

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3208

- 03/16/2016 Authored by Hackbarth, Scott, Heintzeman, Peterson, Kiel and others
The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy
- 03/21/2016 Adoption of Report: Re-referred to the Committee on Government Operations and Elections Policy
- 03/31/2016 Adoption of Report: Placed on the General Register
Read Second Time
- 05/18/2016 Calendar for the Day
Read Third Time
Passed by the House and transmitted to the Senate

1.1 A bill for an act
 1.2 relating to game and fish; modifying blaze orange hunting requirements to allow
 1.3 blaze pink; amending Minnesota Statutes 2014, section 97B.071.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 97B.071, is amended to read:

1.6 **97B.071 BLAZE ORANGE CLOTHING REQUIREMENTS; BLAZE**
 1.7 **ORANGE OR BLAZE PINK.**

1.8 (a) Except as provided in rules adopted under paragraph (c), a person may not hunt
 1.9 or trap during the open season where deer may be taken by firearms under applicable laws
 1.10 and ordinances, unless the visible portion of the person's cap and outer clothing above the
 1.11 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze
 1.12 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within
 1.13 each foot square. This section does not apply to migratory waterfowl hunters on waters of
 1.14 this state or in a stationary shooting location or to trappers on waters of this state.

1.15 (b) Except as provided in rules adopted under paragraph (c), and in addition to
 1.16 the requirement in paragraph (a), a person may not take small game other than turkey,
 1.17 migratory birds, raccoons, and predators, except while trapping, unless a visible portion of
 1.18 at least one article of the person's clothing above the waist is blaze orange or blaze pink.
 1.19 This paragraph does not apply to a person when in a stationary location while hunting
 1.20 deer by archery or when hunting small game by falconry.

1.21 (c) The commissioner may, by rule, prescribe an alternative color in cases where
 1.22 paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public
 1.23 Law 103-141.

2.1 (d) A violation of paragraph (b) shall not result in a penalty, but is punishable only
2.2 by a safety warning.

2.3 **Sec. 2. RULEMAKING; BLAZE PINK.**

2.4 (a) The commissioner of natural resources shall amend Minnesota Rules, parts
2.5 6232.2500, 6232.2550, 6232.2560, 6232.3700, and 6232.4400, to allow a person to wear
2.6 blaze pink as provided in Minnesota Statutes, section 97B.071.

2.7 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
2.8 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
2.9 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes,
2.10 section 14.388.