercial fishing operations must be of a design which will allow the release of nontarget species unharmed.

Subp. 7. Marking of hoop nets. A tag having a minimum size of 2-1/2 inches by five-eighths inch and permanently bearing the name and residence address of the operator must be attached to the top side of the end hoop and near the top of a hoop net stake of hoop nets used in inland waters. Hoop net stakes must also be marked with an orange or yellow flag, at least one foot square, the upper end of which extends at least three feet above the surface of the water or ice. Hoop nets that are set in open water with anchors must be marked with white buoys of at least one gallon displacement bearing the name and residence of the operator in contrasting color.

Subp. 8. Marking of seines. A tag having a minimum size of 2-1/2 inches by five-eighths inch and permanently bearing the name and residence address of the operator must be placed near the first float on one end of the float line of seines used in inland waters.

Subp. 9. Lifting of hoop nets. Hoop nets must be checked not less than two times in each seven-day period during open water fishing in inland waters and not less than one time in each seven-day period when fishing under ice.

All commercial fish removal operations must be conducted during daylight hours, when feasible. The area fisheries supervisor must be notified immediately in the instance of an exception.

Subp. 10. Removal of gear. All commercial fishing gear and equipment must be removed from inland waters at the time a license, permit, or contract becomes void. Hoop nets must be removed from the water during the period between freeze-up in the fall and ice-out in the spring.

6260.2100 INTENSITY AND TIMING OF FISHING EFFORTS.

Licensees, permittees, or contractors must make an effort to take fish in the specified area which effort is satisfactory by the commissioner. Failure to make a satisfactory effort may be grounds for nonrenewal of the license, permit, or contract.

6260.2200 LICENSE REVOCATION.

Upon revocation of the license, permit, or contract, operators may not be eligible for another license, permit, or contract until one year from the date of the revocation.

6260.2300 COMMERCIAL FISHING AREAS WITHIN INDIAN RESERVATIONS.

Those portions of the inland commercial fishing areas and core waters established by part 6260.2400 that lie within the established boundaries of Indian reservations are not subject to the provisions of parts 6260.0100 to 6260.2400.

6260.2400 DESCRIPTION OF INLAND COMMERCIAL FISHING AREAS.

Subpart 1. Identification of inland commercial fishing areas. The areas described in this part are established as inland commercial fishing areas. Within each area, the specified waters are hereby designated as core waters. Core waters are identified by name and county, Division of Waters identification number (Id. No.), (Township (Twp.)), (Range (Rge.)), and (Section (Sec.) number).

Subp. 2. Inland Commercial Fishing Area No. 1. Inland Commercial Fishing Area No. 1 consists of all of Lincoln and Lyon counties lying south of State Highway No. 19 and all of Murray County lying north of State Highway No. 30.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Bloody Lake				
Murray Co.	51-40	108	40	20, 28, 29
Fox Lake				
Murray Co.	51-43	108	40	21, 22, 27, 28
Shetek Lake				
Murray Co.	51-46	107, 108	40-41	Various
Sarah Lake				
Murray Co.	51-63	108	41	9, 15, 16, 17, 21, 22
Currant Lake				
Murray Co.	51-82	108	42, 43	7, 18; 12, 13

Subp. 3. Inland Commercial Fishing Area No. 2. Inland Commercial Fishing Area No. 2 consists of all of Nobles, Jackson, and Cottonwood Counties plus all of Murray County lying south of State Highway No. 30.

Core Waters	Id. No.	Twp.	Rge.	Sec.
North Oaks Lake				
Cottonwood Co.	17-44	105, 106	38	5, 8, 32
Talcot Lake				
Cottonwood and Murray Counties	17-60	105	38, 39	17-20, 30; 24, 25
Loon Lake				
Jackson Co.	32-20	101	35, 36	18, 19; 13, 24, 25
First Fulda (South Fulda Lake)				
Murray Co.	51-21	105	40	35, 36
West Graham Lake				
Nobles Co.	53-21	104 3	9	15, 16, 21, 22

Subp. 4. Inland Commercial Fishing Area No. 3. Inland Commercial Fishing Area No. 3 consists of all of Watonwan and Martin counties.

Core Waters	Id. No.	Twp.	Rge.	Sec.
East Chain Lake				
Martin Co.	46-10	101	29, 30	7, 18, 19; 13, 24
South Silver Lake				
Martin Co.	46-20	101	30	29-32
Bright Lake				
Martin Co.	46-52	101	31	8, 9, 16, 17
Fox Lake				
Martin Co.	46-109	102, 103	32	4-6; 31-34
Cedar Lake				
Martin Co.	46-121	103, 104	32, 33	19, 30; 1; 24, 25, 26

Subp. 5. Inland Commercial Fishing Area No. 4. Inland Commercial Fishing Area No. 4 consists of all of the area that lies within a boundary line starting at the city of Montevideo; thence north on State Highway No. 29 to Chippewa County Highway No. 13; thence west across the Minnesota River and continuing west on Lac Qui Parle County Highway No. 20 to Lac Qui Parle County Highway No. 31; thence south to U.S. Highway No. 212; thence east to U.S. Highway No. 59; thence south to State Highway No. 67; thence east to State Highway No. 23; thence south to Lyon County Highway No. 10; thence east and continuing east on Yellow Medicine County Highway No. 1 to Redwood County Highway No. 7; thence north across the Minnesota River and continuing north on Renville County Highway No. 9 to the Chippewa County line; thence west to State Highway No. 23; thence north to State Highway No. 7; thence west to Montevideo, the point of beginning.

The Core Waters are the Minnesota River lying within the described boundary.

Subp. 6. Inland Commercial Fishing Area No. 5. Inland Commercial Fishing Area No. 5 consists of all of the area that lies within a boundary line starting at the city of Paynesville; thence west on State Highway No. 23 to State Highway No. 55; thence west to the Kandiyohi County line; thence north

to the Stearns County line; thence west to U.S. Highway No. 71; thence south to U.S. Highway No. 12 at Willmar; thence west to the Kandiyohi County line; thence south to the Swift County line; thence west to State Highway No. 7; thence north to State Highway No. 119 at Appleton; thence north to U.S. Highway No. 12; thence crossing U.S. Highway No. 12 and continuing north on Swift County Highway No. 5 to Swift County Highway No. 22; thence west to Big Stone County Highway No. 25 at Artichoke; thence south to State Highway No. 7 at Correll; thence west to U.S. Highway No. 75; thence south to Lac Qui Parle County Highway No. 34; thence east to State Highway No. 119; thence south to Lac Qui Parle County Highway No. 20; thence east crossing the Minnesota River and continuing east on Chippewa County Highway No. 13 to State Highway No. 29; thence south to State Highway No. 7 at Montevideo; thence east to State Highway No. 23; thence south to the Renville County line; thence east to the Meeker County line; thence north to the Stearns County line; thence east to Stearns County Highway No. 2; thence north to State Highway No. 23 at Cold Spring; thence west to Paynesville, the point of beginning.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Marsh Lake				
Big Stone, Lac Qui Parle, and Swift Counties	6-1	120	43, 44	Various
Big Kandiyohi Lake				
Kandiyohi Co.	34-86	117, 118	34	3; 20-23, 26-29, 31
Lac Qui Parle Lake				
Lac Qui Parle, Chippewa, and Swift Counties	37-46	118-120	42, 43	Various
Cedar Island Lake				
Stearns Co	73-133	123	30, 31	30-32; 24, 25, 36
Horseshoe Lake				
Stearns Co.	73-157	123	31	25, 26, 34-36

Subp. 7. Inland Commercial Fishing Area No. 6. Inland Commercial Fishing Area No. 6 consists of all of the area that lies within a boundary line starting at the city of Willmar; thence west on U.S. Highway No. 12 to the Swift County line; thence south to the Chippewa County line; thence west to State Highway No. 7; thence north to State Highway No. 119 at Appleton; thence north to U.S. Highway No. 12; thence crossing U.S. Highway No. 12 and continuing north on Swift County Highway No. 5 to Swift County Highway No. 22; thence west to Big Stone County Highway No. 25 at Artichoke; thence north to the Stevens County line; thence east to the Pope County line and continuing east including that portion of Camp Lake lying in Pope County, to the Kandiyohi County line and continuing east to U.S. Highway No. 7; thence south to Willmar, the point of beginning.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Long Lake				
Kandiyohi Co.	34-192	120	35	11-15, 22, 23
East Solomon Lake				
Kandiyohi Co.	34-246	120	35, 36	20, 21, 28-30; 25

Core Waters	Id. No.	Twp.	Rge.	Sec.
Monson Lake				
Swift Co.	76-33	121, 122	37	3; 35, 36
Camp Lake				
Swift and Pope Counties	76-72	122, 123	38	1; 36
Oliver Lake				
Swift Co.	76-146	121, 122	43	1; 26, 27, 35, 36

Subp. 8. Inland Commercial Fishing Area No. 7. Inland Commercial Fishing Area No. 7 consists of all that area starting at the junction of Minnesota State Highway No. 19 and the South Dakota border in Lincoln County; thence east on State Highway No. 19 to U.S. Highway No. 75; thence north crossing Yellow Medicine and Lac Qui Parle counties to the junction of State Highway No. 7; thence east to the junction of Big Stone County Highway No. 25 at Correll; thence north to the Stevens County line; thence following the Stevens County line west and then north to the Grant County line and continuing north to the northern Traverse County line; thence west to the Minnesota-North Dakota state boundary; thence south to the Minnesota-South Dakota state boundary and continuing south on the border to point of beginning at the junction of Minnesota State Highway No. 19 and the South Dakota border in Lincoln County.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Big Stone Lake				
Big Stone County of Minnesota and Roberts and Grant Counties of SD	6-152	121-124	46-49	Various
Hendricks Lake				
Lincoln County of MN and Brookings County of SD	41-110	112	46, 47	18, 19; 13, 24
Mud Lake				
Traverse County of MN and Roberts County of SD	78-24	127, 128	47, 48	Various
Traverse Lake				
Traverse County of MN and Roberts County of SD	78-25	125, 127	47-49	Various

Subp. 9. Inland Commercial Fishing Area No. 8. Inland Commercial Fishing Area No. 8 consists of all of Stevens, Grant, and Pope counties excluding Reno Lake (Pope and Douglas counties), but including Christina Lake (Grant and Douglas counties).

Core Waters	Id. No.	Twp.	Rge.	Sec.
Pelican Lake				
Grant and Douglas Counties	26-2	30	0, 41	8, 19; 11-15 22-27, 34, 35

Core Waters	Id. No.	Twp.	Rge.	Sec.
Barrett Lake				
Grant Co.	26-95	128	41, 42	6, 7; 1, 12
Pomme de Terre Lake				
Grant Co.	26-97	129, 130	41, 42	5-7; 29-32; 12; 25, 36
Gilchrist Lake				
Pope Co.	61-72	123	37, 38	6-8, 17, 18; 1
Pelican Lake				
Pope Co.	61-111	125	38	9, 10, 16
Minnewaska Lake				
Pope Co.	61-130	125	38, 39	Various
Emily Lake				
Pope Co.	61-180	124	39, 40	Various
Perkins Lake				
Stevens Co.	75-75	126	41	19, 20, 29, 30
Hattie Lake				
Stevens Co.	75-200	124	43	20, 21, 28, 29

Subp. 10. Inland Commercial Fishing Area No. 9. Inland Commercial Fishing Area No. 9 consists of all of Douglas County excluding Christina Lake (Grant and Douglas counties), but including Reno Lake (Pope and Douglas counties).

Core Waters	Id. No.	Twp.	Rge.	Sec.
Victoria Lake				
Douglas Co.	21-54	128	37	21, 22, 27-29
Maple Lake				
Douglas Co.	21-79	127	37, 38	19, 20, 29-31; 25, 36
Mary Lake				
Douglas Co.	21-92	127, 128	38	4-9, 16-18; 32, 33
Pocket Lake				
Douglas Co.	21-140	127	38, 39	18, 19; 24-26
Freeborn Lake				
Douglas Co.	21-162	127	39	19, 20
Red Rock Lake				
Douglas Co.	21-291	127, 128	40	5; 28, 29, 32, 33
Reno Lake				
Pope and Douglas Counties	61-78	126, 127	37, 38	Various

Subp. 11. Inland Commercial Fishing Area No. 10. Inland Commercial Fishing Area No. 10 consists of that part of Otter Tail County that lies south of a boundary line starting at the junction of State Highway No. 29 and the eastern Otter Tail County line; thence west on State Highway No. 29 to Otter Tail County Highway No. 52; thence west to State Highway No. 108 and continuing west to State Highway No. 78; thence north to Otter Tail County Highway No. 1; thence west to Otter Tail County Highway No. 3; thence crossing Otter Tail County Highway No. 3 and continuing west on Otter Tail County Highway No. 10 through Elizabeth to the western Otter Tail County line.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Fish Lake				
Otter Tail Co.	56-66	131	37, 38	30; 25, 26
East Leaf Lake				
Otter Tail Co.	56-116	134	38	22-26
East Battle Lake				
Otter Tail Co.	56-138	132, 133	38, 39	Various
Stuart (Stewart) Lake				
Otter Tail Co.	56-191	132, 133	39	3, 4, 10; 33, 34
North Turtle Lake				
Otter Tail Co.	56-379	133	40, 41	19, 30; 23-26, 32-35
Bass Lake				
Otter Tail Co.	56-570	133	41, 42	31, 32; 36
North Ten Mile Lake				
Otter Tail Co.	56-604	131	42	16, 17, 20, 21
Ten Mile				
(South Ten Mile) Lake				
Otter Tail Co.	56-613	131	42	21, 27-29, 32-34

Subp. 12. Inland Commercial Fishing Area No. 11. Inland Commercial Fishing Area No. 11 consists of that part of Otter Tail County bounded by a line starting at the junction of State Highway No. 29 and the eastern boundary line of Otter Tail County; thence north on the Otter Tail County line to the southern Becker County line; thence west to U.S. Highway No. 10; thence south to State Highway No. 228; thence west to Otter Tail County Highway No. 4; thence south to Otter Tail County Highway No. 35 at Vergas and continuing south to Otter Tail County Highway No. 1; thence east to State Highway No. 78; thence south to State Highway No. 108; thence east to Otter Tail County Highway No. 52 and continuing east to State Highway No. 29 and continuing east to the eastern Otter Tail County line, the point of beginning.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Big Pine Lake				
Otter Tail Co.	56-130	136, 137	38	Various
Little Pine Lake				
Otter Tail Co.	56-142	136, 137	38, 39	Various
Buchanan Lake				
Otter Tail Co.	56-209	134, 135	39	1, 2, 11; 35, 36
Round Lake				
Otter Tail Co.	56-214	135	39	22, 27
Mud Lake				
Otter Tail Co.	56-222	136, 137	39	3, 4; 34, 35
Dead Lake				
Otter Tail Co.	56-383	134, 135	40, 41	Various

Subp. 13. Inland Commercial Fishing Area No. 12. Inland Commercial Fishing Area No. 12 consists of that part of Otter Tail County bounded by a line starting at the junction of U.S. Highway No. 10 and the northern Otter Tail County line; thence west to the eastern Clay County line; thence south to the southern Clay County line; thence west to the Wilkin County line; thence south

to Otter Tail County Highway No. 10; thence east to Otter Tail County Highway No. 3; thence crossing Otter Tail County Highway No. 3 and continuing east on Otter Tail County Highway No. 1 to Otter Tail County Highway No. 35; thence north to Otter Tail County Highway No. 4 and continuing north through Vergas to State Highway No. 228; thence east to U.S. Highway No. 10; thence north to the Otter Tail County line, the point of beginning.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Star Lake				
Otter Tail Co.	56-385	135, 136	40, 41	Various
East Spirit Lake				
Otter Tail Co.	56-501	136	41	4, 5, 8, 9, 16, 17
Little Pelican Lake				
Otter Tail Co.	56-761	137	42	1, 2, 11, 12
Long (North Long) Lake				
Otter Tail Co.	56-784	134	42, 43	7, 18; 10-14
Prairie Lake				
Otter Tail Co.	56-915	136	43	10, 11, 14, 15
Tamarac Lake				
Otter Tail Co.	56-931	137	43	14, 15, 22, 23, 26
Sand Lake				
Otter Tail Co.	56-942	137	43	35, 36

Subp. 14. Inland Commercial Fishing Area No. 13. Inland Commercial Fishing Area No. 13 consists of that part of Becker County west of U.S. Highway No. 59.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Monson (Munson) Lake				
Becker Co.	3-357	138	41	5, 8
Sallie Lake				
Becker Co.	3-359	138	41	7-9, 16-20
Melissa Lake				
Becker Co.	3-475	138	41, 42	19-21, 28-32; 25
Little Cormorant Lake				
Becker Co.	3-506	138, 139	42	4, 5; 28-33
Big Cormorant Lake				
Becker Co.	3-576	138	42, 43	7, 18, 19, 30; 1, 11-14, 22-25
Upper Cormorant Lake				
Becker Co.	3-588	138	43	4, 5, 8, 9, 15, 16, 17

Subp. 15. Inland Commercial Fishing Area No. 14. Inland Commercial Fishing Area No. 14 consists of that part of Becker County lying east of U.S. Highway No. 59 and all of Hubbard County south of Hubbard County Highway No. 9 except Steamboat Lake and all of Wadena County north of Wadena County Highway No. 9.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Shell Lake Becker Co.	3-102	140	37, 38	7, 18; 9-16, 21 23, 24
Toad (Big Toad) Lake Becker Co.	3-107	139	38	4, 8-10, 15-17, 20, 21
Little Toad Lake Becker Co.	3-189	139	39	23-26
Height of Land Lake Becker Co.	3-195	139, 140	39	2-5, 9-11; 26-28, 32-34
Rock Lake Becker Co.	3-293	140	40	16, 17, 20, 21, 28, 29
Detroit Lake Becker Co.	3-381	138, 139	41	1-4, 9-15; 34-36
Little Floyd Lake Becker Co.	3-386	139	41	2, 3, 10, 11
Floyd Lake Becker Co.	3-387	139	41	3, 4, 9, 10, 15, 16

Subp. 16. Inland Commercial Fishing Area No. 16. Inland Commercial Fishing Area No. 16 consists of all of Meeker, McLeod, and Sibley Counties, plus that part of Wright County that lies south of U.S. Highway No. 12 and west of State Highway No. 25.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Francis Lake Meeker and Wright Counties	47-2	120	28, 29	6, 7; 1, 11, 12
Jennie Lake Meeker Co.	47-15	118	29	20, 21, 27-29, 32, 33
Big Swan Lake Meeker Co.	47-38	119, 120	29	1, 2, 14; 35, 36
Betty Lake Meeker Co.	47-42	121	29	23, 24
Belle Lake Meeker and McCleod Counties	47-49	117, 118	30	2, 3; 26, 27, 35
Dunns Lake Meeker Co.	47-82	119, 120	30	3; 34
Star Lake Meeker Co.	47-129	118, 119	31	5-8; 31, 32
Ripley Lake Meeker Co.	47-134	119	31	14, 15, 22-26
Collinwood Lake				

Core Waters	Id. No.	Twp.	Rge.	Sec.
Wright and Meeker Counties	86-293	118	28, 29	6, 7; 1, 12

Subp. 17. Inland Commercial Fishing Area No. 17. Inland Commercial Fishing Area No. 17 consists of all of Sherburne and Wright Counties except that part of Wright County that lies south of U.S. Highway No. 12 and west of State Highway No. 25.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Eagle Lake Sherburne Co.	71-67	33, 34	27	6; 30-32
Buffalo Lake Wright Co.	86-90	119, 120	25, 26	30, 31; 1; 25, 35, 36
Deer Lake Wright Co.	86-107	119	26	1, 2
Waverly Lake Wright Co.	86-114	119	26	28, 32, 33
Howard Lake Wright Co.	86-199	118, 119	27	3, 4; 27, 28, 33, 34

Clearwater Lake Wright and Stearns Counties	86-252	121, 122	27, 28	Various
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Cokato Lake Wright Co.	86-263	119	28	14, 15, 23
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Subp. 18. Inland Commercial Fishing Area No. 18. Inland Commercial Fishing Area No. 18 consists of all of Anoka, Ramsey, and Washington Counties, plus that part of Dakota County bounded by a line from the junction of Highway I-494 and the eastern line of Washington County; thence west on Highway I-494 to State Highway No. 56; thence south to the northern boundary of Goodhue County; thence east, including Byllesby Lake, on the Dakota-Goodhue County line to the Minnesota-Wisconsin state line.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Peltier Lake Anoka Co.	2-4	31	22	2, 10, 11, 14, 15
Centerville Lake Anoka Co.	2-6	31	22	14, 15, 22, 23
Byllesby Lake Dakota and Goodhue Counties	19-6	112	18	8-10, 14-16
Long Lake Ramsey Co.	62-67	30	23	17, 18, 20
Bone Lake Washington Co.	82-54	32	20	4, 5, 8, 9
Clear Lake Washington Co.	82-163	32	21	17, 18

Subp. 19. Inland Commercial Fishing Area No. 19. Inland Commercial Fishing Area No. 19 consists of all of Hennepin County excluding that part bounded by a line starting at the junction of the eastern Carver County line and U.S. Highway No. 169; thence easterly on U.S. Highway No. 169 to State Highway No. 5; thence west to the eastern Carver County line.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Bryant Lake				
Hennepin Co.	27-67	116	22	2, 11
Medicine Lake				
Hennepin Co.	27-104	118	22	14, 23-26
Minnetonka Lake				
Hennepin and Carver Counties	27-133	116, 117	22-24	Various
Long Lake				
Hennepin Co.	27-160	118	23	26, 34, 35
Independence Lake				
Hennepin Co.	27-176	118	23, 24	7, 18, 19; 12, 13, 24

Subp. 20. Inland Commercial Fishing Area No. 20. Inland Commercial Fishing Area No. 20 consists of all of Scott and Carver Counties plus that part of Hennepin County bounded by a line starting at the junction of the eastern Carver County line and U.S. Highway No. 169; thence easterly on U.S. Highway No. 169 to State Highway No. 5; thence west to the eastern Carver County line, plus that part of Dakota county west of a line starting at the junction of Highway I-494 and the eastern Washington County line; thence west on Highway I-494 to State Highway No. 56; thence south to the northern Goodhue County line.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Parley Lake				
Carver Co.	10-42	116	24	4, 5, 8, 9
Wassermann Lake				
Carver Co.	10-48	116	24	14, 22, 23
Waconia Lake				
Carver Co.	10-59	116	24, 25	6, 7, 18; 1, 2; 10-15
Staring Lake				
Hennepin Co.	27-78	116	22	21, 22
Spring Lake				
Scott Co.	70-54	114	22	3-5, 8-10
Cedar Lake				
Scott Co.	70-91	113	22, 23	7, 18, 19; 12, 13, 24

Subp. 21. Inland Commercial Fishing Area No. 21. Inland Commercial Fishing Area No. 21 consists of all of Rice County except that part bounded by a line starting at the junction of the eastern LeSueur County line and Rice County Highway No. 12; thence east on Rice County Highway No. 12 to State Highway No. 60; thence west to the eastern LeSueur County line, plus that part of LeSueur County bounded by a line starting at the junction of LeSueur County Highway No. 14 and the Chicago and Northwestern railroad tracks; thence north on the Chicago and Northwestern railroad tracks to LeSueur County Highway No. 13 and continuing north on LeSueur County Highway No. 13 to LeSueur County Highway No. 12; thence west to Singing Hills Road, which courses the western end of Tetonka Lake; thence south to LeSueur County Highway No. 14; thence east to the Chicago and Northwestern railroad tracks, the point of beginning.

6260.2400 Description Of Inland Commercial Fishing Areas.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Circle Lake				
Rice Co.	66-27	111	21	15-17, 21, 22
Fox Lake				
Rice Co.	66-29	111	21	26, 27
Union Lake				
Rice Co.	66-32	111, 112	21	2, 3; 35, 36
Rice Lake				
Rice Co.	66-48	110	22	16, 17, 20, 21

Subp. 22. Inland Commercial Fishing Area No. 22. Inland Commercial Fishing Area No. 22 consists of all of LeSueur County except that part bounded by a line starting at the junction of the eastern Nicollet County line and State Highway No. 99; thence east on State Highway No. 99 to LeSueur County Highway No. 15 at Cleveland; thence south to LeSueur County Highway No. 13; thence east and south on LeSueur County Highway No. 13 to LeSueur County Highway No. 16; thence west to the northern Blue Earth County line and also excluding that part of LeSueur County bounded by a line starting at the junction of LeSueur County Highway No. 14 and the Chicago and Northwestern railroad tracks; thence north on the Chicago and Northwestern railroad tracks to LeSueur County Highway No. 13 and continuing north on LeSueur County Highway No. 13 to LeSueur County Highway No. 12; thence west to Singing Hills Road, which courses the western end of Tetonka Lake; thence south to LeSueur County Highway No. 14; thence east to the Chicago and Northwestern railroad tracks, plus that part of Rice County bounded by a line starting at the junction of the eastern LeSueur County line and Rice County Highway No. 12; thence east on Rice County Highway No. 12 to State Highway No. 60; thence west to the eastern LeSueur County line.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Dora Lake				
LeSueur Co.	40-10	110	23	3, 4, 9, 10
Sabre Lake				
LeSueur Co.	40-14	110	23	29, 30
Gorman Lake				
LeSueur Co.	40-32	110	23, 24	7; 11-14
Frances Lake				
LeSueur Co.	40-57	109	24	27-29, 32-35

Subp. 23. Inland Commercial Fishing Area No. 23. Inland Commercial Fishing Area No. 23 consists of all of Faribault, Waseca, Brown, and Blue Earth counties plus that part of LeSueur County bounded by the junction of the eastern Nicollet County line and State Highway No. 99; thence east on State Highway No. 99 to LeSueur County Highway No. 15 at Cleveland; thence south to LeSueur County Highway No. 13; thence east and south on LeSueur County Highway No. 13 to LeSueur County Highway No. 16; thence west to the northern Blue Earth County line.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Loon Lake				
Blue Earth Co.	7-96	107	28	2-4, 10, 11
Crystal Lake				
Blue Earth Co.	7-98	107, 108	28	4, 5; 32, 33

Core Waters	Id. No.	Twp.	Rge.	Sec.
Hanska Lake Brown Co.	8-26	108	31, 32	19, 28-30, 32, 33; 13-16, 23, 24
Washington Lake LeSueur and Blue Earth Counties	40-117	109	25, 26	Various
Elysian Lake Waseca and LeSueur Counties	81-95	108, 109	24	Various
Subp. 24. Inland Commercial Fishing Area No. 24. Inland Commercial Fishing Area No. 24 consists of all of Itasca County.				
Core Waters	Id. No.	Twp.	Rge.	Sec.
Blackberry Lake Itasca Co.	31-210	55	24	28, 33
Split Hand Lake Itasca Co.	31-353	53	25	14, 15, 22, 23, 26, 27, 35
Blandin Lake Itasca Co.	31-533	55	25, 26	18-21; 13
Blackwater Lake Itasca Co.	31-561	55	26	4, 7-10, 15-17
Bass Lake Itasca Co.	31-576	55, 56	26	Various
Dora Lake Itasca Co.	31-882	149, 150	27	Various
Subp. 25. Inland Commercial Fishing Area No. 25. Inland Commercial Fishing Area No. 25 consists of all of Clearwater and Beltrami Counties plus that part of Hubbard County lying north of Hubbard County Highway No. 9.				
Core Waters	Id. No.	Twp.	Rge.	Sec.
Rabideau Lake Beltrami Co.	4-34	147, 148	30	8, 9, 16-20; 13
Blackduck Lake Beltrami Co.	4-69	149	31	3-5, 8-11, 14-17
Gull Lake Beltrami Co.	4-120	148, 149	32	1-4, 11; 26, 27, 34, 35
Three Island Lake Beltrami Co.	4-134	148	32, 33	18, 19; 23-26
Irving Lake Beltrami Co.	4-140	146	33	16, 17, 21
Julia Lake Beltrami Co.	4-166	148, 149	33	4, 5; 32, 33
Minerva Lake Clearwater Co.	15-79	145	37	13, 14

Core Waters	Id. No.	Twp.	Rge.	Sec.
Pine Lake				
Clearwater Co.	15-149	149	38	20-22, 27-29, 32, 33

Subp. 26. Inland Commercial Fishing Area No. 26. Inland Commercial Fishing Area No. 26 consists of all of St. Louis County north of U.S. Highway No. 169, State Highway No. 169 and State Highway No. 1.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Burntside Lake				
St. Louis Co.	69-118	63	12, 13	Various
Vermillion Lake				
St. Louis Co.	69-378	61-63	14-16	Various
Pelican Lake				
St. Louis Co.	69-841	64, 65	19, 20	Various
Kabetogama Lake				
St. Louis and Koochiching Counties	69-845	69, 70	19-22	Various
Sturgeon Lake				
St. Louis and Itasca Counties	69-939	60	21, 22	Various

Subp. 27. Inland Commercial Fishing Area No. 27. Inland Commercial Fishing Area No. 27 consists of all of Lake County.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Dumbbell Lake				
Lake Co.	38-393	59, 60	7, 8	6, 7; 31; 1
Snowbank Lake				
Lake Co.	38-529	63, 64	8, 9	1-3, 11, 12; 19, 20, 29-31; 23-27, 34-36
Greenwood Lake				
Lake Co.	38-656	58, 59	10	4, 5, 7-9, 17-20; 32
Farm Lake				
Lake Co.	38-779	62, 63	11	3; 4; 33, 34

Subp. 28. Inland Commercial Fishing Area No. 28. Inland Commercial Fishing Area No. 28 consists of all of Cook County.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Pine Lake				
Cook Co.	16-41	65	1-3E	Various
Greenwood Lake				
Cook Co.	16-77	64	2E	21-28, 34
Flour Lake				
Cook Co.	16-147	64	1W; 1E	1, 2, 11, 12; 5, 6
Poplar Lake				
Cook Co.	16-239	64	1W; 2W	6, 7, 8; 1, 2, 11, 12

Core Waters	Id. No.	Twp.	Rge.	Sec.
Seagull Lake Cook Co.	16-629 65,	66	4, 5W	5-7; 31, 32; 9-16

Saganaga Lake Cook Co.	16-633	65, 66	4, 5W	Various
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Subp. 29. Inland Commercial Fishing Area No. 29. Inland Commercial Fishing Area No. 29 consists of all of St. Louis County south of U.S. Highway No. 169, State Highway No. 169, and State Highway No. 1 and all of Carlton County.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Birch Lake St. Louis and Lake Counties	69-3	61	11, 12	Various
Bearhead Lake St. Louis Co.	69-254	61	14	1, 2, 10, 11, 12, 14

Island Lake St. Louis Co.	69-372	52, 53	14, 15	Various
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Boulder Lake St. Louis Co.	69-373	53	14, 15	Various
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Whiteface Reservoir St. Louis Co.	69-375	55, 56	14, 15	Various
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Fish Lake Flowage St. Louis Co.	69-491	51, 52	15, 16	Various
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Subp. 30. Inland Commercial Fishing Area No. 30. Inland Commercial Fishing Area No. 30 consists of all of Aitkin and Mille Lacs counties.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Minnewawa Lake Aitkin Co.	1-33	49	23	16, 20-23, 26-29, 32, 33

Big Sandy Lake Aitkin Co.	1-62	49, 50	23, 24	Various
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Gun Lake Aitkin Co.	1-99	48	25	8, 9, 16, 17, 20
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Hill Lake Aitkin Co.	1-142	52	26	2, 11-14, 23, 24
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Farm Island Lake Aitkin Co.	1-159	45, 46	27	4-6; 28, 29,
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Cedar Lake Aitkin and Crow Wing Counties	1-209	46, 47	27, 28	4-7; 29-33; 1, 12
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Subp. 31. Inland Commercial Fishing Area No. 31. Inland Commercial Fishing Area No. 31 consists of all of Pine, Kanabec, Isanti and Chisago counties.

Core Waters	Id. No.	Twp.	Rge.	Sec.
South Center Lake Chisago Co.	13-27	33, 34	20	2, 3, 4, 9, 10; 34, 35

Core Waters	Id. No.	Twp.	Rge.	Sec.
Rush Lake Chisago Co.	13-69	37	21, 22	19, 30; 9, 10, 11, 14, 15, 16, 20-25, 27, 28
Goose Lake Chisago Co.	13-83	36, 37	22	3, 4, 9, 10, 15; 34
Green Lake Isanti Co.	30-136	36	25	26-28, 33-35
Knife Lake Kanabec Co.	33-28	40, 41	23, 24	1, 2, 10, 11, 15, 30, 31, 32
Cross Lake Pine Co.	58-119	39	21	11, 14, 15, 22, 23, 27, 28, 33, 34
Pokegama Lake Pine Co.	58-142	39	22	13, 14, 23-26, 35, 36
Subp. 32. Inland Commercial Fishing Area No. 32. Inland Commercial Fishing Area No. 32 consists of all of Crow Wing and Cass counties.				
Core Waters	Id. No.	Twp.	Rge.	Sec.
George Lake Cass Co.	11-101	139, 140	26, 27	6, 7; 31; 1; 36
Woman Lake Cass Co.	11-201	140, 141	28, 29	Various
Gull Lake Cass and Crow Wing Counties	11-305	134, 135	28-30	Various
Pine Mountain Lake Cass Co.	11-411	138, 139	30, 31	6 19, 30, 24, 25, 36
Borden Lake Crow Wing Co.	18-20	44	28	2, 9-11, 14-16, 22
Crooked Lake Crow Wing Co.	18-41	45	28	16, 17, 19-21, 29, 30
Upper Long Lake Crow Wing Co.	18-96	44	29	5, 7, 8, 18
Long Lake Crow Wing Co.	18-136	44	29, 30	18; 13, 14, 22-24, 26, 27
Emily Lake Crow Wing Co.	18-203	137, 138	26	2, 3; 26, 27, 34, 35

Subp. 33. Inland Commercial Fishing Area No. 33. Inland Commercial Fishing Area No. 33 consists of all of Todd, Morrison, Benton, and Stearns counties except that part of Stearns County bounded by a line starting at the junction of Stearns County Highway No. 2 and the Meeker County line, near the community of Watkins; thence north on Stearns County Highway No. 2 to

State Highway No. 23, near the community of Cold Spring; thence west on State Highway No. 23 to the junction of State Highway No. 55; thence west on State Highway No. 55 to the eastern Kandiyohi County line, plus that part of Wadena County lying south of Wadena County Highway No. 9.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Little Rock				
Benton Co.	5-13	37, 38	31	2, 3, 10, 11, 14; 34, 35
Two Rivers Lake				
Stearns Co.	73-138	125, 126	30, 31	6; 19, 30, 31, 36
Big Swan Lake				
Todd Co.	77-23	128	32	7,18-20, 29, 30
Big Birch Lake				
Todd and Stearns Counties	77-84	126, 127	32, 33	Various

Subp. 34. Inland Commercial Fishing Area No. 34. Inland Commercial Fishing Area No. 34 consists of all of Goodhue, Wabasha, Olmsted, and Winona counties lying north of U.S. Highway I-90.

Core Waters	Id. No.	Twp.	Rge.	Sec.
Vermillion River				
Goodhue Co.		113, 114	15, 16	Various
Goose Lake				
Goodhue Co.	25-5	113	15	5-8
Brunner Lake				
Goodhue Co.	25-6	113	15	6
Wildcat Lake				
Goodhue Co.	25-7	113	15	NC8
Jones Lake				
Goodhue Co.	25-8	113	15	SE8
Birch Lake				
Goodhue Co.	25-9	113	15	8, 9
Larson Lake				
Goodhue Co.	25-16	113, 114	15, 16	6; 31; 1
Upper Clear Lake				
Goodhue Co.	25-18	114	16	22, 27
Clear Lake				
Goodhue Co.	25-19	114	16	26, 35
Upper Rattling Springs Lake				
Goodhue Co.	25-20	114	16	34, 35
Lower Rattling Springs Lake				
Goodhue Co.	5-21	114	16	35
Zumbro Lake				
Olmsted and Wabash Counties	55-414	108, 109		Various
Shady Lake				
Olmsted Co.	55-5	108	14, 15	7, 8, 17, 18;12

6260.2500 [Renumbered 6259.0100]

6260.2600 [Renumbered 6259.0200]

6260.2700 [Renumbered 6259.0300]

6260.2800 [Renumbered 6259.0400]

6260.2900 [Renumbered 6259.0500]

6260.3000 [Renumbered 6259.0600]

6260.3100 [Renumbered 6259.0700]

6260.3200 [Renumbered 6259.0800]

6260.3300 [Renumbered 6259.0900]

6260.3400 [Renumbered 6259.1000]

Minn. Rules Repealed, etc. in chapter 6260

FISHING REGULATIONS AND REQUIREMENTS

CHAPTER 6262

6262.0100 GENERAL RESTRICTIONS ON TAKING FISH.

Subpart 1. Angling hours. Angling hours on all streams and rivers from Lake Superior upstream to posted boundaries, including Lake Superior tributaries with no posted boundaries, are from one hour before sunrise to one hour after sunset during the open season; provided that angling hours on the St. Louis River in St. Louis and Carlton Counties and the Pigeon River in Cook County are continuous during the open season except as provided by Minnesota Statutes, section 97C.415, subdivision 1.

Angling hours for all species on all inland waters are continuous during the open season, except as provided by Minnesota Statutes, section 97C.415, subdivision 1, and except for certain waters which are subject to experimental or special regulations.

Subp. 2. Repealed, 2003

Subp. 3. Take A Kid Fishing Weekend. Take A Kid Fishing Weekend is the first Friday, Saturday, and Sunday after the first Monday in June.

Subp. 4. Importation, transportation, or stocking of live fish. Except as provided in part 6212.2600, subpart 3, and Minnesota Statutes, sections 17.4985, subdivision 3; 97C.505, subdivision 1; 97C.515, subdivision 3; 97C.525, subdivision 1; and 97C.821, a person may not import, transport, or stock in any waters of the state live fish eggs, fish spawn, or immature or adult fish of any species without a permit issued by the commissioner. An angling license does not authorize a person to import, transport, or stock live fish.

Subp. 5. Possession of fish while on state waters.

A. Fish that are taken by angling and not immediately released into the water after capture are considered to be in possession. Once a limit of fish has been reduced to possession, no culling or live well sorting (the act of replacing one fish with another one) of that species is allowed.

B. A person shall not angle for, including catch-and-release, or reduce to possession any species during its closed season.

C. Once a person or persons fishing as a party as provided in Minnesota Statutes, section 97C.317, retain a daily limit for a species, all fish of that species that are subsequently taken must be immediately released into the water after capture.

D. While on or fishing in state waters with size restrictions that differ from statewide regulations, including experimental waters, special management waters, boundary waters, or any other waters with size restrictions, all fish for which the different size restrictions apply must be undressed and measurable when in a person's possession, regardless of where taken, except when a watercraft is docked or moored to shore and a person is in the act of preparing and using the fish for a meal.

E. It is unlawful for a person to have in possession, regardless of where taken, any fish in excess of or outside of the limits for that water body when fishing in that water. A person must immediately return to the water any fish that is taken by angling that is in excess of or outside the limits.

F. A person who is in transit on the water, taking the most direct route back to the person's lodging or docking, and not fishing, may possess fish outside of or in excess of the limits for that water body, if the species were legally taken from connected waters.

6262.0200 FISHING REGULATIONS FOR INLAND WATERS.

Subpart 1. General inland fishing regulations. Fish may be taken in inland waters by angling during the time specified for each of the following species, however, certain waters of the state are subject to experimental regulations, special regulations, or are closed for the taking and possession of fish. When the closing date of a season falls on a Saturday, the season will extend through the following Sunday.

Species and Open Season

**Daily and Possession
Limits**

A. Largemouth and smallmouth bass.

6 in aggregate.

- (1) In all waters lying east and north of U.S. Highway 53 from Duluth to International Falls and Pelican and Ash Lakes, St. Louis County.

Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February.

From the second Monday in September to the end of the season, angling for smallmouth bass shall be limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.

- (2) In all other waters.
Saturday of Memorial Day weekend to the last Sunday in February.

From the second Monday in September to the end of the season, angling for smallmouth bass shall be limited to catch and release only. Any smallmouth bass must be immediately returned to the water and it shall be unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in inland waters.

Species and Open Season

B. Brown trout.

- (1) All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Minnesota-Wisconsin boundary cable, and Lake Superior tributaries with no posted boundaries.

Open continuously.

Only a single hook may be used for angling, except in the Pigeon River, Cook County, and the St. Louis River, St. Louis and Carlton Counties.

- (2) In all streams of the Lake Superior watershed in St. Louis, Lake, Carlton, and Cook Counties above the posted boundaries and their tributaries, except the St. Louis River and its tributaries upstream of the Fond du Lac Dam.

Saturday nearest April 15 to September 30.

- (3) In all streams in Houston, Fillmore, Mower, Dodge, Olmsted, Winona, Wabasha, and Goodhue Counties.

April 1 to
September 30.

Daily and Possession Limits

5 in aggregate with rainbow and brook trout and splake, except the aggregate limit on Carlton County streams is 10 with no more than 5 brown trout. Not more than 1 may be over 16 inches in length and minimum size limit is 10 inches in length.

10 in aggregate with rainbow and brook trout and splake. No more than 1 may be over 16 inches in length. No more than 5 may be brown trout.

5 in aggregate with rainbow and brook trout and splake. No more than 1 may be over 16 inches in length. No harvest of trout is allowed from April 1 up to but not including the Saturday nearest April 15 and from September 15 to September 30. During these time periods, all trout must be immediately returned to the water and all hooks must be barbless.

Species and Open Season

- (4) In all other streams.

Saturday nearest April 15
to September 30.

- (5) In lakes only:

Statewide.

Saturday two weeks prior to
Saturday of Memorial Day
weekend to October 31.

All lakes entirely within the
Boundary Waters Canoe Area
Wilderness except Ram Lake.

Saturday nearest January 1
to March 31.

All lakes entirely or partly
outside the Boundary Waters Canoe
Area Wilderness and exceptions.

Saturday nearest January 15
to March 15.

Lakes lying partly outside the
Boundary Waters Canoe Area
Wilderness and exceptions
include Ram, Meditation, and
Lizz Lakes.

Lakes in Aitkin, Becker,
Beltrami, Cass, Crow Wing,
and Hubbard Counties.

Closed for the winter season.

C. Brook trout and splake.

- (1) All streams and rivers from Lake
Superior upstream to the posted
boundaries, including the St.
Louis River upstream to the
Minnesota-Wisconsin boundary
cable, and Lake Superior
tributaries with no posted
boundaries, except for Lake

Daily and Possession Limits

5 in aggregate with
rainbow and brook
trout and splake.
No more than 1 may
be over 16 inches
in length.

5 in aggregate with
rainbow and brook
trout and splake.
No more than 3 may
be over 16 inches
in length.

5 in aggregate with
brown and rainbow
trout. The
aggregate limit for
brook trout and
splake is 1 and the
minimum size limit is
20 inches in length.

Species and Open Season

Daily and Possession Limits

Superior tributaries in Carlton County.

Saturday nearest April 15 to Labor Day.

Only a single hook may be used for angling, except in the Pigeon River, Cook County, and the St. Louis River, St. Louis and Carlton Counties.

- (2) In all streams of the Lake Superior watershed in St. Louis, Lake, and Cook Counties above the posted boundaries and their tributaries; and the entire length of Carlton County streams, except the St. Louis River and its tributaries upstream of the Fond du Lac Dam.

Saturday nearest April 15 to September 30.

- (3) [Expired.]

- (4) In all streams in Houston, Fillmore, Mower, Dodge, Olmsted, Winona, Wabasha, and Goodhue Counties.

April 1 to September 30.

10 in aggregate with brown and rainbow trout. No more than 1 may be over 16 inches in length.

5 in aggregate with rainbow and brown trout and splake. No more than 1 may be over 16 inches in length. No harvest of trout is allowed from April 1 up to but not including the Saturday nearest April 15 and from September 15 to September 30. During these time periods, all trout must be immediately returned to the water and all hooks must be barbless.

Species and Open Season

- (5) In all other streams.

Saturday nearest April 15
to September 30.

- (6) In lakes only:

Statewide.

Saturday two weeks prior to
Saturday of Memorial Day
weekend to October 31.

All lakes entirely within the
Boundary Waters Canoe Area
Wilderness except Ram Lake.

Saturday nearest January 1
to March 31.

All lakes entirely or partly
outside the Boundary Waters Canoe
Area Wilderness and exceptions.

Saturday nearest January 15
to March 15.

Lakes lying partly outside
the Boundary Waters Canoe
Area Wilderness and exceptions
include Ram, Meditation,
and Lizz Lakes.

Lakes in Aitkin, Becker,
Beltrami, Cass, Crow Wing,
and Hubbard Counties.

Closed for the winter season.

D. Rainbow trout, including steelhead.

- (1) All streams and rivers from
Lake Superior upstream to the trout.
posted boundaries, including
the St. Louis River upstream
to the Minnesota-Wisconsin
boundary cable, and Lake
Superior tributaries with
no posted boundaries.

Daily and Possession Limits

5 in aggregate
with brown and rainbow
trout. No more
than 1 may be
over 16 inches
in length.

5 in aggregate with
brown and rainbow
trout. No more than 3
may be over 16 inches
in length.

3 clipped rainbow
The minimum
size limit for
clipped rainbow trout
is 16 inches in length.
Clipped rainbow trout
have their adipose fin
removed and must show

Species and Open Season

Open continuously.

Only a single hook may be used for angling, except in the Pigeon River, Cook County, and the St. Louis River, St. Louis and Carlton Counties.

- (2) In all streams of the Lake Superior watershed in St. Louis, Lake, Carlton, and Cook Counties above the posted boundaries and their tributaries.

Saturday nearest April 15 to September 30.

- (3) In all streams in Houston, Fillmore, Mower, Dodge, Olmsted, Winona, Wabasha, and Goodhue Counties.

April 1 to September 30.

Daily and Possession Limits

a healed scar. No harvest of unclipped rainbow trout is allowed. All unclipped rainbow trout must be returned to the water immediately and it is unlawful for anyone to have in possession, regardless of where taken, any unclipped rainbow trout while on or fishing in the listed waters.

No harvest of rainbow trout is allowed. All rainbow trout must be returned to the water immediately and it is unlawful for anyone to have in possession, regardless of where taken, any rainbow trout while on or fishing in the listed waters.

5 in aggregate with brown and brook trout and splake. No more than 1 may be over 16 inches in length. No harvest of trout is allowed from April 1 up to but not including the Saturday nearest April 15 and from September 15 to September 30. During these time periods, all trout must be immediately returned to the water and all hooks must be barbless.

Species and Open Season

- (4) In all other streams.

Saturday nearest April
15 to September 30.

- (5) In lakes only

Statewide.

Saturday two weeks prior
to Saturday of Memorial
Day weekend to
October 31.

All lakes entirely within
the Boundary Waters Canoe
Area Wilderness except
Ram Lake.

Saturday nearest January 1
to March 31.

All lakes entirely or partly
outside the Boundary Waters
Canoe Area Wilderness
and exceptions.

Saturday nearest January 15
to March 15.

Lakes lying partly outside
the Boundary Waters Canoe
Area Wilderness and
exceptions include Ram,
Meditation, and Lizz Lakes.

Lakes in Aitkin, Becker,
Beltrami, Cass, Crow Wing,
and Hubbard Counties.

Closed for the winter season.

Daily and Possession Limits

5 in aggregate
with brook and brown
trout and splake.
No more than 1
may be over 16
inches in length.

5 in aggregate
with brook and brown
trout and splake.
No more than 3 may
be over 16 inches
in length.

E. Lake trout.

2

Statewide.

Saturday two weeks prior to
Saturday of Memorial Day weekend
to September 30.

Species and Open Season**Daily and Possession Limits**

All lakes entirely within the Boundary Waters Canoe Area Wilderness except Saganaga and Ram Lakes.

Saturday nearest January 1 to March 31.

All lakes lying entirely or partly outside the Boundary Waters Canoe Area Wilderness and exceptions.

Saturday nearest January 15 to March 15.

Lakes partly outside the Boundary Waters Canoe Area Wilderness and exceptions include Snowbank, Magnetic, Ram, Seagull, Clearwater, East Bearskin, and Saganaga.

All streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Minnesota-Wisconsin boundary cable and Lake Superior tributaries with no posted boundaries.

December 1 to September 30.

F. Chinook, coho, Atlantic, and pink salmon.

Continuous.

5 in aggregate.

All must be at least 10 inches in length.

No more than 1 may be an Atlantic salmon.

G. Walleye and sauger.

Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February.

6 in aggregate.

H. Northern pike.

Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February.

3

The limit also applies to the taking by dark house spearing.

Species and Open Season

Muskellunge (including muskellunge-northern pike hybrid).

The first Saturday in June to the last Sunday in February.

Daily and Possession Limits

1. The minimum size limit will be 40 inches in length, except on Shoepac Lake, St. Louis County, where a 30-inch minimum size limit will apply.

J. Rock bass.
Continuous.

30

K. White (striped) bass.
Continuous.

30

L. Crappies.
Continuous.

10

M. Sunfish.
Continuous.

20

N. Flathead and channel catfish.

Continuous.

5 in aggregate. No more than 1 may be over 24 inches and no more than 2 may be flathead catfish.

O. Perch.

100 to November 30, 2000.

20 daily, 50 in possession, December 1, 2000, to November 30, 2001.

20 daily, 40 in possession, December 1, 2001, and thereafter.

Continuous:

P. Bullheads.
Continuous.

100

Q. Sturgeon.
Closed.

0

Species and Open Season

Daily and Possession Limits

R. Carp, bowfin, redbreast, sheepshead, suckers, burbot, gar, whitefish, goldeyes, tullibees, buffalo, smelt.

No limits.

Continuous.

Subp. 2. Taking of smelt from inland waters. Rainbow smelt may be taken by licensed anglers and those exempt from licensing at any time by angling and dip net. Smelt may be taken in inland lakes by minnow seines, not more than 25 feet in length or four feet in depth. Live smelt may not be possessed or transported.

6262.0300 FISHING REGULATIONS FOR LAKE SUPERIOR.

Subpart 1. General Lake Superior fishing regulations. Fish may not be taken in Lake Superior except as provided by this part or under permit.

Subp. 2. Number of lines allowed. No more than two lines with one bait attached to each line may be used to take fish on Lake Superior, except that only one line may be used within 100 yards of the mouth of any flowing stream.

Subp. 3. Transportation restrictions. While on any portion of the Minnesota waters of Lake Superior, a person licensed to take fish by angling or as otherwise authorized by Minnesota, Wisconsin, Michigan, or the province of Ontario, may not possess or transport more than the daily limit of fish allowed under any one but not more than one of their licenses.

Subp. 4. Taking smelt from Lake Superior. Smelt may be taken by licensed anglers from Lake Superior and tributary streams subject to the following provisions:

A. smelt may be taken with the use of dip nets and minnow seines not more than 25 feet in length nor more than four feet in depth. Seines may not be used in any stream, except the St. Louis River, and seines may not be used in Lake Superior within 100 feet of the mouth of any stream;

B. live smelt may not be possessed or transported; and

C. taking of smelt at any time is prohibited in the following streams tributary to Lake Superior:

- (1) French River, St. Louis County;
- (2) Sucker River, St. Louis County;
- (3) Little Sucker River, St. Louis County;
- (4) Silver Creek, Lake County;
- (5) Encampment River, Lake County; and
- (6) Crow Creek, Lake County.

Subp. 5. Prohibition on taking fish for bait purposes. The taking of fish for bait purposes from all Minnesota waters of Lake Superior and all waters of the St. Louis River downstream of the Fond du Lac Dam in St. Louis and Carlton Counties, including any and all outflows, estuaries, streams, creeks, or waters adjacent to or flowing into these waters is prohibited.

Subp. 6. Lake Superior open season, daily and possession limits. Angling season and daily and possession limits for Lake Superior are as follows:

Species	Open Season	Daily and Possession Limits
A. Rainbow trout, Including Steelhead	Continuous	5 in aggregate with brown and brook trout and splake. No more than 3 may be clipped rainbow trout, including steelhead. The minimum size limit for clipped rainbow trout is 16 inches in length. Clipped rainbow trout have their adipose fin removed and must show a healed scar. No harvest of unclipped rainbow trout is allowed. All unclipped rainbow trout must be returned to the water immediately and it is unlawful for anyone to have in possession, regardless of where taken, any unclipped rainbow trout while on or fishing in Lake Superior.
B. Brook trout and splake	Saturday nearest April 15 through Labor Day	5 in aggregate with brown and rainbow trout. The aggregate limit for brook trout and splake is 1 and the minimum size limit is 20 inches in length.
C. Brown trout	Continuous	5 in aggregate with rainbow and brook trout and splake. Not more than 1 may be over 16 inches and the minimum size limit is 10 inches in length.

Species Limits	Open Season	Daily and Possession
D. Lake Trout	December 1 through September 30	3
E. Salmon	Continuous	5 in aggregate. All must be at least 10 inches in length. Only 1 may be an Atlantic salmon.
F. Smelt	Continuous	Smelt may be possessed without limit and may be bought or sold at any time.
G. Walleye	Saturday two weeks prior to Saturday of Memorial Day weekend through March 1	2. All must be at least 15 inches in length.
H. Northern Pike	Saturday two weeks prior to Saturday of Memorial Day weekend through March 1	2

All other species may be taken as allowed by inland regulations. When the closing date of the season falls on a Saturday, the season extends to the following Sunday.

6262.0400 [RENUMBERED 6264.0050]

6262.0500 WATERS CLOSED TO TAKING FISH.

Subpart 1. Waters permanently closed to taking fish. The following waters or designated portions are closed to the taking of all fish at all times, except by permit according to part 6260.0300, subpart 1, and Minnesota Statutes, section 97C.041:

A. Aitkin County: Sandy Lake, within 300 feet below the Federal Dam, S.25, T.50, R.24.

B. Anoka and Ramsey Counties: Wilkinson Lake, including inlet and outlet channels, S.4,5,9, T.30, R.22; S.34, T.31, R.22.

C. Cass County: Thunder Creek at the outlet of Thunder Lake, within 500 feet below the dam, S.10, T.140, R.26.

D. Cass and Itasca Counties: Winnibigoshish Lake, within 300 feet below the Federal Dam, S.25, T.146, R.27.

E. Dakota and Washington Counties: Mississippi River, within 150 feet below the Federal Dam at Hastings, S.21, T.115, R.17.

F. Goodhue County: Mississippi River, within 150 feet below U.S. Lock and Dam No. 3 near Red Wing, S.10, T.113, R.15; except that fishing from shore within 150 feet below the lock and dam and from boats that remain outside the 150-foot restricted zone is permitted.

G. Hennepin County: Mississippi River, within 150 feet below the St. Anthony Falls Dam at Minneapolis, S.23, T.29, R.24.

H. Hennepin and Ramsey Counties: Mississippi River, within 150 feet below U.S. Lock and Dam No. 1 (Ford Dam), between Minneapolis and St. Paul, S.17, T.28, R.23.

I. Houston County: Mississippi River, within 150 feet below U.S. Lock and Dam No. 8 near Reno, S.7, T.101, R.3; except that fishing from shore within 150 feet below the lock and dam and from boats that remain outside the 150-foot restricted zone is permitted.

J. Itasca County:

(1) Mississippi River, within 300 feet below the Pokegama Reservoir Dam, S.13, T.55, R.26.

(2) Mississippi River, from 500 feet upstream to 300 feet downstream of the Blandin Dam, S.21, T.55, R.25.

K. Itasca and Cass Counties: Winnibigoshish Lake. See Cass and Itasca counties for area closed.

L. Otter Tail County:

(1) Stream between East and West Battle Lakes, S.33,34, T.133, R.39.

(2) Area between West Battle and Clitherall Lakes, S.2,11, T.132, R.40.

(3) Pelican River from bridge in Trunk Highway 59 to Lake Lizzie, S.20, T.137, R.42.

M. Pine County: Kettle River, within 200 feet below the Sandstone Power Dam, both channels, S.22, T.42, R.20.

N. Ramsey County:

(1) Charles Lake, including inlet and outlet channels, S.12, T.30, R.23.

(2) Deep Lake, including inlet and outlet channels, S.5,6,7, T.30, R.22.

(3) Pleasant Lake, including inlet and outlet channels, S.7,8,18,19, T.30, R.22, and S.12,13, T.30, R.23.

O. Ramsey and Anoka Counties: Wilkinson Lake, including inlet and outlet channels. See Anoka and Ramsey Counties.

P. Ramsey and Hennepin Counties: Mississippi River. See Hennepin and Ramsey counties for area closed.

Q. St. Louis County: French River, between Lake Superior and the new Highway 61, S.17, T.52, R.12.

R. St. Louis and Carlton Counties: St. Louis River, from the Fond du Lac Dam downstream for one-half mile to the Minnesota-Wisconsin boundary cable, S.6, T.48, R.15.

S. Wabasha County: Mississippi River, within 150 feet below U.S. Lock and Dam No. 4 near Kellogg, S.17, T.110, R.9; except that fishing from shore within 150 feet below the lock and dam and from boats that remain outside the 150-foot restricted zone is permitted.

T. Washington and Dakota Counties: Mississippi River. See Dakota and Washington Counties for area closed.

U. Winona County: Mississippi River, within 150 feet below the following U.S. Locks and Dams: No. 5, S.17, T.108, R.8; No. 5A, S.9, T.107, R.7; No. 6, S.8, T.106, R.5, near Winona; and No. 7, S.28, T.105, R.4, near Dresbach; except that fishing from shore within 150 feet below these locks and dams and from boats that remain outside the 150-foot restricted zone is permitted.

V. Lake and St. Louis Counties: Knife River from the U.S. Highway 61 bridge in S.36, T.52, R.12, downstream to the cable below the Knife River fish trap in S.31, T.52, R.11 and S.36, T.52, R.12.

Subp. 2. Waters seasonally closed to taking fish. The following waters in the portions designated are closed to the taking of all fish during the periods specified:

A. Cook County: Sea Gull River, S.19,30,31, T.66, R.4, and S.25,36, T.66, R.5, from Sea Gull Lake including Gull Lake to Saganaga Lake approximately 1/3 mile north of the narrows. The dates of closure are from April 1 through Friday before Memorial Day weekend.

B. St. Louis and Carlton Counties:

(1) St. Louis River, S.6,7, T.48, R.15, from the State Highway 23 bridge upstream to the Minnesota-Wisconsin boundary cable crossing the river. The dates of closure are from the Saturday closest to March 1 to May 18; and

(2) Lake Superior from the mainland to a line that runs from the mouth of Chester Creek, S.23, T.50N, R.14W, to the outermost portion of the north/west arm of the Duluth ship canal, S.27, T.50N, R.14W. The dates of closure are from October 1 to November 30. When November 30 falls on a Saturday, the closure extends to the following Sunday. Fishing is allowed only from shore in this area during the dates of closure.

C. Sherburne County: Elk River, S.33, T.33, R.26, for a distance of 1,000 feet below the power dam at the city of Elk River. The dates of closure are November 1 to the third Sunday in February.

D. Douglas and Grant Counties: Lake Christina, S.3-11,17,18, T.130, R.40, and S.1,12,13, T.130, R.41. The dates of closure are from April 1 through November 30.

E. Cook County: Gauthier Creek, S.27, T.62, R.3E; Kadunce Creek, S.2, T.61, R.2E, from 0.2 to 0.4 miles above the mouth; and Devil Track River, S.11,12, T.61, R.1E, from 1.1 to 1.6 miles above the mouth. The dates of the closure are September 1 through May 31.

F. St. Louis County:

(1) Little Knife River, S.17,21-23,26-28,35,36, T.52, R.12, from the weir upstream to the source. The dates of the closure are September 1 through May 31.

(2) Knife River, S.25, T.52N, R.12W, between the cables. The dates of closure are September 1 to May 31.

G. Lake County: Knife River and tributaries, S.4,5, T.52, R.11, upstream of Lake County Road 9 are closed from October 1 through May 14.

H. Cass County: the Gull River from the United States Army Corps of Engineers dam (Government Lot 1, S.20, T.134N, R.29W) downstream 250 feet. The closure is from the Saturday two weeks prior to the Saturday of Memorial Day weekend to the Friday before Memorial Day.

I. Goodhue County: Mississippi River, within 300 feet below Lock and Dam 3 at Red Wing, S.10, T.113, R.15. The closure is from March 1 to April 30.

J. Wabasha County: Mississippi River, within 300 feet below Lock and Dam 4 at Alma, Wisconsin, S.17,20, T.110, R.9. The closure is from March 1 to April 30.

Subp. 2a. Waters closed to possession of fish. The following waters have restrictions on the possession of fish:

A. Mink Lake in Wright County: S.23-25, T.121, R.27, and Somers Lake in Wright County, S.24-25, T.121, R.27, are closed to the possession of all fish through February 28, 1998, except that the daily and possession limit for

sunfish is five. Possession and use of minnows as bait, except processed minnows in a dried, frozen, or pickled condition, is prohibited.

B. The Otter Tail River from the Wilkin County Road 19 crossing in S.26, T.132, R.45 to the Friberg Dam in S.31, T.134, R.42, including the Orwell, Dayton Hollow, Pisgah, Central, and Diversion impoundments, S.25,26,35,36, T.132, R.45, in Wilkin County and S. Various, T.132-134, R.42-44, in Otter Tail County, is closed to the possession of smallmouth bass until March 1, 2008.

C. Annie Battle inlet and outlets in Otter Tail County: The inlet stream (T.133N, R.40W, S.24) beginning at the northeast exit point of Molly Stark Lake to the confluence with Annie Battle Lake and the outlet stream (T.133N, R.40W, S.12) beginning at the northwest exit of Annie Battle to Blanche Lake are closed to the possession of northern pike and largemouth bass. The daily and possession limit for sunfish is five.

D. Eagle Creek in Scott County: S.7,18, T.115N, R.21W, and S.13, T.115N, R.22 (south of State Highway 101 to the source of the east and west branches that are west of State Highway 13) is closed to the possession of trout.

E. Repealed, 2003

E. Clitherall Lake in Otter Tail County: S.11-15,23, and 24, T.132N, R.40W; S.6,7, T.132N, R.39W, is closed to the possession of smallmouth bass until March 1, 2009.

F. Crawford Lake in Wright County: S.20, T.119N, R.25W, is closed to the possession of largemouth bass. The daily and possession limit for sunfish is five, for crappie is five, for walleye is two, and for yellow perch is ten.

Subp. 3. Repealed, 1994/1995

6262.0575 WATERS WITH RESTRICTIONS ON TAKING FISH.

Subpart 1. Treaty lakes. The commissioner may modify seasons and limits under Minnesota Statutes, section 84.027, subdivision 13, or sections 97A.0451 to 97A.0459, to accommodate tribal declarations for fish harvest in the 1837 Ceded Territory in compliance with the court ruling in *Mille Lacs Band of Chippewa v. Minnesota*, 119 S.Ct. 1187 (1999). Changes shall be posted at water access sites and the Department of Natural Resources Web site.

Subp. 2. Inland waters of Mississippi River pool 3. All walleye in possession while on or fishing in the following waters must be 15 inches in length or greater. The possession limit for walleye and sauger in aggregate is six. Taking walleye and sauger in the following waters is limited to the Saturday two weeks prior to the Saturday of Memorial Day weekend to the third Sunday in February.

Name	Location	County
Inland waters of Mississippi River pool 3	from the railroad tracks on the Minnesota-Wisconsin border upstream to the dam at Hastings, Minnesota	Dakota, Washington

Subp. 3. Conservation lakes. While on or fishing in the following waters, the possession limit for sunfish is five, the possession limit for crappie is five, the possession limit for yellow perch is ten, the possession limit for walleye is two, and the possession limit for largemouth bass is one. All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 30 inches in length. All northern pike that are from 24 inches to 30 inches in length, inclusive, must be immediately returned

to the water. A person's possession limit may not include more than one northern pike over 30 inches in length. The possession limit for northern pike is three.

Name	Location	County
Little Sauk Lake	T.128, R.34W, S.32	Todd

Subp. 4. Repealed, 2006

Subp. 5. Minnows in southwestern counties. A person shall not take minnows for personal use from a stream, stream tributary, sidechannel, oxbow, backwater, or other seasonally or permanently connected water of the Missouri River watershed that is in Lincoln, Pipestone, Murray, Rock, or Nobles County and that lies south of U.S. Highway 14 to the Iowa border and west of U.S. Highway 59 to the South Dakota border. These waters include, but are not limited to, Medary Creek, Flandreau Creek, East Branch Flandreau Creek, Willow Creek, Pipestone Creek, North Branch Pipestone Creek, Split Rock Creek, Beaver Creek, Little Beaver Creek, Springwater Creek, Rock River, East Branch Rock River, Ask Creek, Little Rock River, Little Rock Creek, Kanaranzi Creek, Norwegian Creek, East Branch Kanaranzi Creek, Elk Creek, Champepadan Creek, Mound Creek, Poplar Creek, Chanarambie Creek, North Branch Chanarambie Creek, and Mud Creek.

6262.0600 SEASONS AND METHODS FOR TAKING ROUGH FISH.

Rough fish may be taken in accordance with Minnesota Statutes, sections 97C.345, 97C.371, and 97C.375. Rough fish may be taken by the following methods from May 1 through the last Sunday in February between sunrise and sunset in all inland waters, except where the taking of fish is otherwise prohibited by law or rule. Nonresidents may not spear from a fish house or darkhouse.

A. Rough fish may be taken by harpooning with a rubber powered gun, spring gun, or compressed air gun. Harpooning equipment may not be used within 1,000 feet of an established swimming beach. Harpooning equipment may be discharged only when both the equipment and operator are entirely beneath the surface of the water and may not be carried in a cocked position while out of the water.

B. Rough fish may be taken by archery provided that the arrows used are tethered or controlled by an attached line. The use of crossbows is prohibited.

C. Rough fish may be taken by means of hand-held dip nets having a diameter not exceeding 24 inches.

D. Rough fish may be taken by hand-held spears in open water or through the ice.

6262.0650 DAILY AND POSSESSION LIMIT OF ROUGH FISH TAKEN BY SPEARING, HARPOONING, ARCHERY, AND DIP NETS.

Daily and possession limits of rough fish taken by spearing, harpooning, archery, and dip nets are:

- A. suckers, 50;
- B. redhorse, 50;
- C. bullheads, 100; and
- D. other species, no limit.

6262.0700 RESTRICTIONS ON TAKING ROUGH FISH.

Except as provided by Minnesota Statutes, section 97C.345, rough fish may not be taken by spearing, harpooning, archery, or dip netting in any designated trout stream or lake, posted spawning area, or any water where spawning, trapping, or hatchery operations are being carried on.

6262.0750 PROHIBITION ON RETURNING ROUGH FISH TO WATERS.

Rough fish taken by spearing, harpooning, or archery may not be returned to the water and rough fish may not be left on the banks of any water of the state.

6262.0800 OPEN SEASONS FOR TAKING WHITEFISH AND CISCOES.**Subpart 1. Schedules designating open seasons for certain waters.**

The waters listed in each of the following schedules will be open during the designated seasons to the netting of whitefish and ciscoes. Unless otherwise indicated, the names of the bodies of water refer to lakes.

Subp. 2. Schedule 1. All bodies of water listed in this schedule may be opened and closed on a 48-hour notice posted at lake accesses and other public places based on a determination of the following:

- A. the abundance of game fish;
- B. climatic conditions that affect the vulnerability of game fish to accidental harvest; and
- C. the abundance of whitefish or ciscoes.

For Upper Red Lake only, it is permissible to set portions of gill nets in water deeper than six feet, provided that one end of the gill net is set in water no deeper than six feet, measured from the lake bottom to the top surface of the water or ice.

	County	Minimum Mesh Size 3-1/2 inches allowed	Minimum mesh size 1-3/4 inches allowed
Balsam, Big, T.58,59, R.24, S.5 + Various	Itasca		X
Basswood, T.64,65, R.9, 10,11, S. Var.	Lake		X
Bear Island, T.61, R.13, S. Var.	St. Louis		X
Deer, T.56, R.26,27; T.57, R.26,27, S. Var.	Iasca	X	
Ely, T.57,58, R.17, S. Var.	St. Louis		X
Fall, T.63, R.11,12, S. Var.; T.64, R.11, S. Var.	Lake		
Green, T.120, R.33,34; T.121, R.33,34	St. Louis Kandiyohi	X	
Greenwood, T.64N, R.2E, S. Var.	Cook		X
Ida, T.129,130, R.38	Douglas	X	

	County	Minimum Mesh Size 3-1/2 inches allowed	Minimum mesh size 1-3/4 inches allowed
Mille Lacs	Aitkin		
	Crow Wing		
	Mille Lacs	X	
Nashwauk, T.57, R.23,24, S.7 + Var.	Itasca		X
Newton, T.63,64, R.11, Lake S. Var.		X	
Ojibway, T.63, R.9,10, S. Var.	Lake		X
Poplar, T.64, R.1W,2W	Cook	X	
Rachel, T.127, R.39	Douglas		X
Red, Upper, T.153, R.31- 34; T.154, R.31- 34; T.155, R.30- 32; outside Red Lake Indian Reservation	Beltrami	X	
Reilley (O'Reilly), T.56, R.24, S.5,6	Itasca		X
Shagawa, T.63, R.12, S. Var.	St. Loui	X	
Side, T.60N, R.21W, S. Var.	St. Louis		X
South Sturgeon, T.59-60, R.21-22, S. Var.	St. Louis		X
Straight, T.140, R.36, S.6 + Var.	Becker	X	
Turtle, Big, T.59, R.26,27; T.60, R.26,27	Itasca	X	
Vermillion, T.61, R.16; T.62, R.14,15,16,17; T.63, R.15,16,17, 18 - all except Pike Bay, south and west of a north- south line at narrowest portion between Echo Point and Punchers Point, T.62, R.15, S.19 + Var.	St. Louis	X	

Subp. 3. Schedule II. All bodies of water listed in this schedule are open during the dates indicated by one of the following symbols:

A = Second Friday of October through the first Sunday of December;

B = First Friday of November through the second Sunday of December; or

C = Second Friday of November through the second Sunday of December.

	County	Minimum Mesh Size 3-1/2 inches allowed	Minimum mesh size 1-3/4 inches allowed	Open dates
Ball Club, T.144, R.25,26; T.145, R.26	Itasca	X		B
Bass, T.137, R.28	Crow Wing	X		B
Bass, north basin and Snyder Bay to the narrows, T.56, R.26	Itasca	X		B
Bass, Big, T.140, R.26, S.27 + Various	Cass		X	B
Beltrami, T.148, R.32,33	Beltrami	X		B
Bemidji, Little, T.142, R.39, S.23 + Var.	Becker	X		B
Benedict, T.142, R.32	Hubbard	X		B
Black Bear, T.46, R.29,30; T.47, R.29,30	Crow Wing		X	B
Blackduck, T.149, R.31	Beltrami	X		B
Blackwater, T.140, R.29, S.25 + Var.	Cass	X		B
Bowstring, T.146, R.25,26; T.147, R.25,26	Itasca	X		B
Bowstring, Little, T.58, R.27, S.23 + Var.	Itasca	X		B
Boy, T.142, R.27,28	Cass	X		B
Brule, T.60, R.21, S. Var.	Cook		X	A
Buffalo, T.140, R.40,41; T.141, R.40	Becker	X		C
Burgen, T.127,128, R.37	Douglas	X		B
Buzzle, Big, T.148, R.35	Beltrami		X	B
Caribou, T.65, R.1E	Cook	X		A
Carr, T.146, R.33	Beltrami	X		B
Cass, T.145,146, R.30,31	Beltrami	X		B
Clear, T.137, R.28	Cass		X	B
Clearwater, T.149, R.35,36	Crow Wing			B
	Beltrami	X		B
	Clearwater	X		B
Cotton, T.139,140, R.40	Becker	X		B
Crane, T.67, R.16,17	St. Louis		X	A
Crooked, T.144, R.31	Cass	X		B
Crooked, T.45, R.28, S.16 + Var.	Crow Wing	X		B
Crow Wing, Fifth and Sixth Lakes (channel between), T.140, R.33, S.20	Hubbard	X		B

		Minimum Mesh Size 3-1/2 inches allowed	Minimum mesh size 1-3/4 inches allowed	Open dates
Crow Wing, Seventh and Eighth Lakes (channel between), T.140, R.33, S.12 + Var.	Hubbard	X		B
Crow Wing, Ninth, T.140, 141, R.32	Hubbard	X		B
Crystal, T.136, R.42	Otter Tail	X		C
Curfman, T.138, R.41	Becker	X		B
Cut Foot Sioux, T.146,147, R.27	Itasca	X		B
Deer, T.148, R.34	Beltrami	X		B
Deer, T.62, R.24, S. Var.	Itasca	X		B
Detroit, T.138,139, R.41	Becker	X		B
Eagle, T.45, R.29	Crow Wing		X	B
Elbow, Big, T.142, R.38,39	Becker	X		C
Eunice, T.138, R.42, S.26 + Var.	Becker	X		B
Fish, T.137, R.42	Otter Tail	X		C
Fish Hook, T.140, R.34,35	Hubbard	X		B
Floyd, Big, T.139, R.41	Becker	X		B
Fox, East, T.138, R.27	Crow Wing	X		B
Fox, West, T.138, R.27	Crow Wing	X		B
Franklin, T.136,137, R.42	Otter Tail	X		C
Gilstad, T.148,149, R.30	Beltrami	X		B
Graham, T.137,138, R.40	Becker	X		B
Grant, T.146,147, R.34	Otter Tail			B
Graves, T.58, R.26	Beltrami		X	B
Gull, T.134, R.29,30; T.135, R.29	Itasca	X		B
Gull, Upper, T.135, R.29	Cass	X		B
Hanging Horn, Big, T.46, R.19	Crow Wing	X		B
Howard, T.141, R.31	Cass		X	B
Ice Cracking, T.141, R.38,39	Carlton		X	B
Isabella, T.61, R.8; T.62, R.7,8	Cass	X		C
Island, T.141, R.35	Becker	X		A
Island, T.150, R.28	Hubbard	X		B
Jack, T.141,142, R.30	Itasca	X		B
Jessie, T.147,148, R.25	Cass		X	B
Jessie, Little, T.147, R.25	Itasca	X		B
Jewett, T.134, R.43	Itasca		X	B
Kabekona, T.142, R.32; T.143, R.32,33	Otter Tail	X		C
Kabetogama, T.69,70, R.19-22	Hubbard	X		B
	Koochiching			
	St. Louis		X	A

		Minimum Mesh Size 3-1/2 inches allowed	Minimum mesh size 1-3/4 inches allowed	Open dates
Kimble, T.137, R.28	Crow Wing		X	B
Kitchie, T.146,147, R.30	Beltrami	X		B
Lake of the Woods	Lake of the Woods			
	Roseau	X		A
Latoka, T.128, R.38	Douglas	X		B
Leaf, East, T.134, R.37,38	Otter Tail	X		C
Leaf, Middle, T.134, R.38	Otter Tail	X		C
Leaf, West, T.134, R.38	Otter Tail	X		C
Leavitt, T.139, R.25,26	Cass	X		B
Leech, including Kabekona	Cass			
Bay and all other bays,	Hubbard			
T.141, R.29,31; T.142,				
R.28,29,30,31,32;				
T.143, R.28,29,30,31;				
T.144, R.28,29,30		X		A
Lida, T.135,136, R.42	Otter Tail	X		C
Lizzie, T.136,137, R.42	Otter Tail	X		C
Long, T.138,139, R.41	Becker	X		B
Long, T.139,140, R.34	Hubbard	X		B
Long, T.134, R.42,43	Otter Tail	X		C
Long, Lower South, T.44,	Crow Wing			
R.29,30		X		B
Long, North, T.134, R.28,	Crow Wing			
29; T.135, R.28			X	B
McCraney, T.143, R.40, S.25	Mahnomen			
+ Var.		X		B
Many Point, T.141,	Becker			
R.38; T.142, R.38,39		X		B
Maple, T.60, R.27	Itasca	X		B
Margaret (Kilpatrick),				
T.135, R.29	Cass	X		B
Marquette, T.146, R.33	Beltrami	X		B
Maud, T.138, R.42	Becker	X		B
Melissa, T.138, R.41	Becker	X		B
Mitchell, T.138, R.27	Crow Wing	X		B
Moore, T.142, R.38, S.5;	Becker			
T.143, R.38, S.32	Clearwater	X		B
Movil, T.147,148, R.33	Beltrami	X		B
Murphy, T.137, R.39, S.6;	Becker			
T.138, R.39, S.31	Otter Tail	X		B
Namakan, T.68, R.17,18;	St. Louis			
T.69, R.17,18,19,				
except the narrows				
between Namakan and				
Sand Point Lakes			X	A

		Minimum Mesh Size 3-1/2 inches allowed	Minimum mesh size 1-3/4 inches allowed	Open dates
Net (Burnett), T.142, R.40, S.17 + Var.	Becker	X		B
Nisswa, T.135, R.29	Crow Wing	X		B
Oak (Mud), T.143, R.32, S.27	Hubbard	X		B
Osakis, T.128, R.35,36; T.129, R.35	Douglas Todd	X		B
Ossawinamakee (Long), T.136, 137, R.28	Crow Wing	X		B
Pelican, T.135, R.27,28; T.136, R.27,28	Crow Wing	X		B
Pelican, Big, T.137, R.42,43	Otter Tail	X		C
Pike, T.142, R.38	Becker	X		B
Pike, East, T.65, R.2E,3E	Cook		X	A
Pike Bay, T.145, R.30,31	Cass	X		B
Pillager, T.133,134, R.30	Cass		X	B
Pimushe, T.147,148, R.30,31	Beltrami	X		B
Pine, Big, T.136,137, R.38	Otter Tail	X		C
Pine, Little, T.136, R.39; T.137, R.38,39	Otter Tail	X		C
Pine Mountain, T.138, R.30 T.139, R.30,31	Cass		X	B
Plantaganette, T.145, R.33, 34; T.146, R.33	Beltrami Hubbard	X		B
Pokegama, T.54, R.25,26; T.55, R.25,26	Itasca		X	B
Portage, T.141, R.31	Cass		X	B
Portage, T.45, R.28, S.29 + Var.	Crow Wing	X		B
Potato and Eagle Lakes (channel between), T.141, R.35, S.22	Hubbard	X		B
Prairie, T.50, R.20	St. Louis		X	B
Pug Hole Lake, T.140, R.26, S.2 + Var.	Cass		X	B
Rainy, T.69-71, R.17-24	Koochiching St. Louis		X	A
Round, T.141, R.38,39	Becker	X		B
Round, T.134, R.28,29; T.135, R.28,29	Crow Wing	X		B
Round, T.148, R.27,28	Itasca		X	B
Roy, T.135, R.29	Cass Crow Wing	X		B
Rush Island, T.148, R.26, S.15 + Var.	Itasca	X		B
Sand, Big, T.147,148, R.26	Itasca	X		B

	County	Minimum Mesh Size 3-1/2 inches allowed	Minimum mesh size 1-3/4 inches allowed	Open dates
Sand Point, T.67, R.16,17; T.68, R.16,17, except the narrows between Sand Point and Namakan Lakes and Sand Point and Little Vermillion Lakes	St. Louis		X	A B
Sandy, T.149, R.35	Beltrami	X		B
Sandy, Big, T.49, R.23,24; T.50, R.23,24	Aitkin	X		B
Sauk, Big, T.126,127, R.34	Stearns Todd	X		B
Serpent, T.46, R.28,29	Crow Wing		X	B
Silver Island, T.60, R.6; T.61, R.6,7	Lake	X		A
Snyder (Snider), T.143, R.39,40	Mahnomen	X		B
Stalker, T.132, R.41	Otter Tail	X		C
Star, T.137, R.28	Crow Wing	X		B
Star, T.135, R.40,41; T.136, R.41	Otter Tail	X		C
Steamboat, T.144, R.31,32	Cass Hubbard	X		B
Strawberry, T.141,142, R.40	Becker		X	B
Sucker, Lower (Big Sucker), T.144, R.30; T.145, R.29,30	Cass	X		B
Swan, T.55,56, R.22,23, S. Var.	Itasca		X	B
Ten Mile, T.140, R.30,31; T.141, R.30,31	Cass		X	C
Thunder, Big, T.140, R.26	Cass	X		B
Tulaby, T.142,143, R.39	Becker Mahnomen	X		B
Turtle, Big, T.148, R.33	Beltrami	X		B
Turtle, Little, T.148, R.31, 32	Beltrami	X		B
Turtle River Lake, T.147, 148, R.32	Beltrami	X		B
Twin Lakes, T.56, R.23,24	Itasca	X		B
Victoria, T.128, R.37	Douglas	X		B
Wabedo, T.140, R.28	Cass	X		B
Washburn, T.139,140, R.26	Cass	X		B
White Earth, T.142,143, R.40	Becker Mahnomen	X		B

	County	Minimum Mesh Size 3-1/2 inches allowed	Minimum mesh size 1-3/4 inches allowed	Open dates
Wilson Bay, T.134, R.29,30	Cass	X		B
Wimer, T.137, R.40	Otter Tail	X		C
Winnibigoshish, T.145, R.27, 28,29; T.146, R.27,28, 29; T.147, R.27,28	Cass Itasca	X		B
Winnibigoshish, Little, T.145, R.26,27; T.146, R.26,27, except those portions within one-fourth mile of river channels	Cass Itasca		X	B
Wolf, Big, T.145,146, R.32, S. Var.	Beltrami Hubbard	X		B
Woman, T.140, R.28,29; T.141, R.28,29	Cass	X		B

Subp. 4. Repealed, 1998

Subp. 5. Special restrictions for Leech Lake Reservation. The seasons, daily, and possession limits for the taking of fish from bodies of water within the Leech Lake Reservation for noncommercial purposes shall be the same as the statewide regulations, except whitefish which shall have a daily and possession limit of 25 and cisco which shall have a daily and possession limit of 50. These limits do not apply to band or tribal members possessing a valid band fishing identification permit.

6262.0850 TIME RESTRICTIONS ON TAKING WHITEFISH AND CISCOES.

Gill nets for taking whitefish and ciscoes may not be set after sunset or raised before sunrise. All gill nets must be operated only by the licensee. Gill nets must be tended at least once every 24 hours. A person may use only one gill net.

6262.0900 SEASONS AND LIMITS.

Muskellunge, including muskellunge-northern pike hybrid, may be taken by angling in all waters from the first Saturday in June to the third Sunday in February. Daily and possession limit is one. The minimum size limit will be 40 inches in length, except in Shoepac Lake, St. Louis County, where a 30-inch minimum size limit will apply.

6262.3000 LICENSE REQUIREMENTS FOR LAKE SUPERIOR FISHING GUIDES.

License applicants must be at least 18 years of age at the time the license is issued and possess a valid United States Coast Guard operator's license appropriate for the watercraft to be used. Applications are available from the License Bureau and must be submitted to the Lake Superior Area Fisheries Supervisor.

6262.3050 REQUIRED RECORD KEEPING.

Licensed Lake Superior fishing guides must keep accurate records on forms provided by the commissioner. Records must be kept on a monthly basis and must be submitted by the licensee so that they are received by the Lake Superior area fisheries supervisor on or before the tenth day of each month for the preceding month. Records must be submitted whether or not the licensee engaged in guiding during the reporting month, except that records need not be submitted for the months of November through April unless the licensee has engaged in guiding during those months.

Failure to submit any required records three times or more in a two-year period will invalidate any subsequent application for licensure as a guide for up to a three-year period, upon determination by the commissioner.

6262.3100 REQUIRED MARKING OF FISH NETS.

Fish nets, including minnow seines used by minnow dealers, must be marked, as provided by Minnesota Statutes, section 97C.351, as follows:

- A. pound nets must be marked on the top rope of the back side of the pound or crib;
- B. fyke nets must be marked on the top side of the end hoop opposite the lead;
- C. hoop nets must be marked on the top side of an end hoop;
- D. seines must be marked on one end of the float line near the first float; and
- E. gill nets must be marked on one end of the float line near the first float. One end of the gill net must have a pole, stake, or buoy projecting at least two feet above the surface of the water or ice.

Tags for marking nets must be of a minimum size of 2-1/2 inches by five-eighths inch and must be provided by the owner or operator of the nets.

6262.3150 DEFINITIONS.

Subpart 1. Scope. The terms used in sections 6262.3150 to 6262.3300 have the meanings given them in this part.

Subp. 2. Dressed fish. "Dressed fish" means fish that may have heads, entrails, gills, and either the scales or skin removed.

Subp. 3. Fillet. "Fillet" means a portion, not including the cheeks, of the flesh of a fish that has been removed. Scales or skin may be removed or intact.

6262.3200 PREPARATION AND PACKING OF FISH FOR TRANSPORTATION.

Subpart 1. Restrictions on packing and wrapping fish. All fish that are being transported or shipped by residents or nonresidents must be packed and wrapped in such a way that they may be readily unpacked, unwrapped, separated, examined, and counted.

Subp. 2. Retention of patch of skin on dressed fish. Except for bullheads, sunfish, and crappies, all dressed fish and fillets must retain, in a place other than the belly, a patch of skin, measuring at least one square inch, with scales intact. Dressed and filleted sauger will be counted as walleye.

Subp. 3. Restriction on number of fillets per fish. A fish may not be reduced to more than two fillets.

Subp. 4. Restriction on fish with statewide length limits. Fish having statewide length limits may only be possessed in the field, transported, or shipped undressed, except as provided by Minnesota Statutes, section 97A.551, subdivision 4.

Subp. 5. Repealed, 2003

6262.3250 LABELING AND PACKING OF FISH UNDER A FISH PACKER LICENSE.

Fish packed by a licensed fish packer must be packed and labeled in accordance with the following provisions:

A. Between March 15 and November 30 completely filleted sauger will be counted as walleye except that sauger may be packed in a filleted condition with skin, dorsal fin, and tail attached. Between December 1 and March 14, filleted sauger will not be counted as walleye, if packages are properly labeled.

B. A fish may not be reduced to more than two fillets.

C. A licensed fish packer may pack dressed fish with statewide length limits.

D. Each package of fish must be individually labeled by the licensed fish packer. The label must be marked legibly in ink and contain the following information:

(1) name, address, and license number of the person who lawfully possesses the fish;

(2) name and address of consignee, if different from subitem (1);

(3) name and license number of the fish packer who packed the fish;

(4) contents of package, including species, number of fish, and net weight; and

(5) date of packaging.

6262.3300 EXEMPTION FROM FISH TRANSPORTATION REQUIREMENTS.

A person possessing fish taken under a commercial fishing license, or private aquatic life as defined in Minnesota Statutes, section 17.47, subdivision 7, is exempt from the provisions of parts 6262.0100, subpart 5, 6262.3200, and 6262.3250 provided the person can show documentation that the fish were lawfully obtained.

DESIGNATED WATERS CHAPTER 6264

6264.0050 RESTRICTIONS ON DESIGNATED TROUT LAKES AND STREAMS.

Subpart 1. Restrictions on designated trout lakes. The lakes described in this part are inhabited by trout other than lake trout. In order to protect and foster the propagation of trout, the following restrictions on fishing in these lakes apply:

- A. taking of fish is prohibited, except during the open season;
- B. not more than one line may be used for angling at any time, including when angling through the ice;
- C. taking of minnows is prohibited, except under special permit issued by the commissioner; and
- D. possession or use of minnows as bait, except live leeches and processed minnows in a dried, frozen, or pickled condition, is prohibited.

Subp. 2. Listing of designated trout lakes. The following described lakes are designated as trout lakes:

Name	Location		Range
	Section	Township	
A. Aitkin County:			
(1) Loon (Townline) Lake	7	50	22W
	12, 13	50	23W
(2) Taylor Lake	16	52	25W
B. Anoka County:			
Cenaiko Lake (Unnamed)	26	31	24W
C. Becker County:			
Hanson Lake	6	139	39W
D. Beltrami County:			
Benjamin Lake	7, 18	148	30W
	13	148	31W
E. Carlton County:			
Corona Lake	11, 12	48	19W
F. Carver County:			
Courthouse Lake	9	115	23W
G. Cass County:			
(1) Diamond Lake	26, 27, 34	141	30W
(2) Hazel Lake	25	141	29W
(3) Margaret Lake	16	139	26W
(4) Marion Lake	16, 17	139	26W
(5) Perch Lake	33	139	31W
(6) Snowshoe (Little Andrus) Lake	29, 30	139	26W
(7) Teepee Lake	30	141	29W
	25	141	30W
(8) Willard Lake	15	139	30W
H. Clearwater County:			
Wapatus (Island)	21, 28	144	38W
I. Cook County:			
(1) Bath Lake	5, 6	62	1W
	31, 32	63	1W

Name	Location		
	Section	Township	Range
(2) Bench Lake	6	64	2E
(3) Bingshick Lake	30, 25	65	4W, 5W
(4) Bogus Lake	12	62	2E
(5) Boys Lake	5, 8	62	2E
(6) Carrot Lake	17	64	2E
(7) Chester Lake	32, 33	64	3E
(8) Duke Lake	30	63	1E
(9) Esther Lake	6	63	3E
	31	64	3E
(10) Extortion Lake	31, 32	65	3W
(11) Feather Lake	35	61	5W
(12) Gadwall Lake	3	64	2E
(13) Gogebic Lake	30, 31	65	2E
(14) Jap Lake	19	65	4W
	24	65	5W
(15) Junco Lake	11, 12, 13	62	1W
(16) Kimball Lake	7, 8, 17	62	2E
(17) Leo Lake	4, 5	64	1W
(18) Lima Lake	35	64	1W
(19) Lizz Lake	7, 18	64	1W
(20) Loft Lake	21	64	3E
(21) Margaret Lake	27, 28, 33, 34	64	3E
(22) Mavis Lake	4	64	4W
(23) Meditation Lake	7, 8	65	4W
(24) Mink Lake	8	62	2E
(25) Missing Link Lake	4	64	4W
(26) Moosehorn Lake	36	63	3E
	31	63	4E
(27) Muckwa Lake	21, 28	63	1E
(28) Mulligan Lake	1, 12	63	3W
(29) Musquash Lake	20, 28, 29	63	1E
(30) Olga Lake	6	63	3E
(formerly Squaw)	31	64	3E
(31) Olson Lake	9, 16	62	1W
(32) Pancore (Lost) Lake	22, 27	61	4W
(33) Pemmican Lake	22	65	2E
(34) Pine Lake	35, 36	63	1W
(35) Pine Mountain Lake	26, 27, 34, 35	63	1E
(36) Portage Lake	3, 4, 5	64	2W
	33	65	2W
(37) Portage Lake, Little	3	64	2W
(38) Ram Lake	9, 10	63	1W
(39) Rog Lake	16, 17	65	5W
(40) Shady, North, Lake	21, 22	64	2E
(41) Shoe Lake	30	64	2E
(42) Sled Lake	3	63	1W
(43) Sock Lake	26	65	2W
(44) Surber Lake	34	65	2W
(45) Talus Lake	26, 27	63	1W
(46) Thompson Lake	19, 20, 29, 30	62	1W

Name	Location		Range
	Section	Township	
(47) Thrasher Lake	31	63	1W
(48) Thrush Lake	31	63	1W
(49) Topper Lake	27	65	2W
(50) Trip Lake	32	65	3W
(51) Turnip Lake	24	64	1E
(52) Unnamed Lake	20, 21, 28, 29	63	3E
(53) Unnamed Lake	31	63	1W
(54) Vale Lake	3	64	2E
(55) Wee Lake	13	62	4W
(56) Wench Lake	7, 18	63	3W
J. Crow Wing County:			
(1) Allen Lake	5	138	26W
(2) Mallen Mine Pit	17	46	29W
(3) Manuel (South Yawkey) Mine Pit	1	46	29W
(4) Martin (Huntington, Feigh) Mine Pit	9, 10, 16	46	29W
(5) Pennington (Mahnommen, Alstead, Arco) Mine Pit	3, 9, 10, 11	46	29W
(6) Pleasant Lake	19	137	27W
(7) Portsmouth Mine Pit	1, 2, 11	46	29W
(8) Sagamore Mine Pit	19	46	29W
	24	46	30W
(9) Section 6 Mine Pit	6	46	29W
(10) Snoshoe Mine Pit	17, 18	46	29W
(11) Strawberry Lake	27, 34	137	28W
(12) Yawkey (North Yawkey) Mine Pit	1	46	29W
K. Hubbard County:			
(1) Blacksmith Lake	13	142	35W
(2) Crappie Lake	31	143	33W
(3) Newman (Putman) Lake	10, 11	145	34W
L. Itasca County:			
(1) Bee Cee Lake	28, 33	58	25W
(2) Erskine Lake	2, 3	61	24W
(3) Kremer Lake	33, 34	58	26W
(4) Larson Lake	16, 21	61	24W
(5) Lucky Lake	14	57	26W
(6) Moonshine Lake, Little (Moonshine)	28, 33	58	25W
(7) Nickel (Nichols) Lake	12	59	25W
(8) Tioga Mine Pit	26	55	26W
M. Lake County:			
(1) Ahsb Lake	27, 28	64	8W
(2) Bean Lake (Lower Twin)	25, 26	56	8W
(3) Bear Lake (Upper Twin)	25	56	8W
(4) Beaver Hut Lake	30, 31	61	10W
	25, 36	61	11W
(5) Beetle Lake	7	60	9W
(6) Benson Lake	29	58	6W

Name	Location		
	Section	Township	Range
(7) Bone Lake	13, 14	61	6W
(8) Conchu Lake	21, 22	63	10W
(9) Cross Cut Lake	7, 18	59	7W
(10) Divide (Towhey) Lake	7, 8	59	11W
(11) Dan Lake	17	63	10W
(12) East Lake	1, 2	59	6W
(13) Echo Lake	14, 15, 22, 23	59	6W
(14) Eikela Lake	22	60	10W
(15) Ennis Lake	33	64	9W
(16) Found Lake	10, 15	64	9W
(17) Glacier Pond No. 1	11	63	10W
(18) Glacier Pond No. 2	11	63	10W
(19) Goldeneye (Duck) Lake	15	59	6W
(20) Gypsy Lake	6, 7	60	10W
(21) Hogback (Twin) Lake	31	60	6W
(22) Indian Lake	35	60	8W
(23) Jouppe Lake	14, 22, 23	59	8W
(24) Judd Lake	4, 5, 32, 33	63, 64	9W
(25) Neglige Lake	1, 2, 11, 12	64	8W
(26) Norway Lake	3	61	10W
(27) Peanut Lake	5	60	10W
(28) Scarp (Cliff) Lake	31, 32	60	6W
(29) Section 8 Lake	8	59	7W
(30) Shoo-fly Lake	1, 36	59, 60	8W
(31) Skull Lake	14	64	9W
(32) Sonju Lake	27, 28	58	7W
(33) Steamhaul Lake	32	60	9W
(34) Steer Lake	32	60	6W
(35) Tofte Lake	2, 3, 10, 11	63	10W
	35	64	10W
(36) Trappers Lake	27, 34	60	8W
(37) Unnamed (Pear) Lake	4	60	11W
N. Otter Tail County:			
Bass Lake	10, 11	135	42W
O. St. Louis County:			
(1) Alruss Lake (Also Lake County)	12	64	12W, 11W
(2) Briar Lake	14, 15, 23	53	13W
(3) Camp Four (Wessman) Lake	4	59	19W
(4) Cedar Lake	20	58	15W
(5) Chant Lake	10	63	13W
(6) Clear Lake	23	52	15W
(7) Cub Lake	2	61	14W
(8) Deepwater Lake	2	59	20W
(9) Dry Lake	9	63	12W
(10) Dry Lake, Little	9	63	12W
(11) Elbow Lake, Little	9, 10, 16	57	18W
(12) Embarrass Mine Pit (Lake Mine)	5, 6	58	15W
(13) Hanson Lake	36	64	13W

Name	Location		Range
	Section	Township	
(14) High Lake	3, 4, 5	63	12W
	33, 34	64	12W
(15) Jacob (Louis) Lake	11, 12	64	12W
(16) James (Jammer) Lake	27	60	18W
(17) Judson Mine Pit	20, 29	58	19W
(18) Loaine (Sand) Lake	16, 17	54	12W
(19) Miner's Mine Pit	26, 27, 28	63	12W
(20) Mirror Lake	19, 30	52	14W
(21) Norberg Lake	1	61	14W
(22) Normanna Lake	7, 8	52	13W
(23) Pickerel Lake	17	60	21W
(24) Regenbogan Lake	18	64	12W
(25) Spring Hole Lake	14	55	14W
(26) Trygg (Twig) Lake	31	68	14W
	36	68	15W
(27) Twin Lake	28, 33	50	14W

Subp. 3. Restrictions on designated trout streams. In order to protect and foster the propagation of trout, the following restrictions apply to fishing in these streams:

A. taking of fish is prohibited, except during the open season; and

B. taking of minnows in the waters designated as trout streams by this rule is prohibited at all times, except under special permit issued by the commissioner.

Subp. 4. Listing of designated trout streams. The following described streams and portions of streams and their tributaries within the section specified are designated as trout streams and counties whose names appear in parentheses contain portions of those streams:

Name	Location		
	Township	Range	Section
A. Aitkin County:			
(1) Libby Brook	50	23	5, 6
	50	24	1, 2
(2) Long Lake Creek	46	25	10, 15
(3) Morrison Brook (Itasca)	52	26	4, 9, 10, 14, 15
(4) Two Rivers Springs	51	23	19
	51	24	24, 25, 26
B. Becker County:			
(1) Dead Horse Creek	138	38	3, 4, 7, 8, 9, 16
(2) Elbow Lake Creek	142	38	6
(Clearwater)			
(3) Straight Creek, Upper	140	36	6
	141	36	30, 31
	141	37	24, 25
(4) Straight Lake Creek	140	36	6
	140	37	1, 2
(5) Straight River (Hubbard)	139	36	1
	140	36	28, 29, 33,
			34, 35, 36

Name	Location		
	Township	Range	Section
(6) Sucker Creek	138	40	18
	138	41	13
(7) Toad River	138	38	6, 7, 18, 19, 30
	139	38	30, 31
	139	39	25, 36
	138	39	25, 36
C. Beltrami County:			
(1) Battle River, So. Br.	151	30	2, 3, 4, 11
(2) Clearwater River	148	35	5, 6, 8, 17, 20, 29, 31, 32
	149	35	20, 29, 31, 32
(3) Meadow Creek	151	30	6
	151	31	1, 2
(4) Mud River	150	33	21, 28
(5) O'Brien Creek	149	32	2
	150	32	23, 24, 26, 35
(6) Spring Creek	149	30	4, 5, 9, 10
(7) Spring Lake Creek	148	35	34, 35
D. Benton County:			
(1) Bunker Hill Brook	38	30	6
	38	31	1, 2, 10, 11
(2) Rock Creek, Little (Morrison)	38	31	3, 4, 10, 15, 21 22, 28
E. Blue Earth County:			
(1) Unnamed Creek	108	28	1, 2
(2) Unnamed Creek	108	28	5
(3) Unnamed Creek	108	28	6
	109	29	25, 36
F. Brown County:			
(1) Hindeman Creek	111	32	19, 20
	111	33	24
(2) John's Creek	110	32	1
	111	31	31
	111	32	36
G. Carlton County:			
(1) Anderson Creek	46	17	14, 15, 22, 26, 27
(2) Anderson Creek (St. Louis)	49	16	12, 13
(3) Blackhoof River	47	16	29, 30
	47	17	6, 7, 9, 10, 14, 15, 16, 17, 18, 19, 20, 22, 25, 26, 27, 28
	48	17	30, 31
(4) Clear Creek	46	17	9, 10, 11, 12, 16, 17, 20, 29
(5) Clear Creek	47	15	7
	47	16	1, 2, 3, 4, 12
	48	16	33

Name	Location		
	Township	Range	Section
(6) Crystal Creek	48	16	
	48	17	
(7) Deer Creek	47	16	9, 20, 28, 9, 30
	47	17	1, 12, 13, 24
(8) Elm Creek (St. Louis)	49	16	1, 2
(9) Fond du Lac Creek (Squaw)	49	17	9, 16, 17, 18, 19, 20, 21
(10) Gill Creek	48	16	2
(11) Hasty Brook (St. Louis)	49	19	18
	49	20	4, 5, 9, 10, 13, 14, 15, 23
(12) Hay Creek (St. Louis)	49	16	, 4, 9, 10, 15
(13) Hunter Creek	46	18	2, 11, 12, 13,
	47	18	34, 35
(14) King Creek	47	18	18, 19
	47	19	, 12, 13
(15) Midway River (St. Louis)	49	16	1, 12, 13, 14, 15, 21, 22
(16) Mission Creek (St. Louis)	49	16	25, 26, 36
(17) Moosehorn River	48	18	3, 9, 10, 14, 15, 16, 23, 26, 34, 5
(18) Mud Creek	47	15	18
	47	16	5, 6, 8, 9, 10, 11, 13, 14, 15, 16
(19) Nemadji Creek	46	17	7, 8, 9, 18
	46	18	13, 14, 15, 16, 2
(20) Nemadji River, N. Fork	46	17	1, 2, 3, 8, 9, 10, 17, 18, 19, 31, 32, 33
	46	18	24, 25, 36
	47	15	19, 30
	47	16	23, 24, 25, 26, 7, 28, 29, 31, 32
	47	17	35, 36
(21) Nemadji River, S. Fork	6	6	, 5, 6, 7
	46	17	1, 11, 12
	47	5	0
	47	6	5, 33, 34, 35, 36
(22) Net River (Pine)	46	6	3, 4, 8, 9, 17, 20, 21, 29, 31, 32, 33
	47	16	34
(23) Net River, Little	6	6	3, 10, 15, 22, 26, 27, 34

Name	Location		
	Township	Range	Section
(24) Otter Creek, Big	48	16	7
	48	17	3, 10, 11, 12
	49	17	19, 20, 26, 27, 28, 29, 30, 32, 33, 34, 35
	49	18	25, 26
(25) Otter Creek, Little	48	17	7, 10, 15, 16, 17, 18
	48	18	11, 12, 13, 14
(26) Red River	48	15	30
	48	16	25, 26
(27) Rock Creek	47	16	7, 17, 18, 20, 21, 22, 23, 24
	47	17	12
(28) Scanlon Creek	49	16	30
	49	17	25
(29) Section 36 Creek	46	16	1, 2, 11, 12, 13
	47	16	36
(30) Silver Creek, Big	46	17	14, 23, 24, 25, 36
(31) Silver Creek	48	16	15, 16, 17, 21, 28
(32) Skunk Creek	46	17	4, 5, 6
	47	17	31, 33, 34, 35, 36
	47	18	36
(33) Spring Creek	46	17	3, 4, 5, 6
(34) State Line Creek	46	15	6, 7, 18, 19, 30, 31
	46	16	12, 13, 24, 25, 36
	47	15	30, 31
	6	17	10, 11, 15, 16, 21
(35) Stony Brook	6	17	10, 11, 15, 16, 21
(36) Unnamed (Deer) Creek	47	16	19, 29, 30
	47	17	13, 14, 24
(37) Unnamed Creek	47	17	28, 29, 33, 34, 35
(38) Unnamed Creek	47	17	31, 32, 33, 34
H. Carver County:			
Assumption Creek	115	23	2
	116	23	34, 35
I. Cass County:			
(1) Bungo Creek	137	30	6
	137	31	1, 11, 12, 14, 21, 22, 23
	138	30	31
(2) Cedar Creek	138	31	23, 26, 27, 28
(3) Corey Brook	135	30	9, 15, 16, 21, 22, 27
(4) Dabill Brook	137	31	1, 2, 10, 11
	138	31	35, 36

Name	Location		
	Township	Range	Section
(5) Farnham Creek	135	32	5, 6, 7
	136	32	2, 3, 9, 10, 16, 19, 20, 21, 29, 30, 31, 32
(6) Hay Creek	135	31	8, 9, 16, 17
(7) Hoblin Creek	137	30	17, 18, 19
(8) Michaud Brook	140	25	7, 17, 18
(9) Olson Brook	136	30	12, 13, 14
(10) Peterson Creek	134	30	29, 32
(11) Pine River, South Fork	138	31	14, 23
(12) Poplar Brook	135	32	5, 6
	136	32	22, 27, 28, 32, 33
(13) Rogers Brook	134	30	29, 32
(14) Spring Brook	139	26	3, 10, 11, 14
(15) Stoney Brook	135	29	5, 8, 9
	136	29	30, 31, 32
	136	30	20, 21, 22, 25, 26, 27, 29, 30
			24, 25, 26
(16) Unnamed Creek	137	31	4, 5
(17) Unnamed Creek	139	26	3, 10
J. Chippewa County:			
Cottonwood Creek (Swift)	119	41	4
K. Chisago County:			
(1) Beaver Creek	35	20	7, 8, 17
	35	21	3, 4, 10, 12, 13, 14, 15
	36	21	33, 34
(2) Lawrence Creek	33	19	2, 3, 10
(3) Unnamed Creek	33	19	16, 21, 22
(4) Unnamed Creek	33	19	31, 32
L. Clay County:			
Felton Creek	141	44	7, 8, 17
	141	45	7, 8, 12, 13, 14, 15, 16, 17, 18, 22
	141	46	12, 13, 14
M. Clearwater County:			
(1) Auganash Creek	144	38	5
	145	38	27, 28, 31, 32, 33
(2) Buckboard Creek	144	37	19, 30, 31
	144	38	11, 12, 13, 24
(3) Elbow Lake Creek (Becker)	143	38	31, 32
(4) Lost River	148	38	20, 21, 22, 27, 28
			13, 14, 22, 23, 24
(5) Mud Creek	144	37	13, 14, 22, 23, 24
(6) Nasset Creek	148	38	20, 28, 29

Name	Location		
	Township	Range	Section
(7) Sucker Brook (Gould Cr.)	144	36	27, 28, 29, 30, 32, 33
N. Cook County:			
(1) Assinika Creek	63	1E	1
	63	2E	7, 8, 16, 17, 21
	64	1E	36
	64	2E	31
(2) Bally Creek	61	1W	3, 4, 5, 6, 7, 8, 9, 10, 11
	61	2W	12
(3) Barker Creek	60	3W	5, 6, 7, 8
	60	4W	3, 9, 10, 11, 12
	61	4W	34, 35
(4) Beaver Dam Creek	63	3E	2, 3, 4, 5
	64	3E	32, 33, 34, 35
(5) Blind Temperance Creek	60	4W	19, 29, 30, 32
	60	5W	24, 25, 36
(6) Bluff Creek	63	1W	13, 23, 24, 25
(7) Brule River	62	2E	1, 2
	62	3E	4, 5, 6, 9, 10, 15, 16, 22, 27, 34
	63	2E	21, 22, 23, 25, 26, 27, 28, 33, 35, 36
	63	3E	30, 31, 32
(8) Brule River, Little	62	3E	19, 20, 29, 32, 33
(9) Burnt Creek	62	4W	8, 9, 16, 17, 20
(10) Caribou Creek	60	3W	2, 3, 10
(11) Caribou River (Lake)	59	5W	19, 20, 29, 30, 31
(12) Carlson Creek (Stony Br.)	62	4E	3, 4, 9, 10
	63	4E	31, 32, 33, 34
(13) Cascade River	60	2W	1
	61	1W	19, 20, 21, 30, 31
	61	2W	1, 12, 13, 14, 24, 25, 26 35, 36
	62	2W	3, 10, 11, 14, 15, 16, 22, 23 24, 25, 36
(14) Cedar Creek	59	5W	2
	60	5W	14, 22, 23, 25, 26, 35, 36
(15) Cliff Creek	61	2E	3, 4, 5, 9, 10
	62	2E	29, 30, 31, 32

Name	Location		
	Township	Range	Section
(16) Colville Creek, East	61	3E	5
	62	2E	25
	62	3E	30, 31, 32
(17) Cross River (Lake)	58	4W	6
	58	5W	1
	59	4W	31
	59	5W	4, 5, 8, 9, 15, 16, 21, 22, 23, 25, 26, 35, 36
	60	5W	30, 31, 32
(18) Cutface Cr. (Good Harbor Cr.)	61	1W	27, 28, 29, 34
(19) Deer Yard Cr. (Spruce Cr.)	60	2W	4, 5, 6, 7, 8, 9, 10, 15, 16, 17
	61	2W	32
(20) Devil Track River	61	1E	1, 2, 3, 10, 11, 12, 13
	62	1E	26, 31, 32, 33, 34, 35, 36
(21) Devil Track R., Little	61	1E	4, 5, 6, 7, 8, 9, 10
	61	1W	1, 2, 11, 12
(22) Durfee Creek	61	2E	5, 6, 8
	62	1E	25, 36
	62	2E	31
(23) Elbow Creek	62	1E	3, 4, 9, 10, 15, 22, 27, 34
	63	1E	33, 34
(24) Farquhar Creek	62	4E	2, 11
	63	4E	34, 35
(25) Fiddle Creek	63	1W	2, 3, 10, 15
	64	1W	34, 35
(26) Flute Reed River	62	3E	1, 2, 3, 10, 11, 12, 13, 14, 15
	62	4E	17, 18, 20
	63	3E	26, 34, 35, 36
	62	1E	19, 30
	62	1W	30, 31
(27) Fox Farm Creek	62	2W	25
(28) Fry Creek	62	3E	16, 20, 21, 22, 27
(30) Grand Portage Creek	63	5E	1
	63	6E	4, 5, 6
	64	6E	31, 32, 33
(31) Greenwood River	63	2E	1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24
	64	2E	34
	63	3E	6
	64	3E	31

Name	Location		
	Township	Range	Section
(32) Heartbreak Creek	59	4W	18, 19
	59	5W	2, 11, 12, 13
	60	5W	27, 28, 33, 34, 35
(33) Hollow Rock Creek	63	5E	9, 10, 11, 14, 15, 16, 23, 24, 25
			28, 31, 32, 33
(34) Honeymoon Cr. (Spring Cr.)	61	4W	
(35) Indian Camp Creek	60	2W	3, 10, 11
	61	2W	34
(36) Irish Creek	63	3E	8, 9, 10, 13, 14, 15, 23, 24, 25, 26
	63	4E	17, 18, 19
	60	2W	7, 19
(37) Jonvick Creek	60	3W	12, 13, 14, 24
	62	1W	1, 2, 9, 10, 11, 12, 13, 14, 15, 16, 21, 28
(38) Junco Creek	62	1E	6, 7
	63	1E	20, 29, 30, 31
	63	1W	24, 25, 35
	61	2E	2
(39) Kadunce Creek	62	2E	9, 10, 12, 13, 14, 15, 16, 22, 23, 24, 26, 35
(40) Kimball Creek	61	2E	3, 4, 10
	62	2E	7, 16, 17, 18, 19, 20, 21, 28, 29, 33, 34
(41) Koski Creek	61	4W	5, 8
	62	4W	31, 32
(42) Lullaby Creek	63	1E	4, 5, 8, 9
(43) Mark Creek	61	2W	1, 2, 3, 4, 5, 6, 9
(44) Mississippi Creek	61	2W	1, 2, 3
	61	3W	1
	62	2W	31, 32, 33, 34, 35, 36
(45) Mississippi Creek, Little	62	3W	24, 25, 35, 36
	62	2W	20, 21, 26, 29, 32, 33, 34, 35
(46) Mistletoe Creek	60	3W	3, 4
	61	2W	7, 18
	61	3W	11, 13, 14, 15, 23, 24, 25, 26, 34, 35

Name	Location		
	Township	Range	Section
(47) Monker Creek	61	1E	6, 7
	62	1E	31
	62	1W	36
(48) Mons Creek	62	3E	4
	63	3E	28, 29, 33
(49) Mud Creek	62	1E	8, 9, 16,
			17, 21, 22
(50) Murmur Creek	61	2W	15, 20, 21,
			22, 29, 30
(51) Myhr Creek	62	3E	23, 24, 26
(52) Nestor	61	1W	4, 5, 6
	61	2W	1
	62	1W	31, 32, 33
(53) Onion Creek	59	4W	1, 2, 3, 4, 12
	60	4W	24,25,26,35,36
(54) Pancake Creek	60	4W	17, 18
	60	5W	11, 13, 14
(55) Pecore Creek	61	4W	19, 20, 21
(56) Pike Lake Creek	61	2W	10, 11, 15
(57) Pine Mountain Creek	63	1E	23, 26, 27,
			28, 33
(58) Plouff Creek	61	4W	17, 18
	61	5W	2, 3, 11, 13,
			14, 15, 23
(59) Poplar River	62	5W	23, 26, 34, 35
	60	3W	3, 4, 5, 6, 7,
			8, 9, 10, 15,
			16, 17, 19, 20,
	61	3W	21, 28, 33
			30, 31
(60) Portage Brook	61	4W	10, 13, 14, 15,
	64	3E	22,23,25,26,36
			24, 25, 26, 27,
			28, 29, 32,
	64	4E	33, 34
			19, 20
(61) Red Rock Creek	63	5E	21, 22, 26,
			27, 28, 35
(62) Reservation River	62	5E	6
	63	4E	23, 25, 26, 36
	63	5E	16, 17, 18, 19,
			20, 21, 29,
(63) Rollins Creek	59	3W	30, 31
	60	3W	6
	60	4W	29, 30, 31
(64) Rosebush Creek (Fall R.)	60	4W	36
	61	1W	13, 23, 24, 25
	61	1E	18

Name	Location		
	Township	Range	Section
(65) Sawbill Creek	62	4W	7, 18, 19, 20, 28, 29, 30
	62	5W	25
(66) Section 16 Creek	58	5W	16
(67) Sixmile Creek	60	4W	13, 14, 15, 22, 23, 27, 28, 33
(68) Stickle Creek	63	1W	1, 2, 11, 12, 14
(69) Stone Creek	61	2E	2, 3
	62	2E	21, 22, 27, 34, 35
(70) Stony Creek, Little	63	2E	4, 5, 9
	64	2E	31, 32, 33
(71) Stumble Creek	59	5W	16, 21, 22, 26, 27, 28
(72) Stump River	64	4E	18
	64	3E	8,9, 13, 14, 15, 16, 17, 21, 22, 23, 24
(73) Sugar Loaf Creek	58	5W	17, 19, 20, 29
(74) Sundling Creek	61	1W	10, 11, 14, 15, 16, 17, 18
	61	2W	13
(75) Swamp River	63	3E	25, 26, 36
	63	4E	20, 29, 30
	64	4E	21, 27, 28
(76) Swamper Creek	64	1E	20, 29, 32
(77) Swanson Creek	61	4W	6, 7, 8
	61	5W	1
(78) Tait River	60	3W	4
	61	3W	28, 33
(79) Temperance River	59	4W	5, 6, 7, 8, 18, 19, 30, 31, 32
	60	4W	5, 6, 7, 8, 17, 20, 28, 29, 32, 33
	61	4W	4, 8, 9, 16, 17, 19, 20, 30, 31
(80) Thompson Creek	62	1W	17, 19, 20
	62	2W	24
(81) Timber Creek	62	1E	1
	63	1E	25, 36
	63	2E	31
82) Torgenson Creek	61	4W	30
	61	5	24, 25
(83) Two Island River (Lake)	58	5W	2, 3, 4, 11
	59	5W	7,8, 17, 18, 20, 21, 27, 28, 29, 31, 32, 33, 34
(84) Woods Creek	61	1E	1, 12, 13
	62	1E	35, 36

Name	Location		
	Township	Range	Section
O. Cottonwood County:			
Scheldorf Creek	106	36	19, 30, 31
	106	37	13, 24, 25
P. Crow Wing County:			
(1) Barbour Creek	44	28	28
(2) Black Bear Brook	44	28	7, 8
(3) Blackhoof Creek	46	29	16
(4) Borden Creek	44	28	8, 9, 17, 20
(5) Camp Creek	43	28	4, 5
(6) Cullen Brook	136	28	18, 19, 30
	136	29	13
(7) Long Brook, Lower South	44	30	12, 13
(8) Long Brook, Upper South	44	29	6, 7
(9) Round Creek	43	31	14, 15
(10) Sand Creek	45	30	2, 3, 11, 13, 14
	46	30	34
(11) Spring Brook	138	28	27, 34
(12) Van Sickle Brook	138	26	14, 15, 23, 24
(13) Whitley's Creek	45	30	16, 17, 20, 21
Q. Dakota County:			
(1) Kennaley's Creek	27	23	18
(2) Pine Creek	113	17	31
	113	18	25, 26, 35, 36
(3) Trout Brook (Goodhue)	113	17	26, 27, 35, 36
(4) Unnamed #1	27	23	18
	27	24	13
(5) Unnamed #4	27	24	24
(6) Unnamed #7	27	24	26
(7) Vermillion River	113	20	1, 2, 3, 4, 9
	114	18	19, 20
	114	19	21, 22, 23, 24,
			28, 29, 30, 31
	114	20	33, 34, 35, 36
R. Douglas County:			
Spruce Creek (Otter Tail)	130	36	3, 4, 9, 10
S. Fillmore County:			
(1) Big Springs Creek	104	9	21, 22, 26, 27
(2) Camp Creek	101	10	5, 8, 9
	102	10	5, 8, 16, 17, 20,
			29, 32
(3) Camp Hayward Creek	104	8	31, 32
(4) Chickentown Creek	102	8	32, 33
(M-9-10-10-2)			
(5) Crystal Creek	102	11	35, 36
(6) Diamond Creek	103	8	18, 19
	103	9	10, 11, 13, 14, 24
(7) Duschee Creek	102	10	1
	103	10	23, 24, 25, 26, 36
(8) Etna Creek	102	13	25, 36
(9) Frego Creek	101	9	14, 15, 22, 23

Name	Location		
	Township	Range	Section
(10) Gribben Creek	103	9	9,16,21, 27, 28
(11) Hallum Creek (Houston)	103	8	36
(12) Hamilton Creek (Mower)	103	13	6
(13) Jordan Creek, Little	104	12	21,22,26,27,28
(14) Kedron Creek	104	13	36
(15) Lanesboro Park Pond	103	10	13
(16) Lost Creek	104	11	18
	104	1	8, 9, 10, 15,16
(17) Lynch Creek	104	11	2, 11, 14
(18) Mahoods Creek	103	12	20
(19) Maple Creek	102	8	3, 4
	103	8	27, 28, 33, 34
(20) Mill Creek (Olmsted)	104	11	5, 6
(21) Nepstad Creek	102	8	4, 5, 7, 8, 9
	102	9	1, 2, 12
(22) Newburg Creek	101	8	5, 8
(M-9-10-10-1)			
(23) North Branch Creek	102	12	13, 14, 15
(Forestville Cr)			
(24) Partridge Creek	101	10	4
	102	10	33
(25) Pine Creek (Winona)	104	9	2, 3, 4
(26) Rice Creek	103	11	3, 4, 5, 7, 8, 9
	104	11	14, 23, 28, 33
(27) Riceford Creek (Houston)	101	7	6, 7, 18, 19
	101	8	1, 12, 13, 24
(28) Root River, Md.Br	103	12	8, 9
(29) Root River, S.Br.	102	10	5, 6
	102	11	1, 2, 3, 4, 5, 6,
			7, 8, 9, 10,
			11, 18
	102	12	13, 21, 22, 23,
			24, 26, 27
	103	9	7, 18
	103	10	13, 14, 15, 16,
			21, 22, 23, 4,
			28, 29, 32, 33
	103	11	36
(30) Root River, S.Fk.	102	8	2, 3, 4, 8,9,10,
			11, 17, 18, 19
	102	9	24, 25, 26
(31) Rush Creek (Winona)	104	8	2, 3, 4, 10, 11,
			13, 14
(32) Schueler Creek	104	8	1, 2, 3
(33) Shady Creek	104	11	19, 30

Name	Location		
	Township	Range	Section
(34) Spring Valley Creek	103	12	8, 17, 18, 19, 20, 30
	103	13	23, 24, 25, 26, 27, 28, 29, 32, 33, 34
(35) South Branch Creek (Canfield Creek)	102	12	24, 25
(36) Torkelson Creek	104	10	25, 36
(37) Trout Run Creek (Winona)	104	10	4, 5, 8, 9, 16, 17, 20, 21
(38) Unnamed Creek (M-9-10-5-3) (Houston)	101	8	1, 2
(39) Unnamed Creek (M-9-10-5-4)	101	8	12, 13
(40) Unnamed Creek	104	8	19, 30
(41) Vesta Creek	102	8	10, 11, 14, 15, 23
(42) Watson Creek	103	10	19, 20, 21, 29, 30
	103	11	22, 23, 24, 25, 26, 27, 28, 29, 30
(43) Willow Creek	101	11	1, 12
	102	11	1, 12, 13, 24, 25, 36
(44) Wisel Creek	101	8	5, 6, 8
	102	8	19, 20, 29, 30, 31, 32
T. Goodhue County:			
(1) Bullard Creek	112	14	1, 2, 3, 10
	113	14	36
(2) Cannon River, Little	110	18	1, 10, 11, 12, 15
	111	18	13, 24, 25, 36
(3) Clear Creek	111	14	3, 10, 15
(4) Gilbert Creek (Wabasha)	112	12	31
(5) Hay Creek	111	15	4
	112	14	19
	112	15	1, 12, 13, 23, 24, 26, 27, 33, 34
	113	15	24, 25, 36
(6) Mazeppa Creek (Wabasha)	110	15	24, 25
(7) Pine Creek	112	17W	5, 6, 8, 9
(8) Spring Creek	112	15	5, 6, 7, 18
	113	15	29, 31, 32, 33, 34
(9) Trout Brook (Dakota)	112	17	1
(10) Trout Brook (Hay Cr. Trib.)	113	15	35, 36
(11) Unnamed Creek (Wells Cr. Trib #9)	111	14	8, 17
U. Houston County:			
(1) Badger Creek	103	6	9, 16, 21, 22, 27, 28, 34

Name	Location		
	Township	Range	Section
(2) Ballpark Creek	102	4W	19, 30
	102	5W	24
(3) Beaver Creek	102	6	5
	103	6	18, 19, 29, 30, 31, 32
(4) Beaver Creek, East	102	6	5, 6, 8, 17
(5) Beaver Creek, West	102	6	5, 6, 7, 18, 19, 30
	102	7	12,13,24,25,26
(6) Bee Creek	101	6	29, 32, 33
(7) Brush Valley Creek	104	5	23, 24, 26
(8) Butterfield Creek	103	4	6, 7, 8, 18
(9) Campbell Creek	104	6	5, 7, 8, 18
(10) Crooked Creek, Mn.Br.	102	4	18, 19, 20, 28, 29, 30
	102	5	25, 26, 36
(11) Crooked Creek, N.Fk.	102	5	17, 20, 21, 22, 23, 26
(12) Crooked Creek, S.Fk.	102	5	26, 28
(13) Crystal Creek	103	5	6, 7, 18, 19
	103	6	1, 12
(14) Daley Creek	103	7	4, 5, 8
	104	7	33
(15) Eitzen Creek	101	5	22, 23
(16) Ferndale Creek	104	7	29, 30, 31
(17) Girl Scout Camp Creek	103	7	29, 30
(18) Hallum Creek (Fillmore)	103	7	31
(19) New Yorker Hollow Creek	101	5	25, 26
(20) Riceford Creek	101	7	6
(Fillmore)	102	7	29, 30, 31, 32
(21) Silver Creek (Winona)	104	6	1, 2, 11, 12, 14
(22) Storer Creek	104	5	17, 18, 19, 30
(23) Sullivan Creek	103	5	12, 13, 14, 23, 24, 25, 26
(24) Swede Bottom Creek	103	6	10
(25) Thompson Creek	103	4	5, 6, 7
	103	5	12, 13, 14, 15, 21, 22, 28
	104	4	32
(26) Unnamed Creek	101	4	21
(27) Unnamed Creek	101	7	6
(M-9-10-5-3) (Fillmore)			
(28) Unnamed Creek	102	4	18,19,20,29,30
(29) Wildcat Creek	103	4	26, 27, 28, 29, 32, 33, 34, 35
(30) Winnebago Creek	101	4	28, 29, 30
	101	5	7, 8, 14, 15,16, 17,22,23,24,25
	101	6	12

Name	Location		
	Township	Range	Section
V. Hubbard County:			
(1) Bungoshine Creek	145	32	28, 29, 30
	145	33	25, 26, 34, 35
(2) Cold Creek	145	33	19
(3) Hellcamp Creek	140	33	19
	140	34	24
(4) Hennepin Creek	144	35	3, 10, 15, 16, 21
	145	35	34
(5) Kabekona River	143	32	6, 7, 18, 19
	143	33	2, 3, 4, 9, 11, 12, 24
	144	33	29, 30, 32, 33
	144	34	24, 25, 36
(6) Kawishiwash Creek	142	32	12
(7) LaSalle Creek	143	35	6
	144	35	19, 30, 31
(8) Muckey Creek	139	33	1, 2, 10, 11, 12
(9) Necktie R.	145	33	1
	145	32	6, 7, 8, 9, 16
(10) Pokety (Pickedee Creek)	144	32	29, 30
	144	33	24, 25
(11) Schoolcraft Creek	142	34	5, 7, 8, 17
(12) Stall Creek	143	33	12, 13, 14
(13) Straight River (Becker)	139	34	7
	139	35	4, 5, 6, 9, 10, 11, 12
(14) Wallingford Brook	139	33	1, 2, 11
	140	33	25, 36
W. Itasca County:			
(1) Bruce Creek	53	22	6, 7
	53	23	26
	54	22	18, 19, 30, 31
	54	23	25
(2) Harrigan Creek	62	23	10
(3) Matuska's Creek	54	26	35, 36
(4) Morrison Brook (Aitkin)	53	26	7, 8, 18, 19, 29, 30, 32, 33
(5) Pancake Creek	54	22	20, 28, 29, 33
(6) Peters Creek	54	22	22, 23, 27, 28
(7) Pickerel Creek	56	22	7, 18
	56	23	13
(8) Pokegama Creek	54	26	26, 27, 28
(9) Pokegama Creek, Little	54	26	26, 27, 34, 35
(10) Rosholt Creek	55	23	22, 23, 24
(11) Sand Creek	55	23	15, 22, 27, 28, 29, 32, 33
(12) Shine Brook	62	25	11, 14, 15, 16
(13) Sisseebakwet Creek	54	26	19, 29, 30

Name	Location	
	Township	Range Section
(14) Smith Creek	53	26 1, 9, 10, 11, 12, 13, 14, 15
	54	26 35, 36
(15) Smith Cr., Unnamed Trib.	54	26 35, 36
(16) Smith Cr., Unnamed Trib.	53	26 11, 12
(17) Spring Creek	55	23 25, 26, 27
(18) Stoney Brook (St. Louis)	60	22 3, 4
	61	22 13, 24, 25, 35, 36
(19) Spring Brook, Lower	57	25 6
	58	25 31
(20) Trout Brook	54	22 1
(21) Valley River (Koochiching)	62	23 1, 2, 3, 4, 10, 11, 12, 13, 14, 24
(22) Venning Creek	60	23 1, 2, 11, 12, 13, 14
	61	23 35
(23) Warba Creek	54	23 13, 14, 15, 21, 22, 23, 24
X. Koochiching County:		
(1) Dinner Creek	153	26 4, 9, 10, 12, 13, 14, 15, 23, 24
	154	26 7, 18, 19, 29, 30, 32, 33
	154	27 1, 12
	155	26 30, 31
	155	27 25, 35, 36
(2) Hay Creek	153	26 4, 8, 9, 17, 20
(3) Trout Brook	66	26 19, 30
	66	27 24, 25
(4) Valley River (Itasca)	63	22 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30
	63	23 24, 25, 26, 35
Y. Lake County:		
(1) Arrowhead Creek	60	8 3, 10, 11, 13, 14, 15, 22, 23, 26, 27, 28, 34
	61	8 14, 15, 21, 22, 27, 28, 34
(2) Baptism River, Mn.Br.	56	7 3, 4, 5, 9, 10, 14, 15
	57	7 20, 27, 28, 29, 33, 34
(3) Baptism River, E.Br.	57	6 6
	57	7 1, 2, 3, 9, 10, 11, 12, 16, 17, 20
	58	6 30, 31
	58	7 13, 17, 19, 20, 21, 22, 23, 24, 25

Name	Location		
	Township	Range	Section
(4) Baptism River, W.Br.	58	8	26, 29, 30, 36
	57	7	22, 23, 24, 25, 26
	57	8	7, 17, 18, 20
	58	8	1, 2, 12
		8	2, 3, 4, 9, 10, 11, 15, 16, 20, 21, 22, 28, 33, 34, 35, 36
(5) Beaver River	59	8	34, 35
	55	8	2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17
	55	9	1, 2
	56	8	31
	56	9	4, 5, 6, 8, 9, 16, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 32, 33, 34, 35, 36
	57	9	28, 32, 33
	55	8	2
(6) Beaver River, E.Br.	56	8	4, 5, 6, 8, 9, 15, 16, 21, 22, 25, 26, 27, 35, 36
	57	8	7, 18, 19, 30, 31, 32
	57	9	2, 3, 11, 12, 13, 14, 15, 23, 24, 25, 26, 36
	55	8	7, 17, 18
	55	9	2, 3, 4, 10, 11, 12, 13, 14
(8) Berry Creek (Breda) (St. Louis)	56	11	6
	57	11	10, 15, 16, 21, 28, 29, 31, 32
(9) Blesner Creek	58	6	20, 29, 30, 31
(10) Budd Creek	55	9	7, 17, 18, 20, 21
(11) Cabin Creek	59	6	19, 20
	59	7	24
(12) Camp Creek	60	8	3, 4, 9, 10
	61	8	27, 28, 33, 34
(13) Camp Creek, West	60	8	4, 5, 7, 8, 16, 17, 20, 21
	61	8	33
	60	9	7, 18
(14) Camp E Creek	60	10	11, 12
	58	6	1, 2, 11, 13, 14, 15, 22, 23, 24, 25, 26, 36
(15) Caribou River (Cook)	59	6	23, 24, 25, 26,

Name	Location		
	Township	Range	Section
			35, 36
(16) Castle Danger Creek (Campers)	54	9	30,31, 32
(17) Cedar Creek	56	8	13,14,23,24,26
(18) Cloudy Spring Creek	57	9	5, 6, 7, 18
	57	10	12, 13, 24
(19) Cross River (Cook)	60	6	13, 24, 25, 36
(20) Crow Creek	53	10	1, 2
	54	10	15, 22, 23, 26,
(21) Crown Creek	57	8	2, 3, 4, 5, 9,
			10, 11
	58	8	5, 6, 7, 18, 19,
			20, 29, 30, 31,
			32, 33
	58	9	1, 12, 13, 14,
			24, 36
	59	8	32
(22) Dago Creek	54	9	18, 19
	54	10	2, 11, 12, 13
	55	10	27, 34, 35
(23) Dragon Creek	57	6	8, 9, 16, 17, 21
(24) Dumbbell River	60	7	3, 4, 5, 7, 8, 9,
			10, 16, 18, 19,
			20,28,29,31,32
	61	7	34
(25) Egge Creek	57	7	2, 3, 4, 11
(26) Encampment River	53	10	3, 10, 11
	54	10	8, 16, 17, 21,
			27, 28, 34
(27) Folly Creek	60	7	2,3, 10, 11, 14,
			15,22,23,24,27
(28) Gooseberry River	54	9	18, 19, 20, 21,
			22, 27
	54	10	4, 5, 6, 8,9,10,
			11, 12, 13
	55	10	4,9, 16, 17, 20,
			9, 30, 31, 32
	56	10	33
(29) Gooseberry River, Little	54	10	6
	55	1	31
	55	11	34, 35, 36
(30) Harris Lake Creek	60	10	6
	61	10	19, 30, 31
(31) Hockamin Creek	57	7	17, 18, 19
	57	8	13, 16, 20, 21,
			2, 23, 24, 25,
			6, 27, 28, 29,
			2, 33
(32) Hill Creek	60	8	19, 30
	60	9	24, 25

Name	Location		
	Township	Range	Section
(33) Houghtaling Creek	59	6	2, 3, 4, 5, 6
	60	6	25,32,33,35,36
(34) Inga Creek	60	9	2, 3
	61	9	11, 12, 14, 22, 23, 27, 34, 35
			3, 4, 5, 6,9,10, 15, 16, 22
(35) Isabella River, Little	59	8	3, 4, 5, 6,9,10, 15, 16, 22
	60	8	31, 32
	60	9	5, 6, 8, 9, 10, 15, 16, 22, 25, 26, 27, 36
	61	9	3, 4, 9, 10, 16, 17,20,21,29,32
	62	9	34
	60	8	5, 6, 7, 8, 18
	61	8	19, 20, 29, 30, 31, 32
(36) Jack Pine Creek			15,21,22,28,33
(37) Kinney Creek	57	10	4, 5, 8, 9, 17, 18, 19, 31
(38) Knife River (St. Louis)	52	11	4, 5, 8, 9, 17, 18, 19, 31
	53	11	4, 5, 7, 8, 17, 18, 20, 29, 32, 33
	54	11	20, 29, 30, 32
	52	11	5, 6, 8
(39) Knife River, W.Br. (St. Louis)	52	11	5, 6, 8
(40) Knife River, Lit., E.Br.	53	11	17, 20, 21, 22, 27, 33, 34
(41) Knife River, Lit., W.Br. (St. Louis)	52	11	5, 6
	53	11	31
(42) Leskinen Creek	57	7	15, 21, 22, 28
(43) Lindstrom Creek	56	7	4
	57	7	19,30,31,32,33
	57	8	25
(44) Manitou River	57	6	3, 4, 10, 11
	58	6	4, 5, 6, 7, 8, 16, 17, 18, 20, 21, 28, 29, 32, 33, 34
			33, 34
(45) Manitou River, N.Br.	58	6	6
	58	7	1, 2
	59	6	31
	59	7	15, 16, 18, 19, 20, 21, 22, 25, 26, 27, 28, 33, 34, 35, 36
	59	8	1, 2, 12, 13, 24, 25, 26

Name	Location		
	Township	Range	Section
(46) Manitou River, S.Br.	58	6	6
	58	7	1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18
	58	8	1
	59	7	29,30,31,32,33
	57	6	2
(47) Manitou River, Little	58	6	34, 35
	57	6	5, 8, 16, 17, 21
(48) Marais River, Little	58	10	16, 21
(49) Mary Ann Creek	58	6	2, 3, 11
(50) Martin Creek	53	11	18
(51) McCarthy Creek (St. Louis)	60	11	14, 15, 23
(52) Mike Kelly Creek	56	8	2, 3, 10, 11, 13, 14, 15
(53) Mile Post Forty-three Cr.	54	9	4, 5, 9
	55	9	30, 31, 32
	55	10	25, 26, 36
	60	9	1, 12
(54) Mink Creek	61	8	5, 6, 7, 18, 19, 31
	61	9	1, 2, 12, 13, 24, 25, 36
	62	9	35
	59	6	31, 32, 33, 34
	57	11	11, 12, 14, 22, 23
(55) Mitawan Creek	56	11	4, 5, 8, 17, 18, 19
(56) Moose Creek	57	10	4, 7, 8, 9, 18
	57	11	13, 21, 22, 23, 24 26, 27, 28, 33, 34
	56	7	7
	56	8	1, 12
	57	8	27, 35, 36
(57) Mud Creek, Little	58	6	3, 4, 9, 16, 17
	59	6	27, 28, 33, 34
(58) Murphy Creek	59	11	3, 4
	60	11	21, 22, 27, 28, 34
	61	11	22, 23, 27
(59) Nicadool Creek	57	7	5, 6
	57	8	1
	58	7	31, 32
	56	7	16, 17, 18, 19, 20, 21, 22
(60) Nine Mile Creek	56	8	24
	58	6	18, 19, 20
	58	7	13
(61) Nip Creek	57	6	18
	57	7	12, 13, 22, 23, 24, 26, 27, 34
(62) Nira Creek	56	8	24
	58	6	18, 19, 20
(63) Oliver Creek (Silver)	58	7	13
	57	6	18
	57	7	12, 13, 22, 23, 24, 26, 27, 34
(64) Palisade Creek	56	8	24
	58	6	18, 19, 20
	58	7	13
(65) Rock Cut Creek	57	6	18
	57	7	12, 13, 22, 23, 24, 26, 27, 34
(66) Sawmill Creek	56	8	24
	58	6	18, 19, 20
	58	7	13

Name	Location		
	Township	Range	Section
(67) Schoolhouse Creek	58	7	35, 36
(68) Scott Creek	59	7	4
	60	7	9, 10, 15, 16,
			21, 22, 27, 33,
(69) Section 30 Creek (St. Louis)	63	11	34, 35,
(70) Silver Creek			30
	53	10	6, 7, 16, 17,
			18, 21
	53	11	1
	54	10	18, 19, 30
(71) Silver Creek, E.Br.	54	11	11,12,13,25,36
	53	10	5, 8, 9, 16, 21
	(72) Skunk Creek	54	4, 9, 16, 17, 20
(73) Snake Creek	55	9	19,29,30,32,33
	55	10	13, 14, 24
	60	10	1
	61	9	19, 30, 31
	61	10	24, 25, 36
(74) Snake River	60	10	3
	61	9	7, 18, 19
	61	10	12, 23, 24, 26,
			27, 34
(75) Sphagnum Creek	60	9	4
	61	9	28, 29, 33
	54	8	6, 7
(76) Split Rock River	54	9	1, 2, 12
	55	9	26,28,34,35,36
	(77) Split Rock River, E.Br.	55	4, 5, 6, 9, 10,
(78) Split Rock River, W.Br.			14, 15, 22, 23,
			24, 25, 26
	56	9	30, 31, 32
	56	10	1, 11, 12, 13,
			14, 24, 25
(79) Stanley Creek (St. Louis)	55	9	6, 7, 8, 16, 17,
			21,22,26,27,28
	55	10	1
(80) Stewart River	56	10	22, 26, 27, 33,
			34, 35, 36
	52	11	18, 19
(81) Stewart River, Little	53	10	18, 19, 20, 29
	53	11	2, 3, 10, 11,
			13, 14, 15
	54	11	3,4, 10, 15, 22,
(82) Stewart R. (St. Louis)			26, 27, 34, 35
	53	10	19, 20, 29
	53	11	9, 15, 16, 22,
			23, 24
	55	11	7

Name	Location		
	Township	Range	Section
(83) Stoney Creek (Rock)	55	9	30
	55	10	20,23,24,25,27
(84) Stream Number 30	54	8	5, 6
	55	8	19, 30, 31
(85) Sullivan Creek	56	11	1, 2, 10, 11, 15
	57	10	19, 30
	57	11	24, 25, 36
(86) Thirty-nine Cr., Big	56	8	19, 30, 31
	56	9	1, 2, 3, 11,
			12, 13, 14, 15,
			22, 23, 24, 25
	57	9	22,26,27,35,36
(87) Thirty-nine Cr., Little	56	8	6, 7, 8, 17, 18,
			19, 20, 29, 30
	56	9	1, 12
(88) Tikkanen Creek	57	7	5, 6, 8, 16, 17
(89) Tomlinson Creek	60	7	18, 19, 31
	60	8	24, 25, 36
(90) Tower Creek	57	7	9
(91) Trappers Creek	56	11	2, 3, 9, 10, 16,
			17, 19, 20
	57	11	35
(92) Twin Points Creek	54	9	10, 11, 13, 14
(93) Two Island River (Cook)	59	6	11, 12
(94) Unnamed Creek	55	8	20,21,29,32,33
(95) Unnamed Creek (S-17-6)	53	11	30, 31, 32
(96) Unnamed Creek (S-17-9)	53	11	5
	54	11	20, 29, 30, 32
(97) Victor Creek	60	9	12, 13
(98) Wanless Creek	60	6	27,33,34,35,36
(99) Weiss Creek	59	9	2, 3, 11
	60	9	27, 34
(100) Wenho Creek	58	10	17, 20, 21, 27,
			28, 34
(101) Whyte Creek	57	10	1, 2, 11, 14,
			23, 26, 27, 34
Z. Lake of the Woods County:			
(1) Pitt Creek	159	32	4, 9, 16
	160	32	21, 28, 33
(2) Tomato Creek	161	34	3, 9, 10
	162	34	35
AA. Le Sueur County:			
(1) Paul's Creek	110	26	14, 15
(2) Unnamed Creek	110	26	10, 11
BB. Lyon County:			
Redwood River	110	42	5, 8, 17
	111	42	32
CC. Mahnomon County:			
(1) Bad Boy Creek	144	39	13, 14, 22, 23,
			27, 28, 34

Name	Location		
	Township	Range	Section
(2) Schermerhorn Creek	144	39	6
	145	39	31
	145	40	25, 26, 36
DD. Meeker County:			
(1) Sucker Creek	118	30	4, 5, 6, 7
(2) Willow Creek (Stearns)	121	29	23
EE. Morrison County:			
(1) Camp Ripley Brook	132	29	18, 19
	132	30	12, 13
(2) Nelson Hay Creek	130	31	1, 2
(3) Rock Creek, Little (Benton)	39	30	17,18,20,21,22
	39	31	13, 14, 22, 23, 27, 33, 34
FF. Mower County:			
(1) Hamilton Creek	103	14	1
(Fillmore)			
(2) LeRoy Trout Pond	101	14	36
(3) Woodson Creek	102	18	14, 15
GG. Nicollet County:			
Seven Mile Creek	109	27	2, 3,4,10,11,12
HH. Olmsted County:			
(1) Kinney Creek	105	13	1, 12, 13
	106	13	36
(2) Logan Creek	107	11	3
(3) Mill Creek (Fillmore)	105	11	31
	105	12	14,23,25,26,36
(4) Whitewater R., Md.Br.	106	11	2, 3, 10
(Winona)			
	107	11	24, 25, 26, 35
(5) Whitewater R., N.Br.	107	11	1, 2, 3
(Winona & Wabasha)			
II. Otter Tail County:			
(1) Brandberg Creek	133	38	20,21,28,29,30
(2) Finn Creek	135	37	27, 34
(3) Holmstad Creek	136	37	7
	136	38	12, 13, 14
(4) Long Branch Creek	134	42	7
(5) Long Lake Creek	132	41	9
(6) Rush Lake Creek	135	38	23, 26, 27, 28
(7) Spruce Creek (Douglas)	131	36	28, 29, 31, 32, 33, 34
(8) Willow Creek	133	38	2, 11
	134	38	26, 35
JJ. Pine County:			
(1) Bang's Brook	41	17	15,20,21,22,29
(2) Barnes Spring	41	18	1, 12
(3) Bjork Creek	42	16	2, 9, 10, 11
(4) Cons Creek	41	17	15, 16, 22

Name	Location		
	Township	Range	Section
(5) Crooked Creek	41	17	6,7, 18, 19, 20, 29, 30
	41	18	11, 12, 13
	42	17	31
(6) Crooked Creek, W.Fk.	41	18	11, 12
	42	18	3, 4, 9, 10, 16
	43	18	27, 34
(7) Crystal Creek	41	16	9, 10, 15
(8) Grindstone River	42	21	20, 21, 28, 29
(9) Hay Creek	40	18	6, 7, 8, 18, 19
	41	18	10, 15, 20, 21, 22, 29, 32, 33
(10) Hay Creek, Little	40	18	8, 9
(11) Larson Creek	44	17	5
	45	17	29, 32
(12) Lost Creek	40	19	9, 10, 15
(13) McCullen Creek	42	16	28, 33
(14) Mission Creek	40	21	1, 2
	41	20	31
	41	21	36
(15) Net River (Carlton)	45	16	6
	45	17	1
(16) Pelkey Creek	41	20	33, 34, 35
(17) Sand River	43	18	4, 5, 7, 8, 18, 19
	43	19	24
	44	18	33, 34
(18) Spring Brook	41	20	16, 17, 18, 21
(19) Unnamed Creek	43	1	2, 3
	44	18	35
(20) Wilbur Brook	41	17	29, 30
	41	18	23, 25, 26
(21) Wolf Creek	42	18	4, 9, 16
	43	18	32, 33
KK. Polk County:			
Lengby Creek	147	39	33, 34
LL. Pope County:			
Mud Creek	123	36	28, 29
MM. Redwood County:			
Ramsey Creek	112	36	1
	113	36	35, 36
NN. Rice County:			
Spring Brook	111	20	2, 3, 4
OO. Roseau County:			
Bemis Hill Creek	161	37	17, 20, 29
PP. St. Louis County:			
(1) Ahlenius Creek	53	14	9, 10

Name	Location		
	Township	Range	Section
(2) Amity Creek	50	14	1
	50	13	5, 6
	51	13	31, 32
	51	14	26,27,28,35,36
(3) Amity Creek, E.Br.	51	13	30, 31
	51	14	13, 14, 15, 22,
			24, 25, 36
(4) Anderson Creek (Carlton)	49	15	16, 17, 18
(5) Angora Creek	61	18	9, 10, 15, 16,
			21, 22
(6) Artichoke Creek	52	17	7, 17, 18
(7) Ash River	66	20	4, 5, 9
	67	20	5, 6, 8, 16,
			17, 18, 19, 20,
			29, 30, 31, 32
	67	21	36
	68	20	13, 14, 20, 21,
			22, 23, 24, 28,
			29, 31, 33
	68	19	17, 18
	68	21	36
(8) Barrs Creek	53	13	20, 27, 28, 29
(9) Bear Trap Creek	51	16	30
	51	17	16, 21, 22, 23,
			25, 26, 27, 28
(10) Beauty Creek	67	21	23, 24, 25, 26
(11) Berry Creek (Breda)	55	13	12, 13
	56	12	1, 11, 12, 14,
			15, 16, 21, 28,
			29, 31, 32
(12) Blackduck River	66	19	5, 6, 7, 8, 17
	66	20	1
	67	19	29, 31, 32
	67	20	2, 3, 4, 10,
			14, 15, 23, 24,
			25, 26, 36
	68	20	26,27,28,33,34
(13) Captain Jacobson Creek	52	12	1, 2, 3
	53	12	33, 34, 35
(14) Carey Creek	53	14	28, 33
(15) Carlson Creek	52	12	19
	52	13	14, 15, 23, 24
(16) Cemetery Creek	51	17	4, 5, 9
(17) Chellberg Creek	51	16	7
	51	17	1, 2, 3, 10, 12
(18) Chester Creek	50	14	7, 8, 9, 14, 15,
			16, 23
(19) Chester Creek, E.Br.	50	14	4, 5, 9, 15, 16

Name	Location		
	Township	Range	Section
(20) Chicken Creek	52	16	5, 7, 8, 18, 19
	52	17	13, 24, 25
	53	16	32
(21) Coolidge Creek	55	14	19, 29, 30
	55	15	25, 26, 35, 36
(22) Dark River	60	19	19, 20, 30
	60	20	10,11,12,13,24
(23) Dutchess Slough Creek	50	17	4, 9, 10, 13,14,
			15, 24
(24) Elm Creek (Carlton)	50	16	35
(25) Fawn Creek	66	20	1, 2, 3, 4, 12
	67	20	15, 22, 23, 26,
(26) French River	51	12	34, 35
			7, 17, 18
			1, 2, 3, 12
			8, 9, 16, 17,
(27) Grassy Creek	61	13	20, 21, 23, 26,
			27,28,29,34,35
			6
(28) Hasty Brook (Carlton)	50	14	1
			28, 29, 32, 33
(29) Hay Creek (Carlton)	50	16	20, 21, 28, 29,
			32, 33
(30) Hellwig Creek	52	17	3, 10, 14, 15,
			23, 26
	53	16	16, 18, 19, 20,
	53	17	13, 14, 23, 24,
(31) Hornby Junction Creek	55	13	25, 26, 34, 35
			5, 6, 7
(32) Humphrey Creek	54	14	28, 32, 33
			23,26,27,33,34
(33) Indian Creek	55	12	3
			14,22,23,27,34
(34) Joe Martin Creek	50	18	3, 4, 5, 7, 8
			12
(35) Johnson Creek	50	17	3, 10, 11, 14
			34
(36) Johnson Creek	55	12	35, 36
(37) Johnson Creek	60	1	6, 7, 8, 17, 20
(38) Keene Creek	49	14	18
			1, 12, 13
			24, 25, 36
(39) Kehtel Creek	51	15	8, 17, 18,19,20
(40) Kingsbury Creek	49	15	4, 9, 10, 11,
			13, 14
			33, 34
(41) Kinmount Creek	67	2	19
			13, 14, 15, 20,
(42) Knife River (Lake)	52	12	21, 22, 23, 24
			24, 25, 36

Name	Location		
	Township	Range	Section
(43) Knife River, W.Br. (Lake)	52	12	1
	53	12	2, 3, 10, 15, 16, 22, 23, 27, 28, 34, 35, 36
(44) Knife River, Little	54	12	35, 36
	52	12	16, 17, 21, 22, 23, 26, 27, 28, 35, 36
(45) Knife River, Lit., W.Br. (Lake)	53	12	13, 14, 23, 24, 25, 26, 36
(46) Lavi Creek	52	15	21, 28
(47) Lester River	50	13	4, 5, 8
	51	13	5, 6, 7, 8, 16, 17, 18, 19, 20, 21, 28, 32, 33
	51	14	1, 2, 10, 11, 12 13, 15, 16, 24
	52	13	31, 32
	52	14	21, 22, 23, 27, 28, 34, 35
(48) Longstorff Creek	62	12	6, 7
	63	12	31
(49) Lost River	65	19	6
	65	20	1, 2, 3, 4, 5, 6, 7, 8, 12
	65	21	1
	66	20	20, 25, 27, 29, 31, 32, 33, 34, 35, 36
(50) Marshall Creek	52	15	10, 15
(51) McCarthy Creek (Lake)	53	12	12, 13
(52) Midway River (Carlton)	49	15	5, 6
	50	15	7, 8, 14, 15, 16, 17, 20, 21, 22, 23, 28, 29, 32, 33
(53) Miller Creek	49	14	4
	50	14	6, 18, 19, 29, 30, 32, 33
	50	15	12, 13
	51	14	31, 32
(54) Mission Creek (Carlton)	48	15	5, 6
	49	15	31
(55) Mud Creek	54	12	20, 21, 22, 29, 0
(56) Nine Mile Creek	66	19	4
	67	19	7, 8, 18, 19, 20, 21, 27, 28, 29, 33
	67	20	12, 13, 14, 23

Name	Location		
	Township	Range	Section
(57) Pine River (White Pine River)	50	16	4, 8, 9, 15, 16, 17, 18, 19, 20, 21, 29, 30, 32
	50	17	23, 24, 26
(58) Railroad Creek	50	17	1, 11, 12, 14
(59) Rocky Run Creek	49	15	6
	50	15	30, 31
	50	16	11,12,13,24,25
(60) Ross Creek	52	13	1, 2, 3, 4, 5
	53	13	33
(61) Ryan Creek	55	14	14, 15, 22
(62) Sand Creek	60	21	3, 4, 5, 10, 11, 14
	61	20	19
	61	21	3, 10, 11, 14, 15, 23, 24, 25, 26,27,33,34,35
	62	21	34
(63) Sargent Creek	48	15	4, 5, 9, 10
	49	15	28, 29, 32
(64) Schmidt Creek	51	12	17
(65) Section 30 Cr. (Lake)	63	12	24, 25
(66) Spider Creek	52	18	19, 20, 21, 22, 27, 28, 29, 30
	52	19	9, 10, 13, 14, 15, 24
(67) Spring Creek	54	12	1, 2
(68) Stanley Creek (Lake)	52	12	4, 5, 8, 9, 10, 11, 12, 13
(69) Stewart Creek	49	15	21, 22, 26, 27
(70) Stewart River (Lake)	55	12	12, 13
(71) Stoney Brook (Itasca)	61	21	7, 18
(72) Sucker River	51	12	3, 4, 10
	52	12	18, 19, 29, 30, 31, 32, 33
	52	13	1, 12,13,24, 25
	53	12	19, 20, 30, 31
	53	13	24, 25, 36
(73) Sucker River, Little	51	12	2, 3
(74) Swan Creek, E.	56	20	3, 4, 5, 10, 11
(75) Swan Creek, Lit.	56	19	17, 19, 20, 30
	56	20	25, 26, 35
(76) Swan River, E.	55	19	18, 19, 30, 31
	55	20	1, 2, 12, 13
	56	20	2, 3, 11, 14,23, 26, 27, 35
	57	20	28, 33, 34
(77) Talmadge Creek	51	12	19
	51	13	9, 10, 13, 14, 15, 24

Name	Location		
	Township	Range	Section
(78) Tischer Creek (Congdon Creek/Hartley)	50	14	2, 3, 4, 10, 11, 13, 14
	51	14	29, 33, 34
(79) Tower Creek	55	14	8, 9, 17, 18, 19
	55	15	24, 25, 26
(80) Two Rivers, East	61	14	7, 8
	61	15	1, 2, 3, 4, 12
	62	14	29, 30, 31, 32
	62	15	32, 33, 34, 35, 36
(81) Two Rivers, West	61	15	6, 7, 8, 9, 14, 15, 16, 17
(82) Ugstad Creek	51	15	21, 22, 26, 27, 28
(83) Unnamed Creek	65	19	4, 5
	66	19	33
(84) Unnamed Creek (S-17-6) (Lake)	53	12	25
(85) Us-kab-wan-ka (Rush)	52	16	2, 11, 14, 23
	53	15	5, 6
	53	16	1, 11, 12, 14, 15, 22, 23, 27, 34, 35
	54	15	23, 24, 26, 27, 32, 33, 34
(86) Wyman Creek	58	14	3, 4
	59	14	11, 13, 14, 23, 24, 26, 27, 34, 35
QQ. Scott County:			
(1) Eagle Creek, Mn.Br.	115	21	7, 18
	115	22	13
(2) Eagle Creek, E.Br.	115	21	18
RR. Sherburne County:			
(1) Briggs Creek	35	29	2, 11, 12, 14, 15, 22
(2) Snake River	33	28	1
	34	28	2, 11, 14, 23, 26, 35, 36
	35	28	20, 28, 29, 33, 34, 35
SS. Stearns County:			
(1) Cold Spring Creek	123	30	14, 15
(2) Fairhaven Creek	121	28	5
	122	28	29, 31, 32
(3) Hanson Br. (Three-Mile)	122	28	21, 22, 25, 26, 27, 36
(4) Kinzer Creek	123	30	27, 34
(5) Luxemburg Creek	123	28	16, 17, 18, 19, 20, 21, 22, 30
(6) Meyers Creek	122	28	4
	123	28	22, 27, 33, 34

Name	Location		
	Township	Range	Section
(7) Robinson Hill Creek	123	28	4, 9, 10, 15
	124	28	31, 32, 33
(8) Smart's Creek	126	28	17, 18, 20
(9) Spring Brook	121	28	7
	121	29	12
(10) Thiel Creek (Teal)	121	28	5, 6, 8
(11) Willow Creek (Meeker)	121	29	10, 11, 14
TT. Swift County:			
Cottonwood Creek	120	41	21, 28, 33
(Chippewa)			
UU. Todd County:			
(1) Duel Creek	129	32	20
(2) Larson Creek	128	32	6
(3) Round Prairie Creek	127	33	4
	128	33	20, 29, 32, 33
(4) Sauk Creek, Little	127	34	1
	128	34	36
VV. Wabasha County:			
(1) Beaver Creek (Winona)	108	11	24
(2) Cold Spring Brook	110	13	30, 31
	110	14	25, 36
(3) Gilbert Creek	111	12	6
	111	13	1, 2, 3, 4, 10,
			11, 12
(4) Gorman Creek	109	11	1
	110	10	29, 30, 31
	110	11	36
(5) Hammond Creek	109	13	28, 29
(6) Indian Creek, East	109	9	19
	109	10	21, 22, 23, 24,
			26, 27, 28, 29,
			31, 32
	109	11	36
(7) Indian Creek, West	109	11	6, 7, 8, 16, 17, 21
(8) Long Creek	109	12	3, 10, 15, 22,
			27, 28
(9) Mazeppa Creek (Goodhue)	109	14	4, 5, 9
	110	14	19, 29, 30, 32
(10) Middle Creek	109	12	2, 3, 11, 13, 14
	109	11	18
(11) Miller Creek	111	12	7, 8, 9, 18
	111	13	13, 24
(12) Second Creek	111	12	15
(13) Snake Creek	109	10	10, 11, 14, 15, 16
(14) Spring Creek	110	12	7, 17, 18, 20,
			21, 27, 28, 29
(15) Trout Brook	110	11	5, 8
(16) Trout Valley Creek	109	9	31
(Winona)			
(17) Unnamed Creek (Helbig)	110	11	28, 33

Name	Location		
	Township	Range	Section
(18) West Albany Creek	110	12	28, 29, 30
	110	13	23, 24, 25, 26
(19) Whitewater R., N.Br. (Winona & Olmsted)	108	11	30,31,32,33,34
WW. Wadena County:			
(1) Cat Creek	137	35	4, 9, 10, 11, 12, 13
(2) Fawn Creek	134	33	22, 27, 33, 34
(3) Hay Creek	134	33	7, 8, 9, 10, 11, 17, 18
(4) Union Creek	134	35	4, 5, 7, 8, 18, 19, 30, 31
	135	35	27, 28, 33, 34
XX. Washington County:			
(1) Brown's Creek	30	20	18, 19, 20, 21
	30	21	12, 13
(2) Old Mill Stream	31	19	6
	31	20	1
	32	20	36
(3) Unnamed Stream (Gilbertson)	32	19	19
(4) Unnamed Stream (Willow Brook)	31	19	19
(5) Unnamed Stream (Falls Creek)	32	19	6, 7
	32	20	1, 12
(6) Valley Creek	28	20	9, 10, 14, 15, 16, 17
YY. Wilkin County:			
Lawndale Creek	135	45	5, 6
	135	46	1, 2
ZZ. Winona County:			
(1) Ahrensfield Creek	105	8	8, 9, 16, 17, 19, 20
(2) Bear Creek	107	9	13,14,15,16,22
(3) Beaver Creek (Wabasha)	108	10	15,16,19,20,21
(4) Borson Spring	105	8	29, 32, 33
(5) Burns Valley Cr., E.Br.	106	7	3, 10, 15
(6) Burns Valley Cr., W.Br.	106	7	3, 4, 9, 16
	107	7	34
(7) Burns Valley Cr., Mn.Br.	106	7	2
	107	7	35
(8) Campbell Creek	105	6	21, 28, 29, 32
(9) Cedar Valley Creek	105	6	6
	106	6	1, 11, 12, 14, 15, 21, 22, 28, 29, 31, 32
(10) Coolridge Creek	105	9	23, 26
(11) Corey Creek	105	6	18, 19
	105	7	24,25,26,27,34

Name	Location		
	Township	Range	Section
(12) Dakota Creek	105	4	7
	105	5	1, 2, 3, 11, 12
(13) Ferguson Creek	105	8	18
	105	9	12, 13
(14) Garvin Brook	106	8	4, 5, 8, 17
	107	8	10, 11, 14, 15, 23, 26, 27, 33, 34, 35
(15) Gilmore Creek	106	7	6
	107	7	20,29,30,31,32
(16) Hemmingway Creek	105	9	26,28,33,34,35
(17) Money Creek	105	7	3, 4, 6, 7, 8, 9, 16, 17
(18) Peterson Creek	106	8	7, 8
(19) Pickwick Creek	106	5	7, 18
	106	6	13, 23, 24, 26, 34, 35
(20) Pickwick Creek, Little	106	5	18,19,29,30,32
	106	6	13
(21) Pine Creek (Fillmore)	105	9	25,26,33,34,35
	105	8	30, 31, 32, 33
(22) Pine Creek (New Hartford Cr.)	105	5	18, 19, 20, 29, 30, 31, 32
	105	6	13, 36
(23) Pine Creek, S.Fk.	105	5	19
	105	6	24
(24) Pleasant Valley Creek	106	6	7, 18, 19
	106	7	1, 12, 13,24,25
(25) Rollingstone Creek	107	8	2, 3, 4, 5, 6, 7, 9, 10, 11
	107	9	12, 13
(26) Rollingstone Cr., Md.Br.	107	8	9, 16
(27) Rose Valley Creek	105	5	22, 27, 34, 35
(28) Rupprecht Creek	107	9	13, 24, 25, 26, 35
(29) Rush Creek (Fillmore)	105	8	6, 7, 18, 19, 20, 29, 32, 33
	105	9	1, 2, 12
	106	9	26, 34, 35, 36
(30) Silver Creek (Houston)	105	6	34, 35
(31) Speltz Creek	107	8	5, 6
	108	8	31
	108	9	36
(32) Stockton Valley Creek	106	8	2, 3, 10, 11, 14, 23
	107	8	34
(33) Straight Creek	107	9	2, 11, 12
(34) Trout Run Creek (Fillmore)	105	10	18,19,30,31,32
(35) Trout Run-Whitewater Pk.	107	10	29

Name	Location		
	Township	Range	Section
(36) Trout Valley Creek (Wabasha)	108	9	5, 8, 17, 20
(37) Unnamed Creek (Whitewater Trib.)	108	10	35, 36
(38) Unnamed Creek	105	7	19, 29, 30
	105	8	24
(39) Unnamed Creek (Miller Valley)	106	5	21, 22, 27, 28
(40) Unnamed Cr. (Deering Val.)	108	8	20, 28, 29
(41) Whitewater R., Mn.Br.	107	10	2, 3, 9, 10
	108	10	1, 2, 10, 11, 14, 15, 22, 23, 26, 27, 35
(42) Whitewater R., Md.Br. (Olmsted)	107	10	9, 10, 16, 17, 19, 20, 30
(43) Whitewater R., N.Br. (Wabasha & Olmsted)	107	10	5, 6, 7, 8, 9
(44) Whitewater R., S.Br.	106	9	6
	106	10	1
	107	9	31
	107	10	3, 10, 11, 13, 14, 24, 25, 36
AAA. Yellow Medicine County:			
Canby Creek	114	45	17, 18
	114	46	13,14,21,22,23

6264.0100 [RENUMBERED 6262.0900]**6264.0200 REPEALED, 2004****6264.0250 DEFINITIONS.**

Subpart 1. Scope. For purposes of parts 6264.0250 to 6264.0280, the following terms have the meanings given them unless otherwise provided.

Subp. 2. Commissioner. "Commissioner" means the commissioner of natural resources.

Subp. 3. Department. "Department" means the Minnesota Department of Natural Resources.

Subp. 4. Experimental waters. "Experimental waters" has the meaning given it in Minnesota Statutes, section 97C.001.

Subp. 5. Special management waters. "Special management waters" has the meaning given it in Minnesota Statutes, section 97C.005.

6264.0260 AUTHORITY; SCOPE; PURPOSE.

Subpart 1. Authority. Parts 6264.0250 to 6264.0280 are adopted under authority of Minnesota Statutes, sections 97C.001 and 97C.005.

Subp. 2. Scope. Parts 6264.0250 to 6264.0280 apply to public initiation and public participation in the evaluation of all experimental and special management waters designations.

Subp. 3. Purpose. The purpose of parts 6264.0250 to 6264.0280 is to ensure adequate opportunity for public involvement in the initiation, designation, and evaluation of experimental or special fishing regulations adopted under Minnesota Statutes, sections 97C.001 and 97C.005.

6264.0270 PUBLIC INITIATION OF EXPERIMENTAL AND SPECIAL MANAGEMENT WATERS DESIGNATION.

Subpart 1. Submission of proposals. A person, organization, or other entity may submit a proposal to the commissioner at any time for designation of specific lakes or streams as experimental or special management waters. Proposals must include the following information:

- A. names of waters proposed for designation and counties where waters are located;
- B. description of proposed experimental or special regulations;
- C. objective of proposed experimental or special regulations;
- D. documentation of public support for the proposal; and
- E. proposed implementation date.

Subp. 2. Proposal evaluation. The commissioner shall evaluate proposals for experimental or special management waters based on the following criteria:

- A. presence of an objective which meets a defined biological or social need supported by reliable information;
- B. compatibility with existing programs of the department;
- C. public acceptance;
- D. compatibility with existing state law;
- E. availability of sufficient funding if needed for evaluation; and
- F. scientific validity and conformance with established biological principles.

Subp. 3. Action on proposal. The commissioner may deny a proposal which does not meet the criteria in subpart 2, or may suggest modifications to the proposal so that it better meets the criteria. The commissioner shall notify originators of proposals of acceptance, denial, or suggested modifications within three months of receiving the proposal. The commissioner shall provide a written explanation for denials and suggestions for modification. The originator of the proposal may decide to accept suggested modifications or to drop the proposal. Acceptance of a proposal by the commissioner is not a guarantee that the proposal will be implemented as experimental or special management waters.

Subp. 4. Proposal approval. Proposals which are accepted by the commissioner are subject to further review by the department; public notice and meeting requirements of Minnesota Statutes, sections 97C.001, subdivision 2, and 97C.005, subdivision 1; and all other applicable state law before final approval and implementation. The commissioner may order that a proposal be dropped or modified at any time during the internal review or public notification process. If a proposal is dropped or modified, the commissioner shall provide the reasons for this action in writing to the originator of the proposal. The originator of the proposal may decide to accept the commissioner's modifications or to drop the proposal.

6264.0280 PUBLIC PARTICIPATION IN EVALUATION OF EXPERIMENTAL AND SPECIAL MANAGEMENT WATERS DESIGNATION.

Subpart 1. Experimental waters. Public meetings held to determine if experimental waters should be terminated, extended, or designated as special

management waters must provide an opportunity for public review, comment, and questions concerning the proposed action. The commissioner shall review public comments before making a final determination on whether experimental waters should be terminated, extended, or designated as special management waters. Final determination regarding changes in experimental waters designation will consider public comments, but will also be based on natural resource needs and department management plans.

Subp. 2. Special management waters. The commissioner may hold meetings to allow public review, comment, and questions concerning existing special management waters. The commissioner shall review public comments before making a determination on changing the status of special management waters. Final determination regarding changes in special management waters designation will consider public comments, but will also be based on natural resource needs and department management plans.

6264.0300 DESIGNATED EXPERIMENTAL WATERS.

Subpart 1. Repealed, 2003

Subp. 2. Repealed, 2004

Subp. 3. Repealed, 2004

Subp. 4. Repealed, 1996/1997

Subp. 5. Repealed, 1996/1997

Subp. 6. Repealed, 1996/1997

Subp. 7. Repealed, 1996/1997

Subp. 8. Repealed, 1996/1997

Subp. 9. Repealed, 1996/1997

Subp. 10. Repealed, 2007

Subp. 11. Repealed, 2007

Subp. 12. Repealed, 2003

Subp. 13. Repealed, 1996/1997

Subp. 14. Repealed, 2003

Subp. 15. Repealed, 2003

Subp. 16. Repealed, 1996/1997

Subp. 17. Repealed, 1996/1997

Subp. 18. Repealed, 1996/1997

Subp. 19. Repealed, 2003

Subp. 20. Repealed, 2003

Subp. 21. Repealed, 1996/1997

Subp. 22. Repealed, 1996/1997

Subp. 23. Repealed, 1998

Subp. 24. Repealed, 1996/1997

Subp. 25. Repealed, 2000

Subp. 26. Repealed, 1996/1997

Subp. 27. Repealed, 1996/1997

Subp. 28. Repealed, 2003

Subp. 29. Repealed, 2003

Subp. 30. Repealed, 2003

Subp. 31. Largemouth bass catch and release regulations. While a person is on or fishing in these waters, angling for largemouth bass shall be limited to catch and release only, whereby any largemouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass shall be legal during the open season for largemouth bass in inland waters. It is unlawful for anyone to have in possession or under

control, regardless of where taken, any largemouth bass while on or fishing in these waters.

Name	Location	County	End Date
Hovde	T.141, R.30, S.22,23,26,27	Cass	3/1/2012

Subp. 32. Rainy Lake experimental regulations. To the extent that this subpart is inconsistent with part 6266.0700, subpart 2, the provisions of this subpart apply. While a person is on or fishing in the waters listed below, all walleye in possession or under control, regardless of where taken, must be less than 17 inches in length or greater than 28 inches in length. All walleye that are 17 to 28 inches in length, inclusive, must be immediately returned to the water. A person's possession and daily limit for walleye is four, and must not include more than one walleye over 28 inches in length. Walleye legally taken from Ontario waters of Rainy Lake that are not within the above length limits may be possessed with documented proof of fishing on Ontario waters of Rainy Lake. Proof of fishing must consist of documentation of a residence or property on Ontario waters of Rainy Lake, or a dated receipt from an Ontario resort on Rainy Lake. A person in possession of walleye that were legally taken in Ontario waters of Rainy Lake, but not within the legal sizes for the waters listed below, may not fish on the waters listed below.

Name	Location	County	End Date
Rainy Lake	T.67,68,69,70, 71, R.18,19,20, 21,22,23,24, S. Various, Minnesota waters of Rainy Lake from the dam in International Falls to the dam in Kettle Falls, Black Bay including Gold Portage, Rat Root Lake, and all of the Rat Root River	Koochiching, St.Louis	3/1/2016

Subp. 33. Annie Battle Lake including inlets and outlets experimental regulations. While on or fishing in the following waters, the daily and possession limit for sunfish is five and for black crappie is five. All black crappie in possession must be 11 inches or greater in length. All black crappie less than 11 inches in length must be immediately returned to the water. Angling for northern pike and largemouth bass is limited to catch and release only, whereby any northern pike or largemouth bass caught must be immediately returned to the water. Catch and release angling for northern pike and largemouth bass is legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any northern pike or largemouth bass while on or fishing in the following waters. A person may not possess a motorized ice auger or electronic fish finding devices while on or fishing in the following waters. Electronic fish finding devices include depth finders, fish finders, and other sonars, global positioning systems, and temperature and pH meters.

Name	Location	County	End Date
A. Annie Battle Lake	T.133, R.39,40, S.13,18,19,24	Otter Tail	3/1/2013

Name	Location	County	End Date
B. Annie Battle inlet stream beginning at the exit point of Molly Stark Lake to the confluence with Annie Battle Lake	T.133, R.40, S.24	Otter Tail	3/1/2013
C. Annie Battle outlet stream beginning at the northwest exit of Annie Battle Lake to Blanche Lake	T.133, R.40, S.12	Otter Tail	3/1/2013

Subp. 34. Repealed, 2003

Subp. 35. Walleye 18-inch to 26-inch slot limit. All walleye in possession while on or fishing in the following waters must be less than 18 inches in length or greater than 26 inches in length. All walleye that are 18 to 26 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one walleye over 26 inches in length.

Name	Location	County	End Date
A. Little McDonald Lake (including Kerbs Lake)	T.136, R.40, S.Various	Otter Tail	3/1/2010
B. Big Pine Lake	T.136, R.38, S.5,8,15,16,21,32,33	Otter Tail	3/1/2013
C. Little Pine Lake	T.136,137, R.38,39, S.Various	Otter Tail	3/1/2013

Subp. 36. Bear Creek Reservoir experimental regulations. All largemouth bass in possession while on or fishing in Bear Creek Reservoir must be 15 inches or greater in length. All largemouth bass less than 15 inches must be returned to the water immediately. From November 1 to April 30, all bluegill in possession while on or fishing in the following waters must be seven inches or greater in length. All bluegill less than seven inches must be immediately returned to the water. The daily and possession limit for bluegill is ten fish.

Name	Location	County	End Date
Bear Creek Reservoir	T.106, R.12, S.17	Olmsted	3/1/2010

Subp. 37. Northern pike maximum size limits. All northern pike in possession while a person is on or fishing in the following waters must be less than 24 inches in length. All northern pike 24 inches or greater must be immediately returned to the water.

Name	Location	County	End Date
A. Andrews Lake	T.127, R.38, S.Various	Douglas	3/1/2008
B. Big Swan Lake	T.128, R.32, S.Various	Todd	3/1/2008
C. Burgen Lake	T.127,128, R.37, S.4,5,33	Douglas	3/1/2008

Name	Location	County	End Date
D. Melissa Lake	T.138, R.41, S.Various	Becker	3/1/2011
E. Rachel Lake	T.127, R.39, S.Various	Douglas	3/1/2008
F. Sallie Lake	T.138, R.41, S.Various	Becker	3/1/2011
G. Little/South Rachel Lake	T.127, R.39, S.22	Douglas	3/1/2008
H. Big Rabbit	T.47, R.28, S.19,30; T.47, R.29, S.24,25	Crow Wing	3/1/2010
I. East Big Rabbit	T.47, R.28, S.19,20,29,30	Crow Wing	3/1/2010

Subp. 40. Repealed, 2004

Subp. 39. Walleye minimum size limits. All walleye in possession while on or fishing in these waters must be 15 inches or greater in length. All walleye less than 15 inches must be immediately returned to the water.

Name	Location	County	End Date
Osakis Lake	T.128,129, R.35,36, S.Various	Douglas, Todd	3/1/2011

Subp. 40. Repealed, 2004

Subp. 41. Farm Island Lake experimental regulations. All walleye in possession while on or fishing in Farm Island Lake must be less than 16 inches or greater than 19 inches in length. All walleye which are 16 to 19 inches in length, inclusive, must be returned to the water immediately.

Name	Location	County	End Date
Farm Island	T.45,46, R.27, S.Various	Aitkin	3/1/2011

Subp. 42. Repealed, 2005**Subp. 43. Repealed, 2005****Subp. 44. Repealed, 2003**

Subp. 45. Largemouth bass maximum size limits. All largemouth bass in possession while a person is on or fishing in these waters must be less than 12 inches in length. All largemouth bass 12 inches and greater must be immediately returned to the water.

Name	Location	County	End Date
Lake Thirteen	T.144, R.31, S.Various	Cass	3/1/2014

Subp. 46. Repealed, 2003

Subp. 47. Sunfish possession limits. While a person is on or angling in the following waters the daily and possession limit for sunfish is ten. It is unlawful for anyone to have in possession, regardless of where taken, any sunfish in excess of the daily and possession limit while fishing in these waters. A person who is in transit, taking the most direct route back to the person's lodging or docking, and not fishing, may possess sunfish in excess of the daily and possession limit if the sunfish were legally taken from connecting waters or the Wisconsin waters of the Mississippi.

Name	Location	County	End Date
A. Mississippi River Pool 5	Lock and Dam 4 to Lock and Dam 5	Wabasha Winona	3/1/2010

Name	Location	County	End Date
Pool 5A	T.110N, R.9W, S.19,20,29,30,31, 32, T.109N, R.9W, S.4,5,8,9,16,17, 18,19,20,21,22,27, 28,29,32,33,34,35, T.108N, R.9W, S.1,2, T.108N, R.8W, S.7,17,18 Lock and Dam 5 at Minneiska to Lock and Dam 5A at Goodview	Winona	3/1/2010
Pool 8	T.108N, R.8W, S.16,17,21,22,23, 25,26,27,28,34, 35,36, T.108N, R.7W, S.30,31, T.107N, R.8W, S.1,2, T.107N, R.7W, S.4,5, 6,7,8,9 Lock and Dam 7 near Dresbach to Lock and Dam 8 at Reno T.105N, R.4W, S.28,33,34, T.104N, R.4W, S.2,3,10,11,12, 13,14,15,22,23, 24,25,26,27,34, 35,36, T.104N, R.3W, S.30,31, T.103N, R.4W, S.1,2,11,12,13, 14,24,25,35,36, T.103N, R.3W, S.6, T.102N, R.4W, S.1,2,11, 12,13,14,24,25, T.102N, R.4W, S.36, T.102N, R.3W, S.31	Winona Houston	3/1/2010
B. Pimushe Lake	T.147,148, R.30,31, S.Various	Beltrami	3/1/2010
C. Star Lake	T.135,136, R.40,41, S.Various	Otter Tail	3/1/2015
D. Battle	T.62, R.23,24, S.25,30	Itasca	3/1/2016

Name	Location	County	End Date
E. Deer	T.62, R.24, S.14, 15,22-28,34	Itasca	3/1/2016
F. Pickerel	T.62, R.24, S.25, 26,35	Itasca	3/1/2016

Subp. 48. Repealed, 2007

Subp. 49. Northern pike maximum size limits - East Battle Lake. All northern pike in possession while on or fishing in East Battle Lake must be less than 22 inches in length. All northern pike 22 inches or greater must be immediately returned to the water.

Name	Location	County	End Date
East Battle Lake	T.132,133, R.38,39, S.Various	Otter Tail	3/1/2008

Subp. 50. Repealed, 2005

Subp. 51. Crappie minimum size limits; Green Lake. Effective March 1, 1997, all crappie in possession while on or fishing in Green Lake must be nine inches or greater in length. All crappie less than nine inches must be immediately returned to the water.

Name	Location	County	End Date
Green Lake	T.33, R.20,21, S.Various	Chisago	3/1/2010

Subp. 52. Repealed, 2005**Subp. 53. Repealed, 2005**

Subp. 54. Little Mantrap Lake experimental regulations. All largemouth bass in possession while on or fishing in these waters must be less than 12 inches or greater than 18 inches in length. All largemouth bass that are 12 to 18 inches in length, inclusive, must be immediately returned to the water.

Name	Location	County	End Date
Little Mantrap Lake	T.142, R.35,36, S.Various	Hubbard, Becker	3/1/2010

Subp. 55. Northern pike maximum size limits - Sturgeon and Ten Mile Lakes. All northern pike in possession while on or fishing in these waters must be less than 20 inches in length. All northern pike 20 inches or greater must be immediately returned to the water.

Name	Location	County	End Date
A. Sturgeon Lake	T.45, R.19, S.Various	Pine	3/1/2008
B. Ten Mile Lake	T.140,141, R.30,31, S.Various	Cass	3/1/2008

Subp. 56. Walleye slot limits on Namakan Reservoir Lakes. While a person is on or angling in the following waters, all walleye in possession or under control must be less than 17 inches in length or greater than 28 inches in length. All walleye that are 17 to 28 inches in length, inclusive, must be immediately returned to the water. A person's possession and daily limit for walleye and sauger is six in the aggregate, of which not more than four may be walleye and not more than one walleye may be over 28 inches in length.

Name	Location	County	End Date
A. Kabetogama Lake (including Sullivan Bay and Ash River to Ash River Falls)	T.68, R.19,20, S.Various T.69, R.19,20,21, 22, S.Various T.70, R.21,22, S.Various	St. Louis, Koochiching	3/1/2012

Name	Location	County	End Date
B. Namakan Lake	T.68, R.17,18,19, S.Various T.69, R.17,18,19, S.Various T.70, R.18,19, S.Various	St. Louis	3/1/2012
C. Sand Point Lake	T.67, R.16, S.Various T.68, R.16, S.Various T.69, R.17, S.Various	St. Louis	3/1/2012
D. Little Vermillion Lake (including Loon River to Loon Falls Portage)	T.66, R.16, S.Various T.67, R.16, S.Various	St. Louis	3/1/2012
E. Crane Lake (including Vermillion Gorge)	T.67, R.16,17, S.Various T.68, R.16,17, S.Various	St. Louis	3/1/2012

Subp. 57. Northern pike minimum size limit. All northern pike in possession while on or fishing in the following waters must be 30 inches or greater in length. All northern pike less than 30 inches in length must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 30 inches.

Name	Location	County	End Date
A. Dudley Lake	T.110, R.21, S.4,5,8,9	Rice	3/1/2008
B. Kelly Lake	T.110, R.21, S.5,8	Rice	3/1/2008
C. Reeds Lake	T.108, R.23, S.4,5	Waseca	3/1/2008
D. St. Olaf Lake	T.105, R.22, S.13	Waseca	3/1/2008

Subp. 58. Mink and Somers Lakes experimental regulations. While on or fishing in the following waters, the following possession limits apply:

- A. sunfish, 5;
- B. crappie, 5;
- C. yellow perch, 10;
- D. largemouth bass, 1; and
- E. walleye, 2.

While on or fishing in the following waters, all largemouth bass in possession must be less than 12 inches in length. All largemouth bass 12 inches or greater must be immediately returned to the water. All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length. Possession or use of minnows as bait is prohibited, except for processed minnows in a dried, frozen, or pickled condition.

Name	Location	County	End Date
A. Mink Lake	T.121, R.27, S.23-25	Wright	3/1/2008
B. Somers Lake	T.121, R.27, S.24-25	Wright	3/1/2008

Subp. 59. Pelican Lake experimental regulations. All largemouth bass and smallmouth bass in possession while on or fishing in Pelican Lake must be less than 14 inches in length or greater than 20 inches in length. All largemouth bass and smallmouth bass that are 14 to 20 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one largemouth bass or smallmouth bass over 20 inches in length. All northern pike in possession while on or fishing in Pelican Lake must be less than 24 inches in length or greater than 32 inches in length. All northern pike that are 24 to 32 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 32 inches in length.

Name	Location	County	End Date
Pelican Lake	T.64,65, R.19, 20,21, S.Various	St. Louis	3/1/2008

Subp. 60. Repealed, 2005

Subp. 61. Repealed, 2005

Subp. 62. Mississippi River experimental regulations. The possession limit for smallmouth bass taken from the following waters is three fish. All smallmouth bass in possession while on or fishing on these waters must be less than 12 inches in length or greater than 20 inches in length. All smallmouth bass that are 12 to 20 inches in length, inclusive, must be returned to the water immediately. Not more than one smallmouth bass in possession may be over 20 inches in length.

Name	Location	County	End Date
Mississippi River	from the St. Cloud dam (T.124N, R.28W, S.13 and T.35N, R.31W, S.1) downstream to the mouth of the Crow River (T.121N, R.23W, S.36 and T.32N, R.26W, S.24) near Dayton	Sherburne, Wright, Stearns	3/1/2009

Subp. 63. Walleye slot limits on Winnibigoshish and connected waters. All walleye in possession while on or fishing in the following waters must be less than 17 inches in length or greater than 26 inches in length. All walleye that are 17 to 26 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one walleye over 26 inches.

Name	Location	County	End Date
A. Cut Foot Sioux Lake	T.146,147, R.27, S.Various	Itasca	5/2010
B. Dixon Lake	T.148, R.28,29, S.Various	Itasca	5/2010
C. Egg Lake	T.146, R.26, S.3,10	Itasca	5/2010

Name	Location	County	End Date
D. First River Lake	T.146, R.26, S.5,6,7,8,9	Itasca	5/2010
E. Little Cut Foot Lake	T.146,147, R.26, 27, S.Various	Itasca	5/2010
F. Mississippi River (from the Knutson dam to the confluence with Winnibigoshish)	T.145,146, R.29, 30, S.Various	Itasca, Cass, Beltrami	5/2010
G. Pidgeon River (from the Pidgeon Dam Lake's dam to the confluence with Winnibigoshish)	T.147, R.27, S.30		
H. Rabbits Lake	T.146, R.29, S.1,2, 11,12	Itasca	5/2010
I. Ravens Flowage	T.146, R.28,29, S.18,19,13,24	Itasca	5/2010
J. Ravens Lake	T.146, R.29, S.10,11	Itasca	5/2010
K. Sugar	T.146, R.29, S. Various	Itasca	5/2010
L. Third River Flowage	T.147, R.28,29, S.Various	Itasca	5/2010
M. Winnibigoshish	T.145,146,147, R.27,28,29, S.Various	Cass, Itasca	5/2010

Subp. 64. Sunfish possession limits. While a person is on or angling in the following waters, the daily and possession limit for sunfish is five.

Name	Location	County	End Date
A. Bass Lake	T.55, 56N, R.26W, S. Various	Itasca	11/30/2010
B. Grave Lake	T.58N, R.26W, S.8,16,17,18,19,20	Itasca	11/30/2010
C. Carnelian Lake	T.122, R.29, S.13,24	Stearns	3/1/2017
D. Pleasant Lake	T.123, R.29, S.1,2	Stearns	3/1/2017

Subp. 65. Largemouth bass and smallmouth bass minimum size limit.

While on or fishing in the following waters, all largemouth bass and smallmouth bass in possession must be 21 inches or greater in length. All largemouth bass and smallmouth bass that are less than 21 inches in length must be immediately returned to the water. Possession limit may not include more than one largemouth bass or smallmouth bass 21 inches or greater in length.

Name	Location	County	End Date
A. North Ten Mile Lake	T.131, R.42W, S.16, 17,20,21	Otter Tail	3/1/2013

Name	Location	County	End Date
B. South Ten Mile Lake	T.131, R.42W, S.27, 28,29,32,33,34	Otter Tail	3/1/2013

Subp. 66. Largemouth bass and smallmouth bass catch and release. While on or fishing in the following waters, angling for largemouth bass and smallmouth bass is limited to catch and release only. Any largemouth bass or smallmouth bass must be immediately returned to the water. Catch and release angling is legal only during the open season for largemouth bass and smallmouth bass in inland waters.

Name	Location	County	End Date
A. Blackwater Lake	T.140, R.29, S.25,26,34,35	Cass	3/1/2010
B. Mule Lake	T.140, R.28,29, S.various	Cass	3/1/2010

Subp. 67. Largemouth bass maximum size limit and one over. Except as provided in this subpart, while a person is on or angling in the following waters, all largemouth bass in possession while on or fishing in the following waters must be less than 12 inches in length. Except as provided in this subpart, all largemouth bass 12 inches or greater must be immediately returned to the water. The possession limit may include one largemouth bass over 20 inches in length.

Name	Location	County	End Date
A. Long Lake	T.121,122, R.33, S.5,6,31,32	Kandiyohi	3/1/2012
B. Stony	T.140N., R.30W., S.4,5,8,9	Cass	3/1/2014

Subp. 68. Muskellunge catch and release. While on or fishing in the following waters, angling for muskellunge is limited to catch and release only. Any muskellunge caught must be immediately returned to the water. Catch and release angling for muskellunge is legal during the open season for muskellunge in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any muskellunge while on or fishing in these water.

Name	Location	County	End Date
Elk Lake	T.143N, R.36W, S.15,22,23	Clearwater	3/1/2014

Subp. 69. Walleye 20-inch to 28-inch slot limit. All walleye in possession while on or fishing in the following waters must be less than 20 inches in length or greater than 28 inches in length. All walleye that are 20 to 28 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one walleye over 28 inches in length.

Name	Location	County	End Date
Big Sand Lake	T.141, R.34, S.Various	Hubbard	3/1/2012

Subp. 70. Walleye 18-inch to 26-inch slot limit and possession limit. All walleye taken from the following waters and in possession must be less than 18 inches in length or greater than 26 inches in length. All walleye that are 18 to 26 inches in length, inclusive, must be immediately returned to the water. A person's daily and possession limit for walleye taken from the following waters is four fish, of which not more than one walleye shall be over 26 inches in length.

Name	Location	County	End Date
Kabekona	T.142,143, R.32,33, S.Various	Hubbard	3/1/2016

Subp. 71. Long and Crooked Lakes experimental regulations. While a person is on or fishing in the following waters, all largemouth bass in possession must be less than 12 inches in length or greater than 20 inches in length. All largemouth bass that are 12 to 20 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one largemouth bass over 20 inches in length. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

Name	Location	County	End Date
A. Crooked	T.122, R.27, S.5	Stearns	3/1/2016
B. Long	T.122, R.27, S.5,8	Stearns	3/1/2016

Subp. 72. Big Birch Lake; northern pike limits. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length.

Name	Location	County	End Date
Big Birch	T.127, R.33, S.19,20,25,26	Todd, Stearns	3/1/2015

Subp. 73. Northern pike restricted size and possession limits. While a person is on or fishing in the following waters, all northern pike in possession must be less than 22 inches in length or greater than 36 inches in length. All northern pike that are 22 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit is nine and may not include more than one northern pike over 36 inches in length.

Name	Location	County	End Date
A. Bowstring Lake	T.146,147, R.25,26, S.Various	Itasca	3/1/2017
B. Bowstring River, from Bowstring Lake downstream to the County Road 145 bridge	T.147,148,149, R.26, 27, S.Various	Itasca	3/1/2017
C. Sand Lake	T.147,148, R.26, S.3,4,17-21,28-33	Itasca	3/1/2017
D. Portage Lake	T.147, R.26, S.3,10	Itasca	3/1/2017
E. Birds Eye Lake	T.148, R.26, S.28	Itasca	3/1/2017
F. Little Sand Lake	T.148, R.26,27, S.6,7,12,18	Itasca	3/1/2017
G. Rice Lake	T.148,149, R.27, S.1,2,12,35,36	Itasca	3/1/2017
H. Unnamed Lake	T.149, R.27, S.36	Itasca	3/1/2017

Name	Location	County	End Date
I. Round Lake	T.148, R.27,28, S.13,14,18-20, 23-26,29,30	Itasca	3/1/2017
J. Alice Lake	T.148, R.27, S.31	Itasca	3/1/2017
K. Popple River	T.148, R.27, S.19,20, from the outlet of Round Lake downstream to the State Highway 46 bridge	Itasca	3/1/2017

Subp. 74. Sugar Lake northern pike and crappie restrictions. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length. While a person is on or fishing in the following waters, the possession limit for crappie is five.

Name	Location	County	End Date
Sugar Lake	T.121,122, R.27, S.1,2,10,11,35,36	Wright	3/1/2017

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

Subpart 1. Repealed, 2003

Subp. 2. Catch and release fishing on trout streams. While on or fishing in the following waters, angling for trout shall be limited to catch and release only, whereby any trout caught must be immediately returned to the water. Catch and release angling for trout shall be legal during the open season for trout in inland streams. Legal methods for taking trout are limited to artificial lures and flies.

Name	Location	County
A. Kedron Creek	T.104, R.13, S.36 from the confluence with Bear Creek upstream approximately 1.1 miles to the permanent source - entire stream	Fillmore
B. Root River, South Fork	T.102, R.8, S.17,18,19 and R.9, S.24,25,26, from the County Road 12 crossing in T.102, R.8, S.17, upstream approximately 7.7 miles to the permanent source (large springs) in T.102, R.9, S.26	Fillmore
C. Whitewater River, Middle Branch	T.107, R.10, S.19,20,30 and R.11, S.24,25,26,35 and T.106, R.11, S.2,3,10, from the posted boundary at the point where a state park trail crosses the stream in the SE 1/4 NE 1/4 S.19, T.107, R.10, upstream	

Name	Location	County
	approximately 9.2 miles to the source in the SW 1/4 NE 1/4, S.10, T.106, R.11	Olmstead and Winona

Subp. 3. Winter trout stream season. These waters are open to angling during a winter trout season from January 1 through March 31. Except as provided in subparts 36 and 37, the following restrictions apply to the winter season. While on or fishing in these waters, angling for trout is limited to catch and release only, whereby any trout caught must be immediately returned to the water. It is unlawful for anyone to have in possession, regardless of where taken, any trout while on or fishing in these waters. All legal methods of taking trout are allowed, except that barbed hooks are prohibited. A hook from which the barb has been removed by crimping or filing is allowed.

Name	Location	County
A. Middle Branch Whitewater River	T.107, R.10, S.9,16,17,19, 20,29,30 and R.11, S.24,25, 26,35, from the mouth in the NE 1/4 SE 1/4, S.9 upstream approximately 11.2 miles to the Olmsted County Road 9 bridge crossing in the SW 1/4 SW 1/4, S.35	Winona, Olmsted
B. South Branch Whitewater River	T.107, R.10, S.3,10,11, 14,24, from the confluence with the Whitewater River in the SW 1/4 SE 1/4, S.3 upstream approximately 3.8 miles to the state land boundary in the NW 1/4, S.24, 1.0 mile upstream of the closed Winona County Road 112 bridge crossing	Winona
C. Beaver Creek	T.108, R.10, S.15,16,19,20, 21, and T.108, R.11, S.24, from the mouth in the NW 1/4 SE 1/4, S.15 upstream approximately 6.3 miles to the source in the NE 1/4 NW 1/4, S.24 of T.108, R.11	Winona, Wabasha
D. Hay Creek	T.112, R.14, S.19 and R.15, S.12,13,23,24,26,27, from the posted boundary point where Hay Creek crosses the state forest land boundary in the NW 1/4 NE 1/4, S.12 upstream 7.6 miles to the posted boundary at the	

Name	Location	County
E. Main Branch Whitewater River	325th Street Bridge in the SW 1/4 SE 1/4, S.27 T.108, R.10, S.1,2,10,11,14, 15,22,23,26,27,35, and T.170, R.10, S.2,3,9,10, from the Wabasha-Winona county line, upstream approximately 11.9 miles to the confluence of the North and Middle Branches of the Whitewater River in the NE 1/4 SE 1/4, S.9	Goodhue
F. North Branch Whitewater River	T.107, R.10, S.5,6,7,8,9, and R.11, S.1,2,3 from the mouth in the NE 1/4 SE 1/4, S.9 upstream approximately 7.7 miles to the confluence of Logan Creek in the NW 1/4 SE 1/4, S.3	Winona
G. South Branch Root River	T.103, R.9, S.7,18; T.103, R.10, S.13; and T.102, R.12, S.13,23,24 from the confluence of the North and South branches of the Root River 3 miles to the dam and from the historic bridge (Meighen's Store) in Forestville State Park upstream 3.8 miles to park boundary	Winona
H. North Branch Creek	T.102, R.12, S.13,14,15, from the confluence with South Branch of the Root River upstream 2.59 miles to the source (T.102, R.12, SW 1/4 NE 1/4, S.15)	Fillmore
I. Canfield Creek	T.102, R.12, S.24,25 entire stream 1.6 miles	Fillmore
J. East Beaver Creek	T.103, R.6, S.5,6,8, 17 entire stream 2.4 miles	Fillmore
K. Camp Creek	T.102, R.10, S.5,8,17 from the confluence with the South Branch of the Root River 3.5 miles upstream to a point that is posted above the first trail bridge in S.17	Houston
L. Duschee Creek	T.103, R.10, S.23,24,25, 26,36 from the confluence with the South Branch of the Root River 5.5 miles upstream	Fillmore
		Fillmore

Name	Location	County
M. Beaver Creek, West	T.102, R.6, S.5,6,7, from the junction with East Beaver Creek (T.102, R.6, SW 1/4 SW 1/4, S.5) upstream 1.9 miles to the posted boundary (T.102, R.6, SW 1/4 SW 1/4, S.7)	Houston
N. Bee Creek	T.101, R.6, S.29,32,33, from the posted boundary on the Minnesota state line (T.101, R.6, SW 1/4 SW 1/4, S.33) upstream 1.6 miles to the posted boundary at a driveway crossing (T.101, R.6, SW 1/4 SE 1/4, S.29)	Houston
O. Coolridge Creek	T.105, R.9, S.26, from the junction with Pine Creek (T.105, R.9, NW 1/4 SE 1/4, S.26) upstream 0.13 miles to the posted boundary (T.105, R.9, SE 1/4 NW 1/4, S.26)	Winona
P. Crooked Creek	T.102, R.5, S.16,21,22,23,25, 26,36, from the posted boundary upstream of the township road crossing (T.102, R.5, SE 1/4 SE 1/4, S.25) upstream 6.4 miles to the source (T.102, R.5, NW 1/4 NW 1/4, S.21)	Houston
Q. Crooked Creek, South Fork	T.102, R.5, S.26, from the confluence with Crooked Creek (T.102, R.5, NW 1/4 SE 1/4, S.26) upstream 1.43 miles (T.102, R.5, SW 1/4 SW 1/4, S.26)	Houston
R. Daley Creek	T.103, R.7, S.4,5,8, and T.104, R.7, S.33, from the posted boundary at State Highway 16 upstream 2.5 miles to the township bridge crossing in the SE 1/4 SW 1/4 of S.5, T.103, R.7	Houston
S. Diamond Creek, including South Fork Diamond Creek	T.103, R.8, S.18,19 and R.9, S.11,13,14,24, from the third stream crossing (T.103, R.9, S.11) upstream from State Highway 16 bridge upstream 5.25 miles to the source of Diamond Creek (T.103, R.8, S.19) and to the source of South Fork	

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Name	Location	County
Root River	the confluence with Nepstad Creek upstream 7.6 miles to the posted boundary near the upper springs (T.102, R.9, SW 1/4 NE 1/4, S.26)	Fillmore
BB. Swedes Bottom Creek	T.103, R.6, S.10, from the township bridge (T.103, R.6, SW 1/4 NW 1/4, S.10) upstream 1.0 mile to the source (T.103, R.6, SW 1/4 SE 1/4, S.10)	Houston
CC. Torkelson Creek	T.104, R.10, S.25,36, from the confluence with North Branch Root River (T.104, R.8, NE 1/4 NW 1/4, S.36) upstream 2.1 miles to the source (T.104, R.10, NW 1/4 NE 1/4, S.25)	Fillmore
DD. Trout Run Creek	T.107, R.9, S.29, from the confluence with the Middle Branch of the Whitewater River upstream 1.0 mile to the end of state park property (SE 1/4 SW 1/4, S.29)	Winona
EE. Trout Valley Creek	T.108, R.9, S.8,17, from the middle Winona County Road 31 bridge crossing in SE 1/4 SW 1/4, S.8 upstream 1.25 miles to the next Winona County Road 31 bridge crossing in SE 1/4 SW 1/4, S.17	Winona
FF. Wisel Creek	T.102, R.8, S.19,20,29,30,32, from County Road 18 bridge downstream 4.0 miles to the junction with the South Fork of the Root River (T.102, R.8, NE 1/4 NE 1/4, S.19)	Fillmore

Subp. 4. Mille Lacs Lake special management regulations.

A. Except as provided in item B, all walleye in possession while on or fishing in Mille Lacs Lake must be from 14 inches to 20 inches in length, inclusive. All walleye that are less than 14 inches or greater than 20 inches in length must be immediately returned to the water.

B. Notwithstanding item A, a person's possession limit may include one walleye over 26 inches in length.

C. All northern pike in possession while on or fishing in Mille Lacs Lake must be less than 26 inches or greater than 36 inches in length. All northern pike that are from 26 to 36 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

D. The possession limit for smallmouth bass is one. All smallmouth bass in possession while on or fishing in Mille Lacs Lake must be 21 inches or greater in length. All smallmouth bass less than 21 inches in length must be immediately returned to the water.

E. Mille Lacs Lake is closed to the taking of fish between the hours of 10 p.m. and 6 a.m. daily during the period commencing at 10 p.m. on the Monday following the Saturday two weeks prior to the Saturday of Memorial Day weekend and ending at 12:01 a.m. on Monday, four weeks after the date of commencement. During the closure, no person shall be on the waters of Mille Lacs Lake while having in possession any equipment whereby fish may be taken. Spearing is prohibited from December 1 through April 30. A person may not have a spear in possession while on or fishing in Mille Lacs Lake during this period.

F. The commissioner may modify seasons and limits under Minnesota Statutes, section 84.027, subdivision 13, or sections 97A.0451 to 97A.0459, to accommodate tribal declarations for fish harvest in the 1837 Ceded Territory in compliance with the court ruling in Mille Lacs Band of Chippewa v. Minnesota, 119 S.Ct. 1187 (1999). Changes shall be posted at water access sites and the Department of Natural Resources Web site.

G. While a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water.

Name	Location	County
Mille Lacs	T.42-45, R.25-28, S. Various	Aitkin, Mille Lacs
Borden Creek	T.44, R.25, S.5	Aitkin
Seastade Creek	T.45, R.26, S.22	Aitkin
Marmon (Twenty) Creek	T.45, R.25, S.32	Aitkin
Grave Creek	T.45, R.25, S.8	Aitkin
Peterson Creek	T.43, R.25, S.5	Mille Lacs
Thains River (Malone Creek)	T.42, R.25, S.2	Mille Lacs
West Sucker Creek	T.42, R.25, S.18	Mille Lacs
South Sucker Creek	T.42, R.25, S.18	Mille Lacs
Garrison (Borden) Creek	T.44, R.28, S.12	Crow Wing
Seguchie Creek	T.44, R.28, S.36	Crow Wing
Reddy Creek	T.45, R.26, S.23	Aitkin
Whitefish Creek	T.43, R.27, S.7	Mille Lacs
Seventeen Creek	T.44, R.25, S.17,18,29	Aitkin
Cedar Creek	T.43, R.25, S.15	Mille Lacs
McCleans Creek	T.45, R.27, S.34	Aitkin
Unnamed	T.43, R.25, S.8	Mille Lacs
Unnamed	T.42, R.26, S.11	Mille Lacs
Unnamed	T.42, R.26, S.22	Mille Lacs
Unnamed	T.43, R.27, S.8	Mille Lacs
Unnamed	T.43, R.27, S.6	Mille Lacs
Unnamed	T.43, R.27, S.21	Mille Lacs
Unnamed	T.44, R.27, S.31	Crow Wing
Unnamed	T.44, R.28, S.36	Crow Wing
Unnamed	T.44, R.27, S.4	Aitkin
Unnamed	T.45, R.27, S.25	Aitkin
Unnamed	T.44, R.25, S.29	Aitkin
Unnamed	T.44, R.25, S.31,32	Aitkin

Name	Location	County
Unnamed	T.44, R.28, S.24	Crow Wing
Unnamed	T.44, R.28, S.13	Crow Wing
Rum River Outlet	T.43, R.27, S.33	Mille Lacs

Subp. 5. Repealed, 2005

Subp. 6. Zumbro River special regulations. While on or fishing in these waters, angling for smallmouth bass is limited to catch and release only, whereby any smallmouth bass caught must be immediately returned to the water. Catch and release angling for smallmouth bass is legal during the open season for that species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any smallmouth bass while on or fishing in these waters.

Name	Location	County
Zumbro River	T.109, R.13W, S.6; T.110, R.13W, S.31; T.110, R.14W, S.36; T.109, R.14W., S.1,2, 10,11,15,22,27, from the U.S. Highway 63 bridge at Zumbro Falls upstream approximately 12 miles to Zumbro Lake dam including the plunge pool	Wabasha

Subp. 7. Foster Arend Lake special regulations. The season for trout in Foster Arend Lake is open continuously. Effective March 17, 1997, the possession limit for trout taken from Foster Arend Lake is three and a person's possession limit may not include more than one trout over 16 inches.

Name	Location	County
Foster Arend Lake	T.107, R.14, S.14,23	Olmsted

Subp. 8. Spearing restrictions. A person may not take fish by spearing and may not possess a spear while on or fishing in the following lake.

Name	Location	County
A. Baby	T.140,141, R.29, S.4,5,8,9,17	Cass
B. Beers Lake	T.135, R.42, S.various	Otter Tail
C. Big Mantrap	T.141,142, R.33,34, S.various	Hubbard
D. Cross	T.39, R.21, S.various, and Snake River flowage in T.39, R.21, S.28,29, 31,32,33	Pine
E. Deer	T.56,57, R.26,27, S.1,3-6,31-34	Itasca
F. French	T.110, R.21,22, S.7,8,12,17,18	Rice
G. Lobster	T.128, R.38,39, S.various	Douglas
H. Sugar	T.121,122, R.27, S.1-3,10,11,35,36	Wright
I. West Battle	T.132, R.40, S.1-3,26, 29-32,34-36 T.133, R.39,40	Otter Tail

Subp. 9. Square Lake special regulations. While on or fishing in Square Lake, angling for trout is limited to catch and release only during the following periods:

A. for 28 consecutive days each year starting with the opening day of the season in May; and

B. from October 1 through October 31.

All trout must be immediately returned to the water during these periods. At other times during the open seasons for stream trout in lakes, the possession limit for trout is two.

Name	Location	County
Square Lake	T.31, R.20, S.23,26	Washington

Subp. 10. Repealed, 2004

Subp. 11. Repealed, 2000

Subp. 12. Minnesota River, Minnehaha Creek, and Mississippi River Pool Two. While on or fishing in the following waters, angling for walleye, sauger, smallmouth bass, and largemouth bass shall be limited to catch and release only, whereby any walleye, sauger, smallmouth bass, or largemouth bass must be returned immediately to the water. Catch and release angling for walleye, sauger, smallmouth bass, and largemouth bass shall be legal continuously, year round. It shall be unlawful for anyone to have in possession or under control, regardless of where taken, any walleye, sauger, smallmouth bass, or largemouth bass, while being on or fishing in these waters.

Name	Location	County
A. Minnesota River	T.28, R.23, S.Various downstream from Mendota Bridge	Dakota, Hennepin, Ramsey
B. Minnehaha Creek	T.28, R.23, S.17,18 downstream from Minnehaha Falls	Hennepin
C. Mississippi River Pool Two	T.26,27,28,115, R.17, 18,21,22,23, S.Various between the Hastings and Ford Dams, including all backwater and connecting waters except:	Dakota, Hennepin, Ramsey, Washington
(1) Crosby Lake	T.28, R.23, S.14,15, 22,23	Ramsey
(2) Pickerel Lake	T.28, R.23, S.12,13,14	Dakota, Ramsey
(3) Upper Lake	T.28, R.23, S.22	Ramsey
(4) Little Pig's Eye Lake	T.28, R.22, S.23	Ramsey
(5) Unnamed (North Star 23 Steel) Lake	T.28, R.22, S.14	Ramsey

Subp. 13. Largemouth bass and smallmouth bass catch and release regulations. While a person is on or fishing in these waters, angling for largemouth bass and smallmouth bass is limited to catch and release only, whereby any largemouth bass or smallmouth bass caught must be immediately returned to the water. Catch and release angling for largemouth

bass or smallmouth bass is legal during the open season for largemouth bass and smallmouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass or smallmouth bass while on or fishing in these waters.

Name	Location	County
A. Clear Lake	T.107, R.22, S.4,5,8,9,16,17	Waseca
B. Portage Lake	T.141, R.31, S.23-26	Cass
C. Big Bass	T.147, R.32,33, S.19,20,24,30	Beltrami
D. Deer	T.148, R.34, S.5,8	Beltrami
E. Jane	T.29, R.21, S.9,10	Washington
F. Minnewashta	T.116, R.23, S.4,5,8,9	Carver
G. South Twin	T.147,148, R.31, S.2,3,34,35	Beltrami
H. Turtle Lake	T.30, R.23, S.11,14	Ramsey

Subp. 14. Largemouth bass catch and release regulations. While on or fishing in the following waters, angling for largemouth bass is limited to catch and release only. Any largemouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass is legal only during the open season for largemouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass while on or fishing in the following waters.

Name	Location	County
A. Crooked Lake	T.31,32, R.24, S.4,33	Anoka
B. DeMontreville Lake	T.29, R.21, S.4, S.9	Washington
C. Olson Lake	T.29, R.21, S.8,9	Washington
D. Moccasin Lake	T.141, R.29, S.28,32,33	Cass

Subp. 15. Conservation lake. While on or fishing in the following waters, the daily and possession limit for walleye is three, for northern pike is one, for crappie is five, for sunfish is five, and for yellow perch is ten. Angling for largemouth bass is limited to catch and release only. Any largemouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass is legal only during the open season for largemouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass while on or fishing in the following waters.

Name	Location	County
Norway Lake	T.133N, R.41,42W, S.19,20,24,25,29,30	Otter Tail

Subp. 16. Waters closed to fishing. The following waters are closed to the taking of fish.

Name	Location	County
Moody Lake	T.135N, R.28W, S.29,32	Crow Wing

Subp. 17. Restricted harvest lake. While on or fishing in the following waters, the daily and possession limit for walleye is two, for crappie is five, and for northern pike is one. All northern pike in possession while on or

fishing in these waters must be 40 inches or greater in length. All northern pike less than 40 inches in length must be immediately returned to the water.

Name	Location	County
Cedar Lake	T.127N, R.31W, S.7, 18; T.127N, R.32W, S.13	Morrison, Todd

Subp. 18. Walleye 18- to 24-inch protected slot limit. All walleye in possession while on or fishing in the following waters must be less than 18 inches in length or greater than 24 inches in length. All walleye that are 18 to 24 inches in length, inclusive, must be immediately returned to the water.

Name	Location	County
Knife	T.40,41, R.23,24, S.Various	Kanabec

Subp. 19. Northern pike 24-inch to 36-inch protected slot limit. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length.

Name	Location	County
A. Ada	T.139, R.29, S.Various	Cass
B. Alexander	T.131,132, R.30, 31, S.Various	Morrison
C. Ash	T.66, R.20, S.7-9,17,18	St. Louis
D. Basswood	T.64,65, R.10,11, S.Various	Lake
E. Beltrami	T.148, R.32,33, S.25,26,30,31,35,36	Beltrami
F. Big Carnelian	T.31, R.20, S.26, 34,35	Washington
G. Big Mantrap	T.141,142, R.33,34, S.Various	Hubbard
H. Big Turtle	T.148, R.33, S. Various	Beltrami
I. Birch Lake Reservoir	T.61, R.11, 12, S. Various	St. Louis
J. Blueberry	T.138, R.35, S.2,3,10,11	Wadena
K. Campbell	T.148, R.33,34, S.13,14,19,23,24	Beltrami
L. Caribou	T.51, R.15,16, S.13,14,18,19,24	St. Louis
M. Center, North	T.34, R.20, S.15, 21,22,27,28,34	Chisago
N. Center, South	T.33,34, R.20, S.2,3,4,9,10,34,35	Chisago
O. Child	T.140, R.29, S.9,10,15,16	Cass
P. Cotton	T.139,140, R.40, S.1,2,3,11,12,34,35,36	Becker
Q. Deer	T.148, R.34, S.5,8	Beltrami

Name	Location	County
R. Farm	T.62,63, R.11, S.3,4,26-29,32-35	Lake
S. Fish Trap	T.132, R.31, S.28-33	Morrison
T. Fox	T.148, R.33, S.22,23,26,27	Beltrami
U. Floyd, Big	T.139, R.41, S.3,4,9,10,15,16	Becker
V. Floyd, Little	T.139, R.41, S.2,3,10,11	Becker
W. Garden	T.63, R.11, S.20-22,27-30	Lake
X. George	T.143, R.34, S.15,16,21,22,27	Hubbard
Y. Girl	T.140,141, R.28, S.3,4,32,33,34	Cass
Z. Island	T.150, R.28, S.3-5,8-10,15,16,19-21	Itasca
AA. Knife	T.40,41, R.23,24, S. Various	Kanabec
BB. Latoka	T.128, R.38, S.14,22,23,27, 28,33,34	Douglas
CC. Little Boy	T.140, R.28, S. Various	Cass
DD. Little Cascade	T.62, R.2,3, S.12,14	Cook
EE. Little Turtle	T.148, R.33, S.8,16,17,20,21	Beltrami
FF. Little Woman	T.140, R.29, S.15	Cass
GG. Long	T.46, R.25, S.3,4,9,10	Aitkin
HH. Long	T.128, R.30,32, S.16,17,20,21,28	Todd
II. Minnie Belle	T.118, R.31, S.11,14	Meeker
JJ. Mission, Lower	T.135,136, R.27, S.4,5,8,9,33	Crow Wing
KK. Mission, Upper	T.135,136, R.27, S.3,4,27,28,33,34	Crow Wing
LL. Movil	T.147,148, R.33, S.3,4,27,33,34,35	Beltrami
MM. North Branch Kawishiwi River	T.63, R.10, 11, S.25, 26,28, 29,30	Lake
NN. Shamineau	T.123, R.31, S.8-10,15-18	Morrison
OO. South Farm	T.62,63, R.11, S.1,2,3,35,36	Lake

Name	Location	County
PP. Turtle River Lake	T.147,148, R.32, S.Various	Beltrami
QQ. Three Island	T.148, R.32,33, S.18,19,23-26	Beltrami
RR. West Battle	T.133, R.39,40, S.Various	Otter Tail
SS. White Iron	T.62,63, R.11,12, S.Various	St. Louis
TT. Big Fish	T.124, R.30, S.20,21,28,29	Stearns
UU. Balsam	T.58,59, R.24, S.4-9	Itasca
VV. Haskell	T.58, R.24, S.7, 8,17,18,31,32	Itasca
WW. Scrapper	T.58, R.24,25, S.7, 12,18	Itasca
XX. Medicine	T.149, R.32, S.Various	Beltrami
YY. North Twin	T.148, R.31, S.Various	Beltrami
ZZ. Coon-Sandwich	T.60,61, R.25, S.Various	Itasca

Subp. 20. Northern pike 30-inch minimum size limit. All northern pike in possession while on or fishing in the following waters must be 30 inches or greater in length. All northern pike that are less than 30 inches in length must be immediately returned to the water. Possession and daily limit is one.

Name	Location	County
A. Loon	T.65, R.3, S.25,28,32,36	Cook
B. Otter Tail	T.133,134, R.39,40, S.Various	Otter Tail
C. Prairie	T.50, R.20, S.Various	St. Louis
D. Round	T.134,135, R.28,29, S.1,2,31,35,36	Crow Wing

Subp. 21. Northern pike 40-inch minimum size limit. While a person is on or fishing in the following waters, all northern pike in possession must be 40 inches or greater in length. All northern pike that are less than 40 inches in length must be immediately returned to the water. Possession and daily limit is one.

Name	Location	County
A. Crow Wing, 5th	T.140, R.33, S.19,20, 29,30	Hubbard
B. Crow Wing, 6th	T.140, R.33, S.20,21, 22	Hubbard
C. Crow Wing, 8th	T.140, R.32,33, S.1,6,7, 12	Hubbard
D. Crow Wing, 9th	T.140,141, R.32, S.6,31, 32	Hubbard
E. Crow Wing, 10th	T.141, R.32, S.28, 29,32	Hubbard
F. Elephant	T.66, R.19, S.13,14, 15,22,23,24	St. Louis
G. Mitchell	T.138, R.27, S.11-14	Crow Wing
H. Elk	T.143, R.36, S.15,22,23	Clearwater

Subp. 22. Largemouth bass and northern pike catch and release and spearing ban regulations. While on or fishing in the following waters, angling for largemouth bass and northern pike is limited to catch and release only, whereby any largemouth bass and northern pike must be immediately returned to the water. Catch and release angling for largemouth bass and northern pike is legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass or northern pike while on or fishing in these waters. Spearing is prohibited from December 1 to the last Sunday in February.

Name	Location	County
Stieger	T.116, R.24, S.11,12,13,14	Carver

Subp. 23. Walleye 16-inch minimum size. All walleye in possession while on or fishing in the following waters must be 16 inches or greater in length. Walleye less than 16 inches must be returned to the water immediately.

Name	Location	County
Waconia	T.116, R.24,25, S. Var.	Carver

Subp. 24. Largemouth bass, northern pike, and walleye regulations. While on or fishing in the following waters, the daily and possession limit for largemouth bass is one, for northern pike is one, and for walleye is two. All northern pike in possession while on or fishing in these waters must be 40 inches or greater in length. All northern pike less than 40 inches in length must be immediately returned to the water.

Name	Location	County
Bass Lake	T.128, R.32, S.9	Todd

Subp. 25. Largemouth bass and northern pike regulations. While on or fishing in the following waters, angling for largemouth bass is limited to catch and release only, whereby any largemouth bass must be immediately returned to the water. All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length.

Name	Location	County
Ann	T.116, R.23, S.10,11	Carver

Subp. 26. Muskellunge size restrictions and spearing allowed. All muskellunge in possession while on or fishing in the following waters must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water. Spearing is allowed in these waters.

Name	Location	County
A. Little Wolf	T.145, R.31,32, S.1,6,7	Cass, Hubbard
B. Plantaganette	T.145,146, R.33,34, S.various	Hubbard

Subp. 27. Muskellunge size and spearing restrictions. The following waters are closed to the taking of fish by spearing from December 1 to the last Sunday in February. A person may not have a spear in possession or under control while on or fishing in these waters during this period. All muskellunge in possession while on or fishing in these waters must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water.

Name	Location	County
A. Bald Eagle	T.30,31, R.21,22, S.various	Anoka, Ramsey, Washington
B. Eagle	T.118,119, R.22, S.various	Hennepin
C. Owasso	T.29,30, R.23, S.various	Ramsey
D. Rebecca	T.118,119, R.24, S.various	Hennepin

Subp. 28. Seasonal spearing restrictions. The following waters are closed to the taking of fish by spearing from December 1 to the last Sunday in February. A person may not have a spear in possession or under control while on or fishing in these waters during this period.

Name	Location	County
A. Minnetonka	T.116,117, R.22-24, S.various	Hennepin, Carver
B. Libbs	T.117, R.22, S.17	Hennepin
C. Peavy	T.117, R.23, S.1	Hennepin
D. Forest	T.117, R.23, S.7	Hennepin
E. Tanager	T.117, R.23, S.10,11	Hennepin

Subp. 29. Walleye, crappie, bluegill possession regulations. While on or fishing in the following waters, the following daily and possession limits apply: walleye, four fish; crappie, ten fish; and sunfish, ten fish. The possession limit may not include more than one walleye 20 inches or greater in length. Notwithstanding part 6266.0400, subpart 2, items A, D, and E, possession limits apply to both the inland portions and border portions of the following named Minnesota and South Dakota border waters.

Name	Location	County
A. Big Stone	T.121-124, R.46-49, S.various	Big Stone
B. Traverse	T.125-127, R.47-50, S.various	Traverse
C. Hendricks	T.112, R.46,47, S.13,15, 18,19,21,22	Lincoln
D. Mud Lake	T.127,128, R.47,48, S.14	Traverse
E. Bois de Sioux River to the North Dakota border	T.127,128, R.47, S.3,10,15,22, 27,34	Traverse
F. Mustinka River from its mouth to the MN State Highway 117 bridge	T.127, R.47, S.31	Traverse

Subp. 30. Walleye minimum size. While a person is on or angling in the following waters, all walleye in possession must be 17 inches or greater in length. All walleye less than 17 inches must be immediately returned to the water.

Name	Location	County
Green Lake	T.33, R.20,21, S.Various	Chisago

Subp. 31. Smallmouth bass maximum size limit and one over. Except as provided in this subpart, all smallmouth bass in possession while on or fishing in the following waters must be less than 12 inches in length. Except as provided in this subpart, all smallmouth bass 12 inches or greater must be

immediately returned to the water. The possession limit may include one smallmouth bass 20 inches or greater in length.

Name	Location	County
A. Flour	T.64, R.1W, S.1,2,11,12 T.64, R.1E, S.5,6	Cook
B. Hungry Jack	T.64,65, R.1W, S.2-4,35	Cook
C. Two Island	T.62, R.1W, S.3-5,8,9	Cook

Subp. 32. Lake sturgeon restrictions. Notwithstanding Minnesota Rules, part 6266.0700, subpart 2, item B, the following seasons and possession limits apply to all Minnesota-Canadian border waters and associated tributary streams. A person may possess only one lake sturgeon per license year. Lake sturgeon may be harvested from April 24 to May 7 or July 1 to September 30. A person must date and sign the angling license upon reducing a lake sturgeon to possession. All lake sturgeon in possession while on or fishing in the above listed waters must be 45 inches to 50 inches in length, inclusive, or greater than 75 inches in length. All lake sturgeon that are less than 45 inches in length or that are more than 50 inches but not more than 75 inches in length, must be immediately returned to the water. From May 8 to May 15 and October 1 to April 23, angling for lake sturgeon is limited to catch and release only. During catch and release seasons all sturgeon must be immediately released back into the water.

Subp. 33. Lake of the Woods; walleye and sauger.

A. Notwithstanding part 6266.0700, subpart 2, item A, the seasons and possession limits for walleye and sauger specified in this subpart apply to the specified portions of Lake of the Woods.

B. From the Saturday two weeks prior to the Saturday of Memorial Day weekend to November 30, the daily and possession limits for Lake of the Woods are as follows: six in the aggregate, of which not more than four may be walleye and not more than one walleye over 28.0 inches. All walleye and sauger in possession must be less than 19.5 inches in length or greater than 28.0 inches in length. All walleye and sauger that are 19.5 to 28.0 inches in length, inclusive, must be immediately returned to the water.

C. Except as provided in item D, from December 1 to April 14, the daily and possession limits for Lake of the Woods are as follows: eight in the aggregate, of which not more than four may be walleye and not more than one walleye over 28.0 inches. All walleye and sauger in possession must be less than 19.5 inches in length or greater than 28.0 inches in length. All walleye and sauger that are 19.5 to 28.0 inches in length, inclusive, must be immediately returned to the water.

D. From March 1 to April 14, the daily and possession limits for Four Mile Bay of Lake of the Woods are as follows: two in the aggregate. All walleye and sauger in possession must be less than 19.5 inches in length. All walleye and sauger that are 19.5 inches in length or greater must be immediately returned to the water.

Name	Location	County
Lake of the Woods, including Four Mile Bay	T.162-168, R.32-37, S.Various	Lake of the Woods, Roseau

Subp. 34. Rainy River; walleye and sauger.

A. Notwithstanding part 6266.0700, subpart 2, item A, the seasons and possession limits for walleye and sauger specified in this subpart apply to the specified portions of the Rainy River.

B. From the Saturday two weeks prior to the Saturday of Memorial Day weekend to the last day in February, the daily and possession limits are as follows: six in the aggregate, of which not more than four may be walleye and not more than one walleye over 28.0 inches. All walleye and sauger in possession must be less than 19.5 inches in length or greater than 28.0 inches in length. All walleye and sauger that are 19.5 to 28.0 inches in length, inclusive, must be immediately returned to the water.

C. From March 1 to April 14, the daily and possession limits are as follows: two in the aggregate. All walleye and sauger in possession must be less than 19.5 inches in length. All walleye and sauger that are 19.5 inches in length or greater must be immediately returned to the water.

Name	Location	County
Rainy River	T.162, R.31, S.19 from the U.S. Coast Guard lighthouse at Wheeler's Point upstream to the Boise Cascade Dam in T.71, R.24, S.27	Lake of the Woods, Koochiching

Subp. 35. Catch and release trout fishing. While a person is on or fishing in the following waters, angling for trout is limited to catch and release only, whereby any trout caught must be immediately returned to the water. Catch and release angling for trout is legal during the open season for trout in inland streams. All legal methods of taking trout are allowed.

Name	Location	County
A. Belle Creek	T.113, R.16, S.34,35 and T.112, R.16, S.3,4,9,16, from the confluence with the Cannon River in S.35, T.113, R.16, upstream approximately 7.3 miles to the posted boundary where the stream crosses State Highway 19 in S.16, T.112, R.16	Goodhue
B. Root River, Middle Branch	T.104, R.11, S.17,18,19,20 and R.12, S.23,24,26,27, 33,34,35 and T.103, R.12, S.4,8,9, from the confluence with the Root River, North Branch upstream approximately 12.5 miles to the confluence of Spring Valley Creek and Deer Creek in S.9, T.103, R.12	Fillmore
C. Zumbro River, North Fork	T.110, R.15, S.33,34,35,36 and R.14, S.31 and T.109, R.14, S.6,7,8,9,10 and R.15, S.1,2 from the confluence with the Zumbro River in S.10, T.109, R.14, upstream approximately 11.9 miles to the posted boundary where the stream crosses Goodhue County Hwy 10	Goodhue and Wabasha

Name	Location	County
D. Vermillion River	T.113,114, R.18-20, S.Various The entire designated trout stream reach beginning 1.1 miles downstream of Highway 52 upstream to the Highview Avenue bridge, except for a two-mile reach in Farmington from State Highway 3 in S.29, 30, R.19, T.114, upstream to County Highway 31 in S.31, R.19, T.114 and S.36, R.19,20, T.114	Dakota
E. Unnamed tributary DOW M-49-10 (locally known as North Creek)	T.114, R.19, S.19,30	Dakota
F. Unnamed tributary DOW M-49-10-001 (locally known as Middle Creek)	T.114, R.19, S.30	Dakota
G. Unnamed tributary DOW M-29-12 (locally known as South Creek)	T.114, R.20, S.33,34, 35,36	Dakota
H. South Branch of Vermillion River	T.114, R.18, S.20,29,30, 31; T.114, R.19, S.36; and T.113, R.19, S.1,2,11	Dakota

Subp. 36. Protected slot limits on trout streams; no bait restriction.

Notwithstanding subpart 3, items G, H, and J, the following limits and angling methods apply. While on or fishing in the following waters, all trout in possession must be less than 12 inches in length or greater than 16 inches in length. All trout that are 12 to 16 inches in length, inclusive, must be returned to the water immediately. A person's possession limit may not include more than one trout over 16 inches in length. All legal methods of taking trout are allowed.

Name	Location	County
A. Beaver Creek East	T.102, R.6, S.5,6,8,17 from the confluence with Beaver Creek in S.5, T.102, R.6, upstream approximately 2.3 miles to the source in S.17, T.102, R.6	Houston
B. Forestville Creek (North Branch Creek)	T.102, R.12, S.13,14,15 from the confluence with South Branch Root River in S.13, T.102, R.12, upstream approximately 2.6 miles to the source in S.15, T.102, R.12	Fillmore
C. Mahoods Creek	T.103, R.12, S.20 from the confluence with Spring Valley Creek upstream approximately 0.2 miles to the source	Fillmore
D. Root River, South Branch	T.102, R.11, S.7,18 and R.12, S.13,23,24 from the posted boundary located in the NE 1/4 NE 1/4 S.7, T.102 R.11, upstream approximately 4.8 miles to the posted boundary in the NE 1/4 NE 1/4 S.23, T.102, R.12	Fillmore
E. Spring Valley Creek	T.103, R.12, S.8,17,18,19,20 from the confluence with Deer Creek in S.9, T.103, R.12, upstream approximately 6.8 miles to the posted boundary at the intersection of Fillmore Township Road 359	Fillmore
F. West Indian Creek	T.109, R.11, S.16,17,21 from Wabasha County Road 4 crossing in S.16, T.109, R.11, Highland Township, upstream approximately 3.3 miles to the source	Wabasha
G. Wisel Creek	T.102, R.8, S.19,20,29,30, 31,32 and T.101, R.8, S.5,6 from the confluence with South Fork Root River in S.19, T.102, R.8, upstream approximately 8.6 miles to permanent source in S.6, T.101, R.8	Fillmore

Subp. 37. Protected slot limits on trout streams; artificial lures and flies. Notwithstanding subpart 3, items D, F, I, U, and V, the following limits and angling methods apply. While on or fishing in the following waters, all trout in possession must be less than 12 inches in length or greater than 16 inches in length. All trout that are 12 to 16 inches in length, inclusive, must be returned to the water immediately. A person's possession limit may not

include more than one trout over 16 inches in length. Legal methods for taking trout are limited to artificial lures and flies.

Name	Location	County
A. Canfield Creek (South Branch Creek)	T.102, R.12, S.24,25 from the confluence with South Branch Root River in S.24, T.102, R.12, upstream approximately 1.6 miles to the permanent source	Fillmore
B. Garvin Brook	T.107, R.8, S.33,34 and T.106, R.8, S.4,5,8 from the posted boundary at the intersection of Highway 14 upstream approximately 5.0 miles to the posted boundary at the confluence with Peterson Creek in S.8, T.106, R.8	Winona
C. Gribben Creek	T.103, R.9, S.9,16,21,27,28 from the confluence with the Root River in S.9, T.103, R.9 upstream 3.9 miles to the permanent source	Fillmore
D. Hay Creek	T.112, R.15, S.23,24,26,27 from the posted boundary at the point where Hay Creek crosses the SW 1/4 SE 1/4 section line in S.24, T.112, R.15, upstream approximately 4.0 miles to the posted boundary in the SW 1/4 SE 1/4 S.27, T.112, R.15	Goodhue
E. Logan Creek	T.107, R.11, S.3 from the confluence with the North Branch Whitewater River in S.3, T.107, R.11, upstream approximately 0.9 miles to the permanent source	Olmstead
F. Trout Run Creek	T.104, R.10, S.4,5,8,9,16,17, 20,21 and T.105, R.10, S.18,19, 30,31,32 from the confluence with the North Branch Root River upstream approximately 13.3 miles to the source - entire stream	Fillmore
G. Whitewater River, North Branch	T.108, R.11, S.31,32,33,34 and T.107, R.11, S.1,2,3 and R.10, S.6,7 from the posted boundary at the second low-water crossing in S.6, T.107, R.10, upstream from Elba where state land begins going	

Name	Location	County
	upstream approximately 12.1 miles to Wabasha County Road 4 crossing	Wabasha, Olmsted, Winona

Subp. 38. Minimum size limits on brook trout streams. While on or fishing the following waters, all brook trout in possession must be 12 inches or greater in length. All brook trout less than 12 inches in length must be returned to the water immediately. A person's possession limit may not include more than one brook trout over 12 inches in length. Legal methods for taking trout are limited to artificial lures and flies.

Name	Location	County
Trout Valley Creek	T.109, R.9, S.31 and T.108, R.9, S.5,8,17,20 from the confluence with the White-water River S.31, T.109, R.9, upstream approximately 7.2 miles to the permanent source	Wabasha and Winona

Subp. 39. Camp Creek; open water season. While on or fishing the following waters, angling for trout is limited to catch and release only, whereby any trout caught must be immediately returned to the water. Catch and release angling for trout is legal during the open season for trout in inland streams. Legal methods for taking trout are limited to artificial lures and flies. Notwithstanding this subpart, on the third Saturday in May only, when angling for trout on the posted area portion of the creek in S.8 of T.102, R.10, general statewide regulations apply, including all legal methods for taking trout.

Name	Location	County
Camp Creek	T.102, R.10, S.5,8,16,17 from the posted boundary in the SW 1/4 NE 1/4 S.5, T.102, R.10, upstream approximately 2.7 miles to a point that is posted at the second Harmony-Preston Valley State Trail bridge in S.17	Fillmore

Subp. 40. Walleye 17-inch to 26-inch protected slot. While a person is on or angling in the following waters, all walleye in possession must be less than 17 inches in length or greater than 26 inches in length. All walleye that are 17 to 26 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may include not more than one walleye over 26 inches.

Name	Location	County
A. Battle	T.62, R.23,24, S.25,30	Itasca
B. Deer	T.62, R.24, S.14,15,22-28,34	Itasca
C. Island	T.150, R.28, S.3-5, 8-10,15-17,20,21	Itasca
D. Pickerel	T.62, R.24, S.25,26,35	Itasca

Name	Location	County
E. Round	T.148, R.27,28, S.13,14, 18-20,23-26,29,30	Itasca
F. Splithand	T.53, R.25, S.14,15, 22,23,26,27,35	Itasca
G. Swan	T.55,56, R.22,23, S.Various	Itasca
H. Trout	T.55,56, R.24, S.5,6, 8,9,16,17,21,22,31,32	Itasca
I. Garden Reservoir	T.63, R.11, S.20-22,27-30	Lake
J. Farm	T.62,63, R.11, S.3,4,26-29, 32-35	Lake
K. North Branch Kawishiwi River	T.63, R.10,11, S.25,26, 28,29,30	Lake
L. South Farm	T.62,63, R.11, S.1,2,3, 35,36	Lake
M. White Iron	T.62,63, R.11,12, S.Various	St. Louis
N. Poppie River	T.148, R.27, S.19,20, from the outlet of Round Lake downstream to the State Highway 46 bridge	Itasca

Subp. 41. Largemouth and smallmouth bass 12-inch maximum size limit. While a person is on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 12 inches in length. All largemouth and smallmouth bass 12 inches and greater in length must be immediately returned to the water.

Name	Location	County
A. Lake Hubert	T.135, R.28,29, S.18,19,24,25,30	Crow Wing
B. Moose Lake	T.128, R.32, S.15,22	Todd
C. Chisago Lake	T.33, R.20, S.5-8,17	Chisago
D. South Lindstrom	T.33,34, R.20, S.4,5, 32,33	Chisago

Subp. 42. Largemouth and smallmouth bass 12-inch maximum size limit and one over 20 inches. While a person is on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 12 inches in length. All largemouth and smallmouth bass 12 inches and greater in length must be immediately returned to the water, except possession and daily limit may include not more than one bass over 20 inches.

Name	Location	County
A. Jewett	T.134, R.43, S.Various	Otter Tail
B. Pickerel	T.134, R.41, S.Various	Otter Tail
C. Sewell	T.131, R.41, S.Various	Otter Tail
D. Agnes	T.128, R.37, S.18	Douglas
E. Balm	T.150, R.35, S.22,23,26-28	Beltrami
F. Henry	T.128, R.37, S.7,18	Douglas
G. Pierz (Fish)	T.40, R.31, S.13,14	Morrison
H. Turtle	T.59,60, R.26,27, S.Various	Itasca

Subp. 43. Crappie and sunfish possession limit. While a person is on or angling in the following waters, the daily and possession limits that apply are: crappie, five fish and sunfish, five fish.

Name	Location	County
A. Gilbert	T.134, R.28, S.26-28,34	Crow Wing
B. Goodrich	T.137, R.26,27, S.7,12,13,18	Crow Wing
C. Rogers	T.137, R.25,26, S.19,24	Crow Wing
D. Sylvan	T.133, R.29, S.6	Cass
E. Dyers	T.58, R.5, S.4,5,8,9	Cook

Subp. 44. Crappie ten-inch minimum size. While on or angling in the following waters, all crappie in possession must be ten inches or greater in length. All crappie less than ten inches must be immediately returned to the water.

Name	Location	County
A. Stuart	T.132,133, R.39, S.Various	Otter Tail
B. Spider	T.141, R.33, S.22,27,28,33,34	Hubbard

Subp. 45. Crappie minimum size limits and reduced bag. While a person is on or angling in the following waters, all crappie in possession must be ten inches or greater in length. All crappie less than ten inches in length must be immediately returned to the water. Possession and daily limit for crappie is five fish.

Name	Location	County
A. Big Mantrap	T.141,142, R.33,34, S.Various	Hubbard
B. Franklin	T.137, R.42, S.27,28,33,34	Otter Tail
C. Maple Lake	T.127,128, R.38, S.Various	Douglas

Subp. 46. Walleye protected slot and crappie minimum size. While on or angling in the following waters, all walleye in possession must be less than 17 inches in length or greater than 26 inches in length. All walleye that are 17 to 26 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one walleye over 26 inches in length. All crappie in possession while on or fishing in these waters must be 11 inches or greater in length. All crappie less than 11 inches must be immediately returned to the water.

Name	Location	County
A. North Lida Lake	T.135,136, R.42, S.32,33	Otter Tail
B. South Lida Lake	T.136, R.42, S.32,33	Otter Tail
C. Venstrom Lake	T.135, R.42, S.5,8	Otter Tail
D. Mud Lake	T.136, R.42, S.17	Otter Tail

Subp. 47. Northeast trophy trout waters. Angling for trout is legal during the open season for trout in inland lakes. While on or angling in the following waters, angling for trout is limited to catch and release only, whereby any trout must be immediately returned to the water. Only artificial lures and flies with a single hook are allowed for taking fish. No bait may be used or possessed while fishing on the following waters. The following waters are closed to winter fishing.

Name	Location	County
A. Kraut Lake	T.64, R.1, S.14	Cook
B. Peanut Lake	T.64, R.1, S.24	Cook
C. North Shady Lake	T.64, R.2, S.21,22	Cook

Name	Location	County
D. Squash Lake	T.64, R.1,2, S.19,24	Cook
E. Tomato Lake	T.64, R.2, S.16	Cook
F. Thompson Lake	T.62, R.1, S.19,20,29,30	Cook
G. Thrush Lake	T.63, R.1, S.31	Cook
H. Turnip Lake	T.64, R.1, S.24	Cook

Subp. 48. Walleye restricted possession limits. While on or angling in the following waters, the daily and possession limit for walleye is four fish. Possession and daily limit may not include more than one walleye over 20 inches.

Name	Location	County
Lac qui Parle Lake	T.118-120, R.41,42,43, S.Various upstream to Marsh Lake Dam, including the Watson Sag (Chippewa River diversion) upstream to the diversion dam	Lac qui Parle, Chippewa

Subp. 49. Black Bass Lake. While on or angling in the following waters, the daily and possession limit for sunfish is five and angling for northern pike and largemouth bass is limited to catch and release only, whereby any northern pike or largemouth bass caught must be immediately returned to the water. A person may not possess a motorized ice auger or electronic fish-finding devices while on or fishing in the following waters. Electronic fish-finding devices include depth finders; fish finders; underwater videos or cameras; sonars; global positioning systems; and temperature, oxygen, and pH meters.

Name	Location	County
Black Bass Lake	T.42, R.27, S.11-14	Mille Lacs

Subp. 50. Horseshoe Lake. While on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 12 inches in length. All largemouth and smallmouth bass 12 inches and greater in length must be immediately returned to the water. All northern pike in possession must be 30 inches or greater in length. All northern pike that are less than 30 inches in length must be immediately returned to the water. Possession and daily limit for northern pike is one. The following additional daily and possession limits also apply: crappie, five fish; walleye, three fish; and sunfish, five fish.

Name	Location	County
Horseshoe Lake	T.139, R.30, S.15,16,21,22	Cass

Subp. 51. Leech Lake walleye and muskellunge size restrictions. While on or fishing in the following waters, all walleye in possession must be less than 18 inches in length or greater than 26 inches in length. All walleye that are 18 to 26 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit for walleye is four fish. Possession and daily limit may not include more than one walleye over 26 inches in length. While a person is on or angling in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water.

Name	Location	County
Leech Lake	T.141-144, R.28-32, S.Various	Cass and Hubbard

Subp. 52. Cottonwood special regulations. While a person is on or angling in the following waters, the following daily and possession limits apply: walleye, three fish and sunfish, five fish.

Name	Location	County
Cottonwood	T.126,127, R.43, S.1,2,35,36	Grant

Subp. 53. Sunfish restricted possession limits. While a person is on or angling in the following waters, the daily and possession limit for sunfish is five fish.

Name	Location	County
A. Blackduck	T.149, R.31, S.3-5,9-11, 14-17	Beltrami
B. Gull	T.148,149, R.32, S.1-4,11, 26,27,34,35	Beltrami
C. Sand	T.59, R.10,11, S.13,18, 23-26	Lake

Subp. 54. Vermilion Lake muskellunge, walleye, and northern pike size restrictions. While a person is on or fishing in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water. While a person is on or angling in the following waters, all walleye in possession must be less than 17 inches or greater than 26 inches in length. All walleye that are 17 to 26 inches in length, inclusive, must be immediately returned to the water. A person's walleye possession and daily limit taken from, while on, or angling in the following waters, including those taken from other waters, is four, and must not include more than one walleye over 26 inches in length. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length.

Name	Location	County
Lake Vermilion	T.61-63, R.14-18, S.Various	St. Louis

Subp. 55. Lake of the Woods and Rainy River; northern pike. While a person is on or fishing in the following waters, all northern pike in possession must be less than 30 inches or greater than 40 inches in length. All northern pike that are 30 to 40 inches in length, inclusive, must be immediately returned to the water. A person's possession and daily limit for northern pike is three, and must not include more than one northern pike over 40 inches in length.

Name	Location	County
A. Lake of the Woods	T.162-168, R.32-37, S.Various	Lake of the Woods
B. Rainy River	T.162, R.31, S.19 from the U.S. Coast Guard lighthouse at Wheeler's Point upstream to the Boise Cascade Dam in T.71, R.24, S.27	Lake of the Woods, Koochiching

Name	Location	County
C. Winter Road River	T.161, R.31, S.20 upstream to the headwaters	Lake of the Woods
D. Baudette River	T.161, R.31, S.35 upstream to the headwaters	Lake of the Woods
E. Warroad River	T.163, R.36, S.28 upstream to the headwaters	Roseau

Subp. 56. Brook trout catch and release waters. While a person is on or angling in the following waters, angling for brook trout is legal during the open season for trout in inland waters. Angling for brook trout is limited to catch and release only, whereby any brook trout must be immediately returned to the water.

Name	Location	County
Stoney Brook	T.135, R.29, S.5,8,9 from the mouth at Gull Lake in S.8,9, R.29, T.135 upstream to the County Road 29 crossing in S.5, R.29, T.135	Cass

Subp. 57. Red Wing Pottery Pond special regulations. The season for trout in Red Wing Pottery Pond is open continuously. While a person is on or angling in the following waters, a person's daily and possession limit for trout is three and must not include more than one trout over 16 inches.

Name	Location	County
Red Wing Pottery Pond	T.113, R.15, S.25	Goodhue

Subp. 58. Bass and crappie size restrictions. While a person is on or angling in the following waters, all largemouth and smallmouth bass in possession must be less than 12 inches or greater than 20 inches in length. All largemouth and smallmouth bass that are 12 to 20 inches in length, inclusive, must be immediately returned to the water. A person's possession and daily limit may include not more than one bass over 20 inches in length. While a person is on or angling in the following waters, all crappie in possession must be ten inches or greater in length. All crappie less than ten inches must be immediately returned to the water.

Name	Location	County
A. North Turtle	T.133, R.41, S.25,26,34,35	Otter Tail
B. Ozawindib	T.143, R.36, S.5,6,7,8	Clearwater

Subp. 59. Upper Red Lake and listed tributaries.

A. While a person is on or fishing in the waters listed under item C:

(1) the daily and possession limit for northern pike shall not include more than one northern pike over 40 inches in length;

(2) all northern pike in possession must be less than 26 inches or greater than 40 inches in length; and

(3) all northern pike that are from 26 to 40 inches in length, inclusive, must be immediately returned to the water.

B. While a person is on or fishing in the waters listed under item C:

(1) the daily and possession limit for walleye is two fish, of which not more than one walleye shall be over 26 inches in length;

(2) all walleye in possession must be less than 17 inches or greater than 26 inches in length;

(3) all walleye that are 17 inches to 26 inches in length, inclusive, must be immediately returned to the water; and

(4) a person's statewide bag limit shall not include more than two walleye taken from Upper Red Lake and the tributaries listed under item C.

C. This subpart applies to the following waters:

Name	Location	County
Upper Red Lake (outside Red Lake Indian Reservation)	T.153, R.31,32, S. Various; T.154, R.30-32, S. Various; T.155, R.30-32, S. Various	Beltrami
Shotley Brook (from Hwy. 72 west to Upper Red Lake)	T.153, R.31, S.10, 11,13,14,24; T.153, R.30, S.19-22	Beltrami
Tamarack River (from the Beltrami County line west to Upper Red Lake)	T.154, R.30, S.8-10, 11-13, 15-17	Beltrami

Subp. 60. Sissabagamah Lake northern pike size restrictions. While a person is on or fishing in the following waters, all northern pike in possession must be less than 20 inches in length or greater than 30 inches in length. All northern pike that are 20 to 30 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 30 inches.

Name	Location	County
Sissabagamah	T.46,47, R.26, S.Various	Aitkin

Subp. 61. Sunfish and crappie possession limits and catch and release fishing for northern pike and largemouth bass. While a person is on or fishing in the following waters, the daily and possession limit for sunfish is ten and for crappie is five and fishing for northern pike and largemouth bass is limited to catch and release only, whereby any northern pike or largemouth bass caught must be immediately returned to the water. Catch and release fishing for northern pike and largemouth bass is legal during the open season for these species in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any northern pike or largemouth bass while on or fishing in the following waters.

Name	Location	County
A. Fladmark	T.135, R.42, S.13,14,24	Otter Tail
B. Twenty One	T.135, R.42, S.16,21	Otter Tail

Subp. 62. Sunfish ten-fish possession limit. While a person is on or angling in the following waters, the daily and possession limit for sunfish is ten.

Name	Location	County
A. Ox Yoke	T.139, R.30, S.10,15	Cass
B. Sanburn	T.139, R.30, S.22,26,27	Cass

Subp. 63. Itasca Lake crappie and sunfish possession limits. While a person is on or angling in the following waters, the daily and possession limit for sunfish is ten and for crappie is five.

Name	Location	County
Itasca	T.143,144, R.36, S.2,11, 12,15,35	Clearwater

Subp. 64. Mary Lake sunfish and crappie possession limits and catch and release angling for largemouth bass. While a person is on or angling in the following waters, the daily and possession limit for sunfish is five and for crappie is five and angling for largemouth bass is limited to catch and release only, whereby any largemouth bass caught must be immediately returned to the water. Catch and release angling for largemouth bass is legal during the open season for largemouth bass in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any largemouth bass while on or angling in the following waters.

Name	Location	County
Mary	T.143, R.35,36, S.19,24	Hubbard

Subp. 65. Mule Lake walleye possession limit. While a person is on or angling in the following waters, the daily and possession limit for walleye is three.

Name	Location	County
Mule	T.140, R.28,29, S.19,20, 25,29,30,31,36	Cass

Subp. 66. Walleye 17-inch minimum size limit and crappie five-fish possession limit. While a person is on or angling in the following waters, all walleye in possession must be 17 inches or greater in length. Walleye less than 17 inches must be immediately returned to the water. While a person is on or angling in the following waters, the daily and possession limit for crappie is five.

Name	Location	County
A. Goose Lake	T.36,37, R.22, S.3,4, 9,10,15,34	Chisago
B. Mandall	T.36, R.22, S.15,16,21,22	Chisago
C. Rabour	T.36, R.22, S.21,22	Chisago

Subp. 67. Muskellunge 48-inch size limit. While a person is on or angling in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water.

Name	Location	County
A. Andrusia	T.146, R.31, S.7,8,29,30	Beltrami
B. Big Wolf	T.145,146, R.32, S.1,2, 25,26,35,36	Beltrami
C. Pike Bay	T.145, R.30,31, S.13,18, 19,22,30,34,36	Cass

Name	Location	County
D. Kitchi	T.146,147, R.30, S.4-7, 31-33	Beltrami
E. Buck	T.146, R.31, S.12-14, 23,24	Beltrami
F. Big Rice	T.147, R.30,31, S.19,24, 25,30	Beltrami
G. Pug Hole	T.140, R.26, S.2,3,10	Beltrami
H. Little Rice	T.147, R.30, S.30,31	Beltrami
I. Bemidji	T.146,147, R.33, S.2-4,9, 21-23,27,35	Beltrami
J. Stump	T.146,147, R.32, S.3-6, 32,33	Beltrami
K. Irving	T.146, R.33, S.8,16,17,21	Beltrami
L. Carr	T.146, R.33, S.20,29	Beltrami
M. Marquette	T.146, R.33, S.20,29-32	Beltrami
N. Schoolcraft River, from Lake Plantaganette downstream to Carr Lake	T.146, R.33, S.20,29,31	Beltrami
O. Turtle River, from Big Rice Lake downstream to Cass Lake	T.146,147, R.30, S.6,8, 30,31	Beltrami
P. Mississippi River, from Carr Lake downstream to Pokegama Dam	T.55,143-146, R.25-27, 29,30-33, S.Various	Beltrami, Cass, Itasca
Q. Big Lake Creek, from Big Lake downstream to Lake Andrusia	T.146, R.31, S.5,6,8	Beltrami
R. Big Boy	T.142, R.27,28, S.Various	Cass
S. Swift	T.142, R.27, S.15,22,27	Cass
T. Rice	T.140, R.28, S.1,2,11,12	Cass
U. Benedict	T.142, R.32, S.1-3,11,12	Hubbard
V. Child	T.140, R.29, S.15,16	Cass
W. Little Woman	T.140, R.29, S.15	Cass
X. Girl	T.141, R.28, S.33,34	Cass
Y. Louise	T.140, R.28, S.21,22	Cass
Z. Boy River, from Big Boy Lake downstream to Leech Lake	T.142,143, R.27,28, S.5, 8,9,16,25-27,36	Cass

Name	Location	County
AA. Boy River, from Child Lake downstream to Girl Lake	T.140,141, R.28,29, S.5, 15,28,33	Cass
BB. Unnamed stream, from Benedict Lake downstream to Leech Lake	T.142, R.32, S.1	Hubbard
CC. Boy River, from Inguadona Lake downstream to Big Boy Lake	T.140-142, R.27,28, S.1, 2,6,7,11,12,22,34,35 T.140,141, R.27, S.5-8, 29,32	Cass
DD. Inguadona	T.140, R.28, S.10,11, 13-15,22,23	Cass
EE. Little Boy	T.140,141, R.28, S.Various	Cass
FF. Woman	T.145-147, R.27-29, S.Various	Cass, Itasca
GG. Winnibigoshish	T.55, R.25,26, S.13,18-21	Itasca
HH. Blandin Reservoir	T.147, R.28,29, S.Various	Itasca
II. Third River Flowage	T.148, R.28,29, S.Various	Itasca
JJ. Dixon Lake	T.146, R.26, S.3,10	Itasca
KK. Egg Lake	T.146, R.26, S.5,6,7,8,9	Itasca
LL. First River Lake		Itasca
MM. Pidgeon River (from the Pidgeon Dam Lake's dam to the confluence with Lake Winnibigoshish)	T.147, R.27, S.30	Itasca
NN. Rabbits Lake	T.146, R.29, S.1,2,11,12	Itasca
OO. Ravens Flowage	T.146, R.28,29, S.18,19,23,24	Itasca
PP. Ravens Lake	T.146, R.29, S.10,11	Itasca
QQ. Sugar	T.146, R.29, S.Various	Itasca
RR. Pokegama	T.54,55, R.25,26, S.Various	Itasca
SS. Blackwater	T.55, R.26, S.7-9,15-18	Itasca
TT. Jay Gould	T.55, R.26, S.9,10,15, 16,22	Itasca
UU. Little Jay Gould	T.55, R.26, S.14,15,23	Itasca
VV. Cedar	T.46,47, R.27,28, S.Various	Aitkin
WW. Deer	T.56,57, R.26,27, S.Various	Itasca

Name	Location	County
XX. Island Reservoir	T.52,53, R.14,15, S.Various	St. Louis
YY. Little Moose	T.57, R.26, S.20,21,28,29	Itasca
ZZ. Little Winnibigoshish	T.145,146, R.26,27, S.6, 25,30,31,36	Itasca
AAA. Cut Foot Sioux	T.146,147, R.27, S.Various	Itasca
BBB. Little Cut Foot Sioux	T.146,147, R.26,27, S.5-8, 25,30,31,36	Itasca
CCC. Crane	T.67,68, R.16,17, S.1,7, 18,26,34	St. Louis
DDD. Little Fork River	T.62-70, R.17-26, S.Various	Koochiching
EEE. Big Fork River	T.61,62,70,148,150, R.25, 26, S.Various	Itasca, Koochiching
FFF. Miltona	T.129,130, R.37,38, S.3,4, 19-21,23-25,27-34,36	Douglas

Subp. 68. Muskellunge catch and release regulation. While a person is on or fishing in the following waters, angling for muskellunge is limited to catch and release only, whereby any muskellunge caught must be immediately returned to the water. Catch and release angling for muskellunge is legal during the open season for muskellunge in inland waters. It is unlawful for anyone to have in possession, regardless of where taken, any muskellunge while on or fishing in the following waters.

Name	Location	County
A. Mississippi River from Blandin Dam downstream to Coon Rapids Dam	T.31-55, R.21-32, S.Various	Itasca, Aitkin, Crow Wing, Morrison, Benton, Stearns, Sherburne, Wright, Anoka, Hennepin
B. Prairie River, from the Prairie Lake Dam downstream to the Mississippi River	T.55,56, R.25, S.2,3,11, 14,23,26,34	Itasca

Subp. 69. Cass Lake spearing and muskellunge size restrictions. While a person is on or angling in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water. While on the following waters, a person may not take fish by spearing and may not possess a spear.

Name	Location	County
Cass	T.145,146, R.30,31, S.Various	Beltrami, Cass

Subp. 70. Big Lake muskellunge and northern pike size restrictions and spearing restriction. While a person is on or angling in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length. While on the following waters, a person may not take fish by spearing and may not possess a spear.

Name	Location	County
Big Lake	T.146,147, R.31, S.3-6,31,32	Beltrami

Subp. 71. East and West Rush Lakes muskellunge and northern pike size restrictions and spearing restriction. While a person is on or angling in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length. While on the following waters, a person may not take fish by spearing and may not possess a spear.

Name	Location	County
A. East Rush	T.37, R.21,22, S.Various	Chisago
B. West Rush	T.37, R.21,22, S.Various	Chisago

Subp. 72. Wabado and Unnamed (Louise) Lakes muskellunge and northern pike size restrictions and spearing restriction. While a person is on or angling in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length. While on the following waters, a person may not take fish by spearing and may not possess a spear.

Name	Location	County
A. Wabedo	T.140, R.28, S.Various	Cass
B. Unnamed (Louise)	T.140, R.28, S.21,22	Cass

Subp. 73. Woman Lake muskellunge and northern pike size restrictions. While a person is on or angling in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length,

inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length.

Name	Location	County
Woman	T.140,141, R.28,29, S.Various	Cass

Subp. 74. North Star and Little North Star Lakes muskellunge and northern pike size restrictions and spearing restriction. While a person is on or angling in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length. While on the following waters, a person may not take fish by spearing and may not possess a spear.

Name	Location	County
North Star (including Little North Star and other unnamed connected waters)	T.58,59, R.26, S.4,5,20, 28,29,32,33	Itasca

Subp. 75. Moose Lake muskellunge and walleye size restrictions and spearing restriction. While a person is on or angling in the following waters, all muskellunge in possession must be 48 inches or greater in length. All muskellunge less than 48 inches in length must be immediately returned to the water. While on or fishing in the following waters, all walleye in possession must be less than 17 inches in length or greater than 26 inches in length. All walleye that are 17 to 26 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one walleye over 26 inches in length. While on the following waters, a person may not take fish by spearing and may not possess a spear.

Name	Location	County
Moose	T.57, R.26,27, S.19,20, 24,25,29,30	Itasca

Subp. 76. Spider Lake northern pike size restriction and spearing restriction. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Possession and daily limit may not include more than one northern pike over 36 inches in length. While on the following waters, a person may not take fish by spearing and may not possess a spear.

Name	Location	County
Spider	T.58, R.25,26, S.7,18, 19,24,25,30,36	Itasca

BOUNDARY WATERS FISHING REGULATIONS CHAPTER 6266

6266.0100 GENERAL REGULATIONS FOR TAKING FISH ON BOUNDARY WATERS WITH ADJACENT STATES.

Subpart 1. License requirements on boundary waters. Residents may fish adjacent states' boundary waters listed in parts 6266.0200, subpart 1; 6266.0300, subpart 1; 6266.0400, subpart 1; and 6266.0500, subpart 1, only if in possession of a valid resident angling license or otherwise authorized to angle in this state. Residents of an adjacent state may fish the boundary waters only if in possession of a valid resident angling license of that state or otherwise lawfully authorized to angle in that state. Residents of nonadjacent states and foreign countries may fish the boundary waters only if in possession of a valid nonresident angling license issued by this state or the adjacent state or otherwise authorized to angle in this state or the adjacent state.

Subp. 2. Possession limits on boundary waters.

A. Licensed anglers, or those exempt from licensing, may possess only one limit of fish while on the adjacent state's boundary waters listed in parts 6266.0200, subpart 1; 6266.0300, subpart 1; 6266.0400, subpart 1; and 6266.0500, subpart 1, regardless of the number of licenses held.

B. Where regulations differ between this state and an adjacent state on such boundary waters, the exercise of the more liberal regulations is limited to persons licensed by the more liberal state and confined to the territorial waters of the more liberal state.

C. Fish that are taken by angling on Minnesota boundary waters with South Dakota, Wisconsin, and North Dakota and not released freely into the water immediately after capture are considered to be in possession and part of the bag limit and may not be released after such possession.

D. Licensed anglers, or those exempt from licensing, must follow the general restrictions on transport, possession, and packing of fish while on a boundary water unless otherwise specified in this chapter or part 6262.0300.

Subp. 3. Species of fish not specified. Species of fish not specified in parts 6266.0200 to 6266.0600 may be taken and possessed in adjacent state boundary waters only as authorized for the inland waters of the state in which taken.

6266.0200 TAKING OF FISH ON MINNESOTA-IOWA BOUNDARY WATERS.

Subpart 1. Specified waters. The provisions of this part apply to all parts of the following named Minnesota-Iowa boundary waters:

- A. Little Spirit Lake in Jackson County;
- B. Iowa Lake in Jackson and Nobles Counties;
- C. Iowa Lake in Martin County;
- D. Okamanpeedan (Tuttle) Lake in Martin County; and
- E. Swag Lake in Martin County.

Subp. 2. Species, seasons, and limits on Minnesota-Iowa boundary waters. The following applies to the species, seasons, and limits for taking fish on Minnesota-Iowa boundary waters:

Species	Open Season	Daily and Possession Limits
A. Walleye	Saturday nearest May 1 through February 15	6
B. Northern pike	Saturday nearest May 1 through February 15	3
C. Sunfish	No closed season	30
D. White (striped) bass	No closed season	30
E. Catfish	Saturday nearest May 1 through February 15	8
F. Small and large mouth bass	Saturday nearest May 1 through February 15	6
G. Perch	No closed season	30
H. Crappie	No closed season	15
I. Bullhead, carp, sucker, redhorse, sheepshead, buffalo, burbot, bowfin, gar, and quillback	No closed season	No limits

When the closing date falls on a Saturday, the season will extend through the following Sunday.

Subp. 3. Use of set lines. The taking of fish by means of a set line is prohibited on Minnesota-Iowa boundary waters.

Subp. 4. Spearing and archery restrictions. The taking of fish by spearing or archery is prohibited on Minnesota-Iowa boundary waters, except that carp, buffalo, sheepshead, bowfin, gar, and quillback may be taken by spearing or archery from May 1 through February 15 between sunrise and sunset and possessed without limit.

Subp. 5. Number of lines allowed. A person may not angle with more than two lines, or more than two poles with one line attached to each pole, or use more than two hooks on each line while on Minnesota-Iowa boundary waters.

Subp. 6. Shelter house deadline. A person may not permit a shelter house to remain on the ice of Minnesota-Iowa boundary waters after February 20.

Subp. 7. Taking of minnows exempted. This part does not apply to the taking of minnows which are governed by the laws and rules of the state in which the minnows are taken.

6266.0300 TAKING OF FISH ON MINNESOTA-NORTH DAKOTA BOUNDARY WATERS.

Subpart 1. Specified waters. The provisions of this part apply to all parts of the following named Minnesota-North Dakota boundary waters:

- A. Bois de Sioux River; and
- B. Red River of the North.

Subp. 2. Species, seasons, and limits on Minnesota-North Dakota boundary waters. The following applies to the species, seasons, and limits for taking fish on Minnesota-North Dakota boundary waters:

Species	Open Season	Daily and Possession Limits
A. Walleye and sauger	First Saturday in May to the last day in February.	5 in aggregate.
	March 1 to the Friday before the first Saturday in May.	3 in aggregate. All fish that are from 18 inches to 28 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one walleye greater than 28 inches in length or two walleye less than 18 inches in length.
B. Northern pike	First Saturday in May to the last day in February.	3
	March 1 to the Friday before the first Saturday in May.	3, except that all northern pike in possession must be less than 27 inches in length. All northern pike 27 inches or greater in length must be immediately

Species	Open Season	Daily and Possession Limits
C. Small and large mouth bass	Continuous.	returned to the water. 3 in aggregate.
D. Crappie	Continuous.	30
E. Sunfish and bluegill	Continuous.	30
F. Rock bass	Continuous.	20
G. Bullhead	Continuous.	100
H. Perch	Continuous.	50
I. Catfish	Continuous.	5, with only 1 over 24 inches in length.
J. Sturgeon	Closed.	-0-
K. Carp, buffalo sheephead, sucker, redhorse, bowfin, burbot, gar, and white (striped) bass	Continuous.	No limit.
L. Muskellunge	Continuous.	1; 40-inch minimum size limit.

Subp. 3. Spearing and archery restrictions. The taking of fish by spearing or archery is prohibited on Minnesota-North Dakota boundary waters, except that carp, buffalo, sheephead, suckers, redhorse, bowfin, and gar may be taken by spearing or archery from May 1 through December 31 between sunrise and sunset each day. There is no possession limit on the listed species of fish. A person may not have in possession on or near the water or ice of Minnesota-North Dakota boundary waters a spear or bow and arrow at any time, except during the open season for spearing and archery. Possession includes personal possession and possession in a vehicle. The taking of fish by spearing from or within a darkhouse or fish house is prohibited on Minnesota-North Dakota boundary waters.

Subp. 4. Shelter house deadline. A person may not permit a shelter house to remain on the ice of Minnesota-North Dakota boundary waters after March 5. Portable shelters may be used after March 5 by persons actively engaged in angling, but must be removed daily when not in use.

Subp. 5. Use of set lines. The taking of fish by means of a set or unattended line is prohibited on Minnesota-North Dakota boundary waters.

Subp. 6. Number of lines allowed. A person may not angle with more than two lines or more than two hooks on each line on Minnesota-North Dakota boundary waters.

Subp. 7. Taking of minnows exempted. This part does not apply to the taking of minnows. The taking of minnows is governed by the laws and rules of the state in which the minnows are taken.

6266.0400 TAKING OF FISH ON MINNESOTA-SOUTH DAKOTA BOUNDARY WATERS.

Subpart 1. Specified waters. The provisions of this part apply to all parts of the following named Minnesota-South Dakota boundary waters:

- A. Lake Hendricks;
- B. Big Stone Lake;
- C. Lake Traverse;
- D. Mud Lake;
- E. Bois de Sioux River; and
- F. Mustinka River from the mouth to the Minnesota State Highway 117 bridge.

Subp. 2. Species, seasons, and limits on Minnesota-South Dakota boundary waters. Except as provided in part 6264.0400, subpart 29, the following applies to the species, seasons, and limits for taking fish on Minnesota-South Dakota boundary waters:

Species	Open Season	Daily and Possession Limits
A. Walleye and sauger	Last Saturday in April through last day in February.	6
B. Northern pike	Last Saturday in April through last day in February.	6
C. Small and large mouth bass	Last Saturday in April through last day in February.	6
D. Crappie	Continuous.	30
E. Sunfish and bluegill	Continuous.	30
F. Rock bass	Continuous.	20
G. Bullhead	Continuous.	100
H. Perch	Continuous.	25
I. Catfish	Continuous.	5 with only 1 over 24 inches.
J. Sturgeon	Closed.	0
K. Carp, buffalo, sheepshead, sucker, redhorse, bowfin, burbot, gar, and white (striped) bass	Continuous.	No limits.

When the closing falls on a Saturday, the season will extend through the following Sunday.

Subp. 3. Spearing and archery restrictions. The taking of fish by spearing or archery is prohibited on Minnesota-South Dakota boundary waters, except that carp, buffalo, sheepshead, suckers, redhorse, bowfin, burbot, and gar may be taken by spearing or archery and possessed without limit from the last Saturday in April through November 30 between sunrise and sunset each day. When the 30th falls on a Saturday, the season will extend through the following Sunday.

Subp. 4. Restricted equipment. A person may not have in possession on or near the water or ice of Minnesota-South Dakota boundary waters a spear,

spring gaff, or bow and arrow at any time, except during the open season for spearing and archery.

Subp. 5. Darkhouse spearing prohibited. The taking of fish by spearing from or within a darkhouse is prohibited on Minnesota-South Dakota boundary waters.

Subp. 6. Shelter house deadline. A person may not permit a shelter house to remain on the ice of Minnesota-South Dakota boundary waters after March 5.

Subp. 7. Use of set lines. The taking of fish by means of a set line is prohibited on Minnesota-South Dakota boundary waters.

Subp. 8. Number of lines allowed. A person may not angle with more than two lines or have more than three hooks on each line on Minnesota-South Dakota boundary waters.

Subp. 9. Liberalized fishing. When oxygen levels are reduced to the point of endangering fish life and the waters are posted to indicate that liberalized fishing is in effect, a person may take any fish on Minnesota-South Dakota boundary waters with up to six lines, snagging, spears, dip nets and legal minnow seines within the dates identified on the posted sign. The daily and possession limits during liberalized fishing are three times the normal daily and possession limits for Minnesota-South Dakota boundary waters.

However, Mud Lake, Traverse County, T.127, 128, R.47, 48, Sections various, will be open to liberalized fishing each winter from December 1 through the last day of February, including March 1 if the last day of February falls on Saturday, without posting the dates on a sign.

Subp. 10. Taking of minnows exempted. This part does not apply to the taking of minnows, which are governed by the laws and regulations of the state in which the minnows are taken.

Subp. 11. Commercial fishing. Only the following species may be taken by commercial fishing operations from Minnesota-South Dakota boundary waters: carp, buffalo, suckers, redbone, sheepshead, bowfin, burbot, tullibees, gar, goldeyes, bullheads, smelt, whitefish, and white (striped) bass.

Subp. 12. Species prohibited for use as bait. On Minnesota-South Dakota boundary waters, carpsucker and buffalo species may not be used for bait and live mussels and clams may be used for bait only on the body of water where taken.

Subp. 13. Waters seasonally closed to taking fish. The designated portions of the following waters in Traverse County are closed to the taking of all fish from March 1 to the Friday before the last Saturday in April:

A. Mud Lake, S.31, T.127, R.47, within 500 feet downstream of the Reservation Dam at marked state highway No. 117.

B. Bois de Sioux River, S.27, T.128, R.47, within 500 feet downstream of the White Rock Dam at marked state highway No. 236.

Subp. 14. Repealed, 2003

6266.0500 TAKING OF FISH ON MINNESOTA-WISCONSIN BOUNDARY WATERS.

Subpart 1. Specified waters. The provisions of this part apply to the following described Minnesota-Wisconsin boundary waters:

A. Mississippi River and Lake Pepin extending from the mouth of the St. Croix River at the U.S. Highway 10 bridge at Prescott, Wisconsin to the southern boundary of this state and lying between the Burlington Northern main railroad tracks on the Wisconsin side and the Chicago, Milwaukee, St.

Paul and Pacific Railroad tracks on the Minnesota side, including all sloughs, backwaters, bays, and newly extended water areas lying between the railroad tracks.

B. All those portions of Lake St. Croix and the St. Croix River as far as the same lie along the boundary between the state of Minnesota and the state of Wisconsin.

C. All those portions of the St. Louis River, including St. Louis Bay and Superior Bay, as far as the same line along the boundary between said states downstream to an imaginary line drawn between the northwest bank of the Nemadji River where it forms a junction with Superior Bay and the southwest bank of the Superior entry channel where it forms a junction with Superior Bay.

Subp. 2. Definitions. The terms used in parts 6266.0500 and 6266.0600 have the following meanings.

A. "Commercial operator" means a person properly licensed to take fish in the Minnesota-Wisconsin boundary waters by means of a net, set line, or other legal equipment for the purpose of sale.

B. "Game fish" means all species and size categories not included as rough fish, minnows, and catfish taken by angling.

C. "Minimum length" means the length of a fish measured in a straight line from the tip of the nose or jaw, whichever is longer, to the farthest tip of the tail fin when fully extended. When measuring turtles, it means the length of the dorsal surface of the carapace (top shell) measured from side to side across the shell at midpoint.

D. "Minnow" means:

(1) members of the minnow family (*cyprinidae*), except carp, grass carp, and goldfish;

(2) shad, mudminnows, willow cat, and all members of the sucker family (*Catostomidae*) not over 12 inches in length; and

(3) bullheads, ciscoes, herring, whitefish, goldeyes, and mooneyes not over seven inches in length.

E. "Rough fish" means carp, bowfin, redhorse, sheepshead suckers, burbot, gar, buffalo, quillback, mooneyes, goldeyes, shad, eels, bullheads, and grass carp. In addition, catfish 15 inches or over in length when taken under commercial license with commercial fishing gear downstream from the Taylors Falls Dam shall be considered rough fish.

Subp. 3. Species, seasons, and limits on Minnesota-Wisconsin boundary waters. The following applies to the species, seasons, and limits for taking fish on Minnesota-Wisconsin boundary waters:

Species and Open Season

A. Small and large mouth bass

- (1) St. Louis River.
Saturday preceding
Memorial Day to March 1.

- (2) St. Croix River
upstream of the dam
at Taylors Falls.
Saturday preceding
Memorial Day to the
Sunday preceding the
second Monday in
September.

Daily and Possession Limits

5 in aggregate;
14-inch minimum size limit.

5 in aggregate;
14-inch minimum size
limit.

Species and Open Season

Second Monday in
September to March 1. only.

- (3) St. Croix River
downstream of the dam
at Taylors Falls to
its mouth (U.S. Highway
10 bridge at Prescott,
Wisconsin). Saturday
preceding Memorial Day
to March 1.

- (4) Mississippi River
and Lake Pepin.
Continuous.

B. Walleye and sauger

- (1) St. Louis River.
Saturday two
weeks prior to
the Saturday of
Memorial Day
weekend to
March 1.
- (2) St. Croix River.
Saturday nearest May 1
to March 1.
- (3) Mississippi River and
Lake Pepin. Continuous.

C. Northern pike

- (1) St. Louis River.
The Saturday
two weeks prior
to the Saturday of
Memorial Day weekend
through March 1.
- (2) St. Croix River.
Saturday nearest May 1
through March 1.
- (3) Mississippi River and
Lake Pepin. Continuous.

D. Channel and flathead catfish. Continuous.

Daily and Possession Limits

Limited to catch and release
Any smallmouth or
largemouth bass must be
immediately returned
to the water. It is
unlawful for anyone to
have in possession,
regardless of where taken,
any smallmouth or largemouth
bass.

5 in aggregate;
14-inch minimum size
limit.

5 in aggregate;
14-inch minimum size
limit.

2 in aggregate;
15-inch minimum size limit
for walleye.

6 in aggregate;
15-inch minimum size
limit for walleye.
6 in aggregate;
15-inch minimum size limit
for walleye.
5, except St. Louis River
2 northern pike.

10 in aggregate

Species and Open Season**Daily and Possession Limits**

E. Lake sturgeon	
(1) All waters below Prescott and above Taylor's Falls Dam. Season is closed.	
(2) All waters between Prescott and Taylor's Falls Dam. First Saturday in September through October 15.	1 per season (minimum size limit - 50 inches.)
(3) St. Louis River. Season is closed.	
F. Shovelnose sturgeon	
(1) All waters below Red Wing Dam. Continuous.	10
(2) All waters above Red Wing Dam. Season is closed.	
G. Crappie.	
Continuous.	25
H. Rock bass.	
Continuous.	25
I. Sunfish and bluegill.	
Continuous.	25
J. Perch.	
Continuous.	25
K. Bullhead.	
Continuous.	No limits
L. Paddlefish (spoonbill catfish).	
No open season.	
M. Rough fish.	
Continuous.	No limits
N. Muskellunge	
Minimum size limit - 40 inches.	1
Saturday nearest Memorial Day through March 1.	
O. White (striped) and yellow bass.	
Continuous.	25
P. All other species	
	Governed by inland regulations of state in which taken.

Subp. 4. Number of lines allowed. Except as provided under Minnesota Statutes, section 97C.315, subdivision 2, a person may not angle with more than two lines or one line with more than two baits on Minnesota-Wisconsin boundary waters. A person may not fish with an unattended line or take fish by snagging. A fish hooked in any part of the body, except the mouth, must immediately be unhooked and returned to the water.

Subp. 5. Sale of fish prohibited. A person may not buy, sell, or offer to buy or sell any fish taken on Minnesota-Wisconsin boundary waters by angling, except that rough fish may be bought and sold at any time.

Subp. 6. Closed areas. A person may not fish from any point or from any boat within the area from the Taylors Falls (St. Croix Falls) dam on the St. Croix River to 50 feet downstream from the pier in the center of the river. Closed areas must be marked with suitable signs or buoys designating the closed areas. A person may not fish in the St. Louis River from Fond du Lac Dam downstream approximately one-half mile to the Minnesota-Wisconsin boundary cable at any time. A person may not fish in the St. Louis River from the Minnesota-Wisconsin boundary cable downstream to the Highway 23 bridge from March 1 through May 18 each year.

Subp. 7. Shelter house deadline. Buildings, vehicles, tents, fish houses, or similar enclosures may be used on the ice for fishing purposes on Minnesota-Wisconsin boundary waters. All enclosures or shelters must be removed from the ice on or before March 1 of each year. Portable shelters may be used after March 1 by persons actively engaged in fishing, but must be removed daily when not in use. The door of an enclosure or shelter must be equipped with a latch that permits the door to be readily opened from the outside at all times while the enclosure or shelter is occupied.

Subp. 8. Restricted equipment. No more than two tip-ups may be used for ice fishing on Minnesota-Wisconsin boundary waters. Tip-ups may not be more than 400 feet from the angler. A person may not use a spear, dip net, or bow and arrow in any manner at any time for the purpose of taking game fish or have in possession or under control any fish spear, spring gaff, or similar device in a fish house. Rough fish may be taken by means of a spear or dip net not to exceed 24 inches in diameter, or bow with tethered arrow except crossbow, from sunrise to sunset only, from the Saturday nearest May 1 through March 1. A person may not have in possession on the water or immediate banks of the water a spear, except during the open season for spearing.

Subp. 9. Repealed, 2003

Subp. 10. Prohibition on taking fish for bait purposes. The taking of minnows or other fish for bait purposes from all Minnesota waters of Lake Superior and all waters of the St. Louis River downstream of the Fond du Lac Dam in St. Louis and Carlton Counties, including any and all outflows, estuaries, streams, creeks, or waters adjacent to or flowing into these waters is prohibited.

6266.0600 MINNESOTA-WISCONSIN BOUNDARY WATERS COMMERCIAL REGULATIONS.

Subpart 1. Commercial operations and equipment. Licensed commercial operators may take minnows and rough fish as provided in this part. Commercial gear authorized under a commercial fishing license includes set lines (trot lines), seines, gill nets, and traps when used to take minnows. The commissioner may authorize the use of other gear under contract or permit as may be agreed upon between the states of Minnesota and Wisconsin. Commercial gear, unless otherwise specified, may not be used or operated in Pool 4 of the Mississippi River between Mile Post 780 and 797 from March 1 through May 31.

Subp. 2. Territorial restrictions for commercial operations. On Minnesota-Wisconsin boundary waters, a commercial operator may operate only in the territorial waters of the state of licensure.

Subp. 3. Commercial fishing restrictions. The following restrictions apply to commercial fishing on Minnesota-Wisconsin boundary waters:

A. Game fish taken in any commercial fishing operation must be returned to the water immediately. Grass carp taken during commercial fishing operations may not be returned to the water.

B. A person other than the license holder or a licensed helper may not tend commercial fishing gear. Commercial nets or set lines may not be used or operated in any waters within 900 feet below any dam on the Mississippi River.

C. The commissioner may require the operator of any seine, set line, or gill net to cease fishing operations when it has been determined that such operations are detrimental to game fish or other protected wildlife.

D. Nets or set lines may not be set, lifted, hauled, or tended in any manner between one-half hour after sunset and one hour before sunrise of the following morning, except when completing an ongoing seine haul with the permission of the commissioner.

E. A licensed commercial operator, any crew member, or any person in the boat may not have in possession any game fish or sport angling equipment while operating licensed commercial gear or while traveling to or from the place of operation of such gear.

F. A person, other than a person selling commercial gear at wholesale or retail, may not have in possession or under control any unlicensed commercial fishing gear or a basket trap (slat net), trammel net, or wooden trap which could be used for the purpose of taking, catching, or killing fish in any of the counties bordering the boundary waters as specified in part 6266.0500.

G. Commercial operators licensed to fish Minnesota-Wisconsin boundary waters must submit monthly reports on forms provided by the commissioner, regardless of whether fish are taken or whether any fishing operations have taken place. Reports must be sent to the address identified on the form so that they are received by the tenth day of the month following the month that the activity took place.

Subp. 4. Use of set lines. Rough fish may be taken from April 1 through October 31 in the Mississippi River and Lake Pepin by licensed commercial operators with the use of set lines. A person may not set or operate more than a total of four set lines, not to exceed 100 hooks attached to each line or 400 hooks in the aggregate, nor place set lines in any manner which obstructs any type of boat travel in more than three-fourths the width of any bay, slough, or channel. A person using set lines may not use any frogs, game fish, bullheads of any size, or their parts for bait. Set lines must have attached the identification tag provided with the license. At one end of every set line there must be a white flag, not less than 16 inches square, the upper end of which must extend at least two feet above the water, which must be legibly numbered with figures at least three inches in height corresponding with the number of the license authorizing the use of the set line, or a nonmetallic buoy of permanent buoyancy and of at least one gallon displacement of white or yellow color bearing the markings described above. Set lines must be lifted and fish removed at least once every 24 hours and must be set or lifted only between one hour before sunrise and one-half hour after sunset.

Subp. 5. Use of seines. Rough fish may be taken by commercial operators with the use of seines of any size only in those portions of the Minnesota-Wisconsin boundary waters lying south of the U.S. Highway 8 bridge at St. Croix Falls. From October 1 through April 30, each commercial operator may retain no more than 100 pounds of catfish per day taken incidental to commercial operations. Catfish must have a minimum length of 15 inches. Seine hauls may not be made without the operator first having notified the local conservation officer and area fisheries supervisor of the hauls.

Subp. 6. Use of gill nets. The following provisions apply to the use of gill nets in commercial fishing operations on Minnesota-Wisconsin boundary waters:

A. Rough fish may be taken in the Mississippi River and Lake Pepin by commercial operators with the use of gill nets having a mesh measuring 3-1/2 inches or larger, bar or square measure, measured while in use and inside the knots. Gillnetting may not be used as a drag seine or drift net at any time.

B. Gill nets must be attached to an end stake, pole, or anchored buoy bearing a white flag, not less than 16 inches square, the upper end of which must extend at least two feet above the water or ice at all times when the net is set or in operation, which must be legibly numbered with figures at least three inches in height corresponding with the number of the license authorizing the use of such nets.

C. Gill nets must be lifted and emptied of fish at least once every 24 hours when set in open water and at least once every 48 hours when set under the ice, unless otherwise authorized by the commissioner.

D. Gill nets may not be set in such a manner as to obstruct any type of boat travel in more than three-fourths the width of any slough, bay, or channel.

Subp. 7. Taking of minnows. The following provisions apply to the commercial taking of minnows on Minnesota-Wisconsin boundary waters:

A. Minnows may not be taken in Minnesota-Wisconsin boundary waters, except in the St. Croix River upstream of the Taylors Falls Dam, by seine, dip net, or trap. Seines may not exceed 50 feet in length or five feet in depth, nor have mesh exceeding one-half inch, stretch measure. Dip net frames may not exceed six feet in diameter nor have a net bag more than four feet deep. A trap may not exceed 24 inches in length or 16 inches in diameter or have an opening at its throat exceeding 1-1/2 inches in diameter. All traps used in taking minnows must have securely attached a label or tag legibly and permanently bearing the name and address of the operator. All minnow traps must be raised and the minnows removed at least once every 24 hours.

B. Live carp fingerlings, except grass carp, may be transported for sale or for bait only by boat or other floating conveyance and only on the boundary waters where taken. Alewife, ruffe, and white perch may not be possessed or used as bait.

Subp. 8. Taking of turtles. Turtles may be taken incidental to licensed commercial fishing operations or by persons licensed to take turtles as provided by chapter 6256 and Minnesota Statutes, section 97A.475, and may be possessed and sold as provided by Minnesota Statutes, sections 97C.605 and 97C.611.

Subp. 9. Repealed, 2003

6266.0700 TAKING OF FISH ON MINNESOTA-CANADA BOUNDARY WATERS.

Subpart 1. Specified waters. The provisions of this part apply to those portions of the following named Minnesota-Canada boundary waters:

- A. Basswood Lake (except Jackfish, Pipestone, Hoist and Back Bays), T.64, R.9, 10; T.65, R.9, 10, Lake County;
- B. Basswood River, T.65, R.10, 11, Lake County;
- C. Birch Lake, T.64, R.8, 9; T.65, R.8, 9, Lake County;
- D. Bottle Lake, T.67, R.13, St. Louis County;
- E. Carp Lake, T.65, R.8, Lake County;
- F. Clove Lake, T.65, R.4W, Cook County;
- G. Crooked Lake, T.66, R.11, 12, Lake and St. Louis Counties;
- H. Cypress Lake, T.66, R.6, Lake County;
- I. Devil's Elbow, T.66, R.4W, Cook County;
- J. Gneiss Lake, T.66, R.4W, Cook County;
- K. Granite Lake, T.65, 66, R.4W, Cook County;
- L. Granite River, T.66, R.4W, Cook County;
- M. Gunflint Lake, T.65, R.2, 3, 4W, Cook County;
- N. Iron Lake, T.66, R.12, 13; T.67, R.13, St. Louis County;
- O. Knife Lake (except South Arm of Knife Lake), T.64, R.8; T.65, R.6, 7, 8; T.66, R.6, Lake County;
- P. Knife River, T.65, R.8, Lake County;
- Q. Lac La Croix Lake, T.67, R.13, 14, 15; T.68, R.13, 14, 15; T.66, R.13, St. Louis County;
- R. Lake of the Woods, Lake of the Woods and Roseau Counties;
- S. Lily Lakes, T.65, R.2E, Cook County;
- T. Little Gunflint Lake, T.65, R.2W, Cook County;
- U. Little Knife Lake, T.65, R.6, 7; T.66, R.6, Lake County;
- V. Little North Lake, T.65, R.2W, Cook County;
- W. Little Vermillion Lake, T.67, R.16, St. Louis County;
- X. Loon Lake, T.66, 67, R.15, St. Louis County;
- Y. Loon River, T.66, R.15, 16; T.67, R.15, 16, St. Louis County;
- Z. Magnetic Lake, T.65, R.3, 4W, Cook County;
- AA. Maraboeuf Lake, T.66, R.4W, Cook County;
- BB. Melon Lake, T.65, R.8, Lake County;
- CC. Moose Lake, T.65, R.3E, Cook County;
- DD. Mountain Lake, T.65, R.1, 2E, Cook County;
- EE. Namakan Lake, T.68, R.17, 18; T.69, R.17, 18, 19, St. Louis County;
- FF. North Fowl Lake, T.65, R.3E, Cook County;
- GG. North Lake, T.65, R.2W, Cook County;
- HH. Pigeon River, T.64, R.3, 4, 5, 6, 7E, Cook County;
- II. Pine River, T.65, R.3, 4W, Cook County;
- JJ. Rainy Lake (including Black Bay), T.69, R.18, 19; T.70, R.18, 19, 20, 21, 22, T.71, R.20, 21, 22, 23, 24, Koochiching and Lake of the Woods Counties;
- KK. Rainy River, T.70-71 and T.158-162, R.24-32, Koochiching and Lake of the Woods Counties;
- LL. Rat Lake, T.65, R.1W, Cook County;
- MM. Rove Lake, T.65, R.1E, Cook County;
- NN. Saganaga Lake, T.66, R.4, 5W; T.67, R.4, 5W, Cook County;
- OO. Sand Point Lake, T.67, R.16, 17; T.68, R.16, 17; T.69, R.17, St. Louis County;

- PP. Seed Lake, T.65, R.8, Lake County;
 QQ. South Lake, T.65, R.1, 2W, Cook County;
 RR. South Fowl Lake, T.64, 65, R.3E, Cook County;
 SS. Sucker Lake, T.64, R.8, 9, Lake County;
 TT. Swamp Lake, T.66, R.6, Lake County; and
 UU. Watab Lake, T.65, R.1E, Cook County.

Subp. 2. Species, seasons, and limits on Minnesota-Canada boundary waters. Except as provided in parts 6264.0300, subpart 56, and 6264.0400, subparts 32 to 34, the following applies to the species, seasons, and limits for taking fish on Minnesota-Canada boundary waters. When the closing date of the season falls on a Saturday, the season will extend to the following Sunday.

Species	Open Season	Daily and Possession Limits
A. Walleye and sauger		
(1) All border waters not listed in subitems 2 to 5	Saturday two weeks prior to the Saturday of Memorial Day weekend to April 14.	6 in the aggregate.
(2) Lake of the Woods	Saturday two weeks prior to the Saturday of Memorial Day weekend to November 30.	8 in the aggregate, of which not more than 6 may be walleye and not more than 1 walleye over 19.5 inches may be taken daily.
	December 1 to April 14.	14 in the aggregate, of which not more than 6 may be walleye and not more than 1 walleye over 19.5 inches may be taken daily.
(3) Rainy Lake, Including various Minnesota waters of Rainy Lake from the dam in International Falls to the dam in Kettle Falls	Saturday two weeks prior to the Saturday of Memorial Day Weekend to April 14.	8 in the aggregate, of which not more than 4 may be walleye. See chapter 6264 for additional regulations.

Species	Open Season	Daily and Possession Limits
and Black Bay, including Gold Portage		
Rat Root River and Rat Root Lake	Saturday two weeks prior to the Saturday of Memorial Day Weekend to the third Sunday in February.	8 in the aggregate, of which not more than 4 may be walleye. See chapter 6264 for additional regulations.
(4) Rainy River	Saturday two weeks prior to the Saturday of Memorial Day weekend to the last day in February.	6 in the aggregate, with not more than 1 walleye over 19.5 inches.
	March 1 to April 14.	2 in the aggregate, and no walleye over 19.5 inches may be taken.
(5) Saganaga Lake	Saturday two weeks prior to the Saturday of Memorial Day weekend to April 14.	6 walleye, with only 1 walleye over 19.5 inches.
Sea Gull River and Gull Lake	Saturday two weeks prior to the Saturday of Memorial Day weekend to the third Sunday in February.	6 walleye, with only 1 walleye over 19.5 inches.
B. Sturgeon	July 1 to April 30.	1 per license year. All sturgeon in possession while on or fishing in Minnesota-Canada border waters must be from 45 inches to 55 inches in length, inclusive. All sturgeon that are less than 45 inches or greater than 55 inches in length must be immediately returned to the water.

Species	Open Season	Daily and Possession Limits
C. Lake trout	In all bodies of water entirely or partly outside of the Boundary Waters Canoe Area Wilderness and exceptions from the Saturday nearest January 15 through March 15; lakes partly outside of the Boundary Waters Canoe Area Wilderness and exceptions include Saganaga Lake; in all bodies of water lying entirely within the Boundary Waters Canoe Area Wilderness from the Saturday nearest January 1 through March 31; and in all waters from the Saturday two weeks prior to Saturday of Memorial Day weekend through September 30.	2
D. Trout (except lake trout)	Saturday nearest May 1 through September 30.	Same as listed in part 6262.0200.
E. Northern pike	No closed season.	6, except Rainy Lake 3, with only 1 over 28 inches.
F. Muskellunge (minimum size 40 inches total length)	Third Saturday in June through November 30.	1
G. Large and smallmouth bass	No closed season.	6 in aggregate.
H. Crappie	No closed season.	10
I. All other species	No closed season.	Same as listed in part 6262.0200.

Subp. 3. Number of lines allowed. Only one line may be used to angle on Minnesota-Canada boundary waters, except two lines may be used while angling through the ice. Fish with length limits may not be possessed as fillets on the water while angling. Any fish that is hooked in any part of the body,

except the mouth, must be immediately unhooked and returned to the water, whether dead or alive.

Subp. 4. Single limit requirement. The provisions in items A and B apply to the limits for taking and possessing fish on Minnesota-Canada boundary waters.

A. While in this state, a person permitted to take and possess fish in this state and licensed by the Canadian province of Ontario or Manitoba may not possess fish taken from Minnesota-Canada boundary waters in excess of this state's limit.

B. While in this state, a person permitted to take and possess fish in this state and licensed by the Canadian province of Ontario or Manitoba may not possess fish taken from the inland waters of Ontario or Manitoba in excess of this state's limit unless the excess fish are accompanied by proof of taking from inland Canadian waters. When accompanied by such proof, one Canadian limit and one Minnesota limit may be possessed simultaneously. The following is considered sufficient proof for a period of seven days after date of issuance:

(1) Written verification issued by United States Customs of having entered the United States at a time consistent with the time of having taken fish in inland Canadian waters.

(2) A receipt from a resort, campground, or place of lodging located on inland Canadian waters issued at a time consistent with the time of having taken fish in inland Canadian waters.

Subp. 5. Shelter house deadline. On Minnesota-Canada boundary waters, a dark house, fish house, or shelter may remain on the ice no later than March 31. Portable shelters may be used after March 31 only when occupied for angling.

Subp. 6. Equipment. A person shall not possess or use a gaff while fishing on the Rainy River.

QUARANTINE FACILITIES FOR FERTILIZED FISH EGGS

CHAPTER 6287

6287.0100 DEFINITIONS.

Subpart 1. Scope. For purposes of this chapter, the terms in parts 6287.0100 to 6287.0900 have the meanings given them in Minnesota Statutes, section 17.4982, unless otherwise provided in this part.

Subp. 2. Applicant. "Applicant" means an individual, association, partnership, cooperative, public or private corporation or educational institution, or public agency that applies to the department to import fertilized fish eggs into a quarantine facility.

Subp. 3. Effluent. "Effluent" means any water discharged from a quarantine facility including fish rearing water, backflush or coolant water, floor drainage, and any potable drainage that does not flow into a sanitary sewer or approved septic system.

Subp. 4. Heat stress test. "Heat stress test" means a test for disease in fish as described in this subpart that is conducted for 14 to 21 days at a water temperature between 64 and 68 degrees Fahrenheit. For catfish, the test is conducted for 14 to 21 days at a water temperature above 80 degrees Fahrenheit. All fish are fed or injected with an immunosuppressant at the beginning of the test. At the conclusion of the test, all fish are sampled as provided by Minnesota Statutes, section 17.4982, subdivision 12. The number of fish sampled must be adequate to statistically determine a two percent level of disease prevalence at a 95 percent confidence level.

Subp. 5. Quarantine unit. "Quarantine unit" means an enclosed rearing area within a quarantine facility that allows for complete isolation from other quarantine units of fish hatching and rearing tanks, fish culture supplies and equipment, feed, clothing, water supply lines, and drainage lines.

Subp. 6. Sentinel fish. "Sentinel fish" means a lot of at least 150 fish obtained from a facility with no history of disease that are known to be sensitive to a particular disease agent.

6287.0200 AUTHORITY, SCOPE, PURPOSE.

Subpart 1. Authority. This chapter is adopted under authority granted in Minnesota Statutes, section 17.496.

Subp. 2. Scope. This chapter applies to all facilities constructed for the quarantine of fertilized fish eggs.

Subp. 3. Purpose. The purpose of parts 6287.0100 to 6287.0900 is to prescribe design criteria, operational procedures, and release protocols to minimize risk of introducing emergency fish diseases to the naturalized fishery resources of Minnesota while providing an opportunity for the importation of fertilized fish eggs from emergency disease-restricted areas and areas with unknown fish health history.

6287.0300 IMPORTATION REQUIREMENTS.

Only fertilized fish eggs may be imported into a quarantine facility.

6287.0400 CONSTRUCTION REQUIREMENTS OF QUARANTINE FACILITY.

Subpart 1. Siting. A quarantine facility must be outside of the 100-year floodplain and be physically separated from other fish raising facilities in the same watershed by not less than five miles, except that the commissioner

may permit a quarantine facility to be within five miles of other fish raising facilities if there is minimal risk of transferring disease to the other facilities. Criteria used by the commissioner to determine the risk will include: flow rate of the water which would receive the quarantine facility effluent; construction, water source, and siting of potentially affected fish culture facilities; and disease susceptibility of the species being raised by potentially affected fish culture facilities. Siting is prohibited if effluent from the facility will be discharged into designated trout waters or other waters containing or managed for salmonids.

Subp. 2. Water supply. The water supply must be from a spring or well groundwater source, free of fish and fish pathogens, and covered. Water supply systems must be constructed to prevent transmission of pathogens among quarantine units.

Subp. 3. Egg receiving area. Each facility must have an egg receiving area isolated from quarantine units with respect to equipment, supplies, and clothing.

Subp. 4. Quarantine facility size. Each facility must be designed to consist of no more than six quarantine units and an egg receiving area.

Subp. 5. Quarantine units. Quarantine units must be isolated with respect to fish tanks, equipment, supplies, feed, water supply lines, drainage lines, and laboratory clothing. The capacity of each unit must not exceed 100,000 eggs.

Subp. 6. On-site laboratory space. There must be a minimum of 16 square feet in at least eight linear feet of counter space within each quarantine unit for pathological examination of fish. Each work area must include a sink, running water, adequate lighting, and electrical outlets.

Subp. 7. Disinfection stations. Each quarantine unit and egg receiving area must have separate disinfection stations. This station must include disinfectant supplies, hand washes, foot baths (preferably sunken), an emergency shower, and a locker room where clothes can be changed, stored, and disinfected.

Subp. 8. Effluent treatment. Effluent water from all quarantine units and egg receiving areas must enter a common collector. The collector must incorporate a primary disinfectant-sterilization system and an automatic backup system to disinfect all pathogens. All pipes into and out of the collector must be designed to prevent backflow.

Subp. 9. Backup systems. Every quarantine facility must have installed backups for all systems vital to maintaining the aquatic environment within the facility. A backup generator sized to handle all necessary electrical equipment must be installed to automatically activate during power failures. Each quarantine unit must be monitored with a flow alarm.

Subp. 10. Contingency plan. A contingency plan for disease control and accidental escapement must be submitted to and approved by the commissioner prior to the operation of a quarantine facility. The plan must contain maps of the watershed in which the facility is located, locations where sentinel fish will be confined, identification of sufficient personnel to execute the plan, source of chlorine supply for disinfectant procedures, length and flow rates of feeder streams and main branches, and identification of financial resources to mitigate damage that may occur from the accidental release of fish or fish pathogens.

Subp. 11. Security. Minimum security measures must include locking devices on all building entrances and facility gates, and fencing around unenclosed components of the facility.

6287.0500 QUARANTINE FACILITY LICENSING.

Subpart 1. Quarantine facility licensing and inspection. No facility may be licensed as a quarantine facility unless the commissioner determines that standards specified in parts 6287.0400 to 6287.0600 are met. The commissioner may conduct an on-site inspection of a quarantine facility at reasonable times.

Subp. 2. Personnel qualifications. A quarantine facility must have at least one full-time person with two years of fish culture experience and fish health training from an accredited academic or United States Fish and Wildlife Service program.

6287.0600 OPERATION OF QUARANTINE FACILITY.

Subpart 1. Egg receiving. All egg deliveries must have a certified health inspection statement for parental stock from which the eggs were taken. Fish eggs may only be received in the receiving area. A complete disinfection, as described in subpart 5, of the egg receiving area is required before and after each egg delivery. All eggs must be disinfected before transfer into quarantine units. Transfer of disinfected eggs from the egg receiving area shall be done by a person who was not in contact with the incoming eggs before they were disinfected. All packing materials, excess fluids, and other materials related to the shipping of eggs must be incinerated or chlorinated to avoid potential spread of pathogen.

Subp. 2. Transfer into quarantine. Eggs from the same lot may be transferred into more than one quarantine unit provided the units remain isolated.

Subp. 3. Quarantine period. All fish hatched from quarantined eggs must remain quarantined for a minimum of 12 months, unless they are sold directly to an outlet for processing and human consumption, or unless the fish develop a certifiable disease and must be removed as provided by subpart 6.

Subp. 4. Facility disinfection. The following procedure will be considered a complete disinfection when using chlorine.

A. All objects to be disinfected must be cleansed of all organic matter before application of chlorine.

B. A chlorine solution must be maintained on all surfaces at not less than 200 parts per million for the first hour and at not less than 100 parts per million for an additional four hours.

C. All raceways, troughs, drain pipes and lines, and loose equipment, such as buckets, nets, and screens, must be disinfected as specified in item B.

D. All interior surfaces of the quarantine unit must be sprayed with a solution of 1,600 parts per million chlorine. Sufficient quantity and pressure must be applied so that crevices will be penetrated to destroy infectious organisms.

E. All disinfected objects must be thoroughly rinsed with clean water and neutralized with a solution of three parts sodium thiosulfate to one part chlorine upon completion of the disinfection.

F. Other disinfection methods and procedures must be approved by the commissioner.

Subp. 5. Effluent disinfection. Effluent treatment methods must be approved by the commissioner and must comply with chapter 7050. If chlorine disinfectant is used, a measurable residual level of 1.0 part per million active chlorine must be maintained for one hour of retention time. The design must include a backup system that ensures noninterrupted treatment of effluent. Concentration of the disinfectant must be monitored by a recording-sensing device that is functional at all times.

Subp. 6. Inspection and disposal of diseased fish. Daily mortalities may be inspected by the commissioner. Mortalities not required for inspection must remain in the quarantine unit and be placed in disinfectant until they are properly disposed.

If a certifiable disease is detected, a confirmational test must be done. Upon confirmation of a certifiable disease, the commissioner may order that fish be destroyed, sold for human consumption, or otherwise disposed.

Each quarantine facility must dispose of fish mortalities by use of a gas- or oil-fired incinerator or by other disposal methods approved by the commissioner. Equipment and solid waste materials that are potentially contaminated with fish pathogens must be treated by chlorination or an alternate method approved by the commissioner.

Subp. 7. Disinfection required. A complete disinfection of the quarantine unit, as described in subpart 5, is required after fish are released from quarantine or after the discovery of a certifiable disease.

If a certifiable disease is detected, sentinel fish must be kept in the affected quarantine unit after disinfection to verify the effectiveness of disinfections, and held for at least 120 days following disinfection. All mortalities of sentinel fish must be monitored and inspected for disease. Surviving sentinel fish must be subjected to a heat stress test.

Subp. 8. Personnel movement. Access to quarantine facilities must be limited to designated personnel only. Personnel entering or exiting an egg receiving area or quarantine unit must use a disinfection station. Personnel must disinfect themselves using foot baths and hand washes, and wear protective clothing prior to entering or exiting a quarantine unit or an egg receiving area. Used outer clothing must be disposed of or laundered with disinfectants.

6287.0700 RECORD KEEPING AND REPORTING.

A daily log must be kept on mortality, transfers, feeding, approved chemical use, treatments, assessments, water quality, inspections, disinfectant levels in effluent, and personnel movement. Any signs of disease must be reported to the commissioner within 24 hours. Chemical use to treat disease requires prior confirmation of a diagnosed fish health problem by the commissioner. Mortality reports for each quarantine unit must be submitted to the commissioner weekly. Approved chemical usage and effluent disinfectant operation must be reported and submitted to the commissioner monthly.

6287.0800 INSPECTION REQUIREMENTS.

Fish in quarantine must be monitored and inspected for certifiable disease agents at monthly intervals by a fish health inspector. If requested, the commissioner will conduct fish health inspections for a fee as provided in Minnesota Statutes, section 17.4988, subdivision 3.

6287.0900 RELEASE FROM QUARANTINE.

Subpart 1. Final testing. A final inspection must be conducted after fish have been in quarantine and have been feeding for 12 to 16 months. This inspection must include the use of a heat stress test on all sampled fish. Results of the inspection must be reviewed and approved by the commissioner.

Subp. 2. Quarantine report. A completed quarantine report on forms provided by the commissioner must accompany each lot of fish to be released from quarantine.

Subp. 3. Release of fish. Fish released from a quarantine facility cannot be released into the wild and must be processed for use as food or kept in a facility licensed by the commissioner under part 6250.0300, subpart 1, or Minnesota Statutes, section 17.4984, subdivision 1, or 97A.401, subdivision 3.

FISH AND WILDLIFE STAMP DESIGN CONTESTS CHAPTER 6290

6290.0100 PURPOSE.

As required by Minnesota Statutes, section 97A.045, subdivision 7, this chapter establishes contest procedures by which the Department of Natural Resources selects and utilizes designs for fish and wildlife stamp images. Contest entries that do not conform to this chapter shall be ineligible for a stamp contest.

6290.0200 DEFINITIONS.

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 2. Commissioner. "Commissioner" means the commissioner of natural resources or the commissioner's designated representative.

Subp. 3. Department. "Department" means the Minnesota Department of Natural Resources.

Subp. 4. Migratory waterfowl stamp. "Migratory waterfowl stamp" means the stamp issued by the department under Minnesota Statutes, section 97B.801, that allows individuals to take migratory waterfowl.

Subp. 5. Pheasant stamp. "Pheasant stamp" means the stamp issued by the department under Minnesota Statutes, section 97B.715, that allows individuals to take pheasants.

Subp. 6. Trout and salmon stamp. "Trout and salmon stamp" means the stamp issued by the department under Minnesota Statutes, section 97C.305, that allows individuals to angle for trout and salmon in specified waters.

6290.0300 APPLICATION PROCEDURE.

Subpart 1. Eligibility requirements. Each stamp contest is open only to residents of Minnesota who have maintained a legal residence in the state for a minimum of 60 days immediately preceding the entry deadline for the contest.

A person who wins a contest is ineligible to enter a contest for the same type of stamp for two successive years of competition following the contestant's first win. A person who wins a contest for the same type of stamp two or more times is ineligible to enter a contest for the same type of stamp for four successive years of competition after the second and each successive win. A person who wins a contest for one type of stamp is eligible for the other fish and wildlife stamp contests described in part 6290.0200.

Subp. 2. Contest entry period. The entry period for each contest will be prescribed in a notice published in the State Register at least 30 days prior to the beginning of the contest entry period. Entry forms provided by the department must be used and can be obtained by contacting the department as prescribed in the contest entry notice. A contest application package will be provided by the department to interested parties upon request.

Subp. 3. Receipt of entries. Entries for each stamp contest will be accepted only during the contest entry period. Entries must be received by the department by 4:00 p.m. on the last day of the contest entry period. Late or early entries will not be accepted.

Subp. 4. Restriction on number of entries. A person may submit only one entry per year for each type of stamp contest. If two or more entries are

submitted for a stamp contest in one year, all of that person's entries will be declared ineligible.

Subp. 5. Submittal of entries. An entry for a migratory waterfowl, pheasant, or trout and salmon stamp contest must be mailed or delivered to the department at the address specified in the contest application package. A contest entry should be securely wrapped and enclosed in a container or envelope with the name of the stamp contest clearly marked on the outside. All completed and signed contest entry forms must accompany the contest entry. These contest entry forms shall include:

- A. the entry form;
- B. reproduction rights agreement form; and
- C. any other forms specified in the contest application package.

Submission of all of the contest entry forms are required for eligibility. Failure to include all completed contest entry forms will render the contest entry ineligible.

Subp. 6. Department liability. The department assumes no liability for damage, loss, or theft of a contest entry.

Subp. 7. Reproduction rights. A person winning a stamp contest will receive no financial remuneration from the state. The reproduction rights agreement required with the submission of a contest entry will require the contest winner to agree to grant the department the exclusive rights to use the contest entry as the design for the applicable stamp and for use of the stamp image on commercial products produced or licensed by the department. All rights to the reproduction in a print form are retained by the person submitting a contest entry, including the contest winner. The remainder of the reproduction rights for the design will be determined by the department on an annual basis and will be specified in the reproduction rights agreement form included in the contest application package. If a design is reproduced in a limited edition by any party other than the department or its licensees, the contest winner shall deliver without cost to the department four signed prints numbered 2, 3, 4, and 5. If a design is reproduced in an open edition by any party other than the department or its licensees, the contest winner shall deliver without cost to the department four prints of each edition.

6290.0400 DESIGN STANDARDS.

Subpart 1. Eligible species. The eligible species for migratory waterfowl and trout and salmon contests shall be specified in the contest application package. The eligible species for the pheasant stamp shall be the ring-necked pheasant (*Phasianus colchicus*). The eligible species should be the primary subject of the contest entry. A contest entry may contain species other than the eligible species as accompanying design elements.

Subp. 2. Background of contest entry. The background or setting of a contest entry shall only represent environments found in Minnesota. Design elements in a contest entry should be accurately portrayed as to ecology and anatomy, although they need not be literal renditions.

Subp. 3. Contest entry media and originality. A contest entry may be created in one or a combination of media, but shall not include a photograph or other photographic product. A contest entry shall be an original work of art created by the person submitting the contest entry and shall be one of a kind design. Contest entries may incorporate printing processes including screen printing, intaglio, and relief.

Subp. 4. Contest entry design size. The design size of a contest entry shall be two-dimensional on a horizontal format nine inches in width and 6-1/2 inches in height. Winning contest entries must produce a quality stamp image.

Subp. 5. Matting requirements. A contest entry shall be firmly attached to solid white matting with dimensions of 12 inches in width and nine inches in height. No other color shall be used for matting.

Subp. 6. Contest entry thickness. A contest entry shall not exceed three-eighths inch in thickness, including matting.

Subp. 7. Covering of contest entry. A contest entry shall not be framed or covered by glass or other material.

Subp. 8. Ineligible contest entry. A contest entry shall be ineligible if:

A. it is signed, lettered, or contains any mark identifying the artist on its front;

B. it has won first place in another stamp contest, whether federal, state, or private;

C. it has been in the third round of a previous department stamp contest; or

D. it does not meet the requirements contained in parts 6290.0100 to 6290.0800.

6290.0500 CONTEST JUDGING.

Subpart 1. Date and location of judging. Notice of the date, location of judging, and size of the judging panel for each contest will be contained in the contest application package.

Subp. 2. Selection of judging panel. Contest judging panels will be chosen by the commissioner of natural resources and will consist of at least five members from areas of expertise including, but not limited to: art, hunting or fishing, outdoor media, conservation, or publishing. Judges will serve for a length of time to be established by the department.

Subp. 3. Assignment of identifying number. Each contest entry will be assigned an identifying number prior to the judging to keep the identity of the artist of the contest entry unknown to the judges. The identity of the artist of the contest entries will not be revealed to the judges prior to the selection of the winning entry.

Subp. 4. Judging procedure. Three rounds of judging will be used to select a winner in each contest.

A. During the first round of judging, the judging panel will view all eligible contest entries. Each judge shall select all those contest entries that the judge wishes to see advance to the second round.

B. During the second round, the contest entries selected by any judge from the first round will be separated from those contest entries not selected in the first round. Each judge shall select all those contest entries that the judge wishes to see advanced to the third round. Any contest entry receiving at least three votes shall advance to the third round. If no entry receives three votes, all entries receiving two votes will advance to the third round.

C. During the third round, the judges shall give each contest entry a numerical score. The contest entry receiving the highest combined numerical score shall be selected the winner. In the case of a tie for the winning entry or a tie for second place, the judges will repeat the process described for the third round, but only as to the tied entries. If for any reason, the contest

entry with the highest combined numerical score is disqualified, the entry with the next highest combined numerical score shall be selected the winner.

6290.0600 RETURN OF CONTEST ENTRIES.

Contest entries will be returned to the address specified by the artist and artists are responsible for notifying the department of an address change. If a contest entry is returned to the department because it is undeliverable or unclaimed, the department will not be obligated to trace the location of the artist to return the contest entry. All unclaimed entries, after one year, shall be assumed to be abandoned and shall become the property of the department.

The winning entry shall be retained by the department for such period of time as necessary to complete the stamp and stamp image.

6290.0700 DISPLAY AND PROMOTION OF CONTEST ENTRIES.

All contest entries shall be subject to display for promotion of the stamp and the stamp image by the department or parties authorized by the department.

6290.0800 RESERVATION OF RIGHTS.

The department reserves the right to not conduct a stamp contest. If the department conducts a stamp contest, the department reserves the right not to select or use a winning entry even if all requirements of this chapter are met.

6290.0800 Reservation Of Rights.

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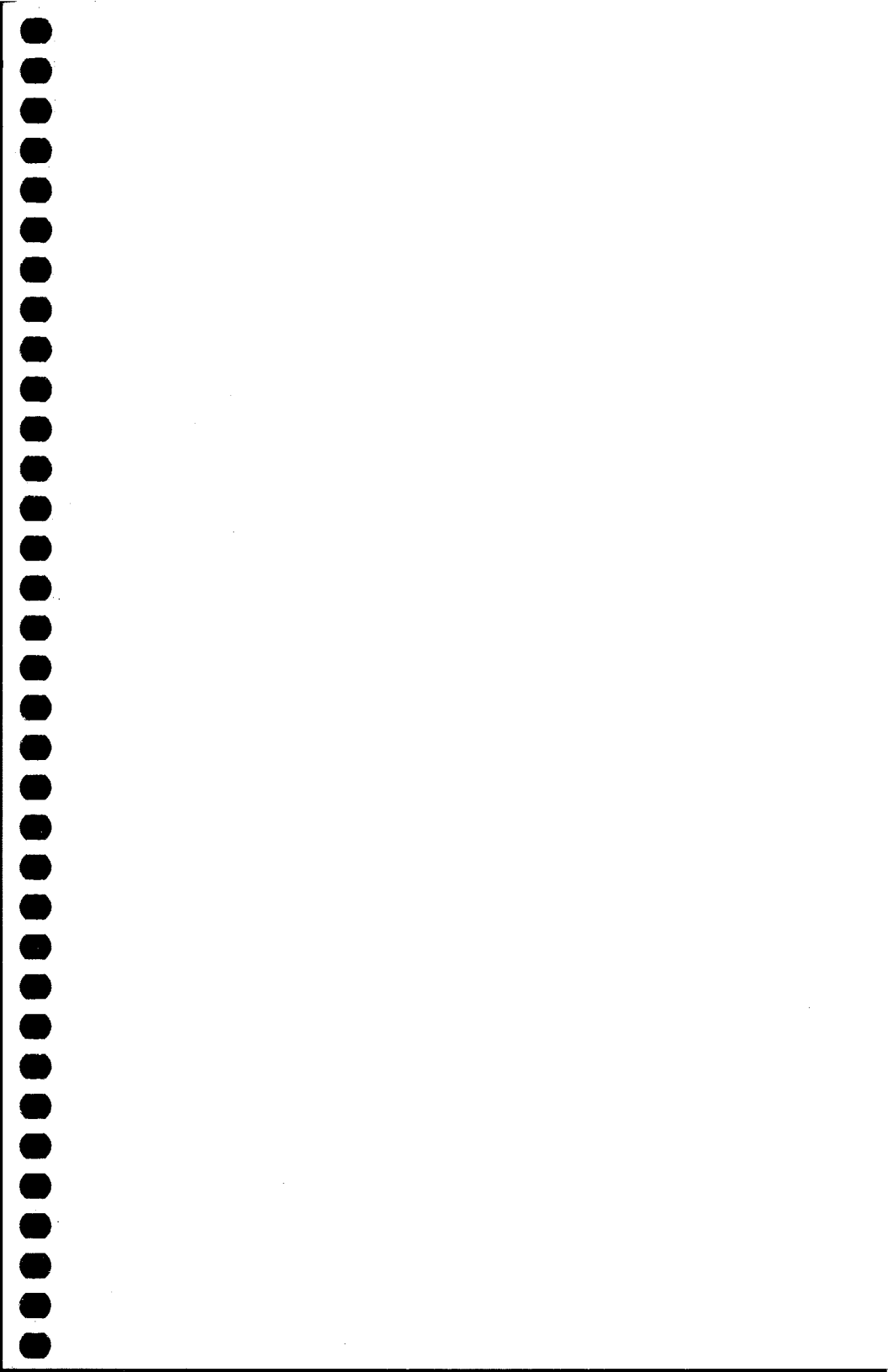
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1935 Game Wardens



During the period of 1891 to 1915, the Minnesota Legislature established a Board of Game and Fish Commissioners. The commissioners were authorized to enforce the game and fish laws. They were also given the power to appoint game wardens and deputy game wardens. The circle star badge (on cover) represents one of the earliest known Minnesota Game Warden badges.

For more information, contact:

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