

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1325

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DATE	D-PG	OFFICIAL STATUS
03/04/2015	525	Introduction and first reading Referred to Environment and Energy
03/05/2015	576	Author added Wiger
03/16/2015	909	Author added Torres Ray
03/18/2015	953a	Comm report: To pass as amended and re-refer to Judiciary
03/19/2015	1053	Author added Johnson
03/23/2015		Comm report: To pass as amended Second reading

A bill for an act

1.1 relating to game and fish; modifying requirements for certain traps; requiring
1.2 certain permission for traps and snares set; requiring reporting; requiring
1.3 license forfeiture for certain violations; providing criminal penalties; amending
1.4 Minnesota Statutes 2014, sections 97A.421, subdivision 1; 97B.903; proposing
1.5 coding for new law in Minnesota Statutes, chapter 97B.
1.6

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

1.8 Section 1. Minnesota Statutes 2014, section 97A.421, subdivision 1, is amended to read:

1.9 Subdivision 1. **General.** (a) The annual license of a person convicted of a violation
1.10 of the game and fish laws relating to the license or wild animals covered by the license
1.11 is void when:

1.12 (1) a second conviction occurs within three years under a license to trap fur-bearing
1.13 animals, take small game, or to take fish by angling or spearing;

1.14 (2) a third conviction occurs within one year under a minnow dealer's license;

1.15 (3) a second conviction occurs within three years for violations of section 97A.425
1.16 that do not involve falsifications or intentional omissions of information required to be
1.17 recorded, or attempts to conceal unlawful acts within the records;

1.18 (4) two or more misdemeanor convictions occur within a three-year period under a
1.19 private fish hatchery license;

1.20 (5) the conviction occurs under a license not described in clause (1), (2), or (4) or is
1.21 for a violation of section 97A.425 not described in clause (3); ~~or~~

1.22 (6) the conviction is related to assisting a person in the illegal taking, transportation,
1.23 or possession of wild animals, when acting as a hunting or angling guide; or

1.24 (7) the conviction occurs for not reporting a taking under section 97B.930, paragraph
1.25 (a).

2.1 (b) Except for big game licenses and as otherwise provided in this section, for one
 2.2 year after the conviction the person may not obtain the kind of license or take wild
 2.3 animals under a lifetime license, issued under section 97A.473 or 97A.474, relating to
 2.4 the game and fish law violation.

2.5 Sec. 2. Minnesota Statutes 2014, section 97B.903, is amended to read:

2.6 **97B.903 USE OF BODY-GRIPPING TRAPS.**

2.7 A person may not set, place, or operate, except as a waterset that is completely
 2.8 submerged, a body-gripping ~~or conibear-type~~ trap ~~on public lands and waters~~ that has a
 2.9 maximum jaw opening when set greater than ~~6-1/2~~ 5-1/2 inches and less than ~~7-1/2~~ inches
 2.10 or less measured from the inside edges of the body-gripping portions of the jaws, unless:

2.11 (1) the trap is in a baited or unbaited enclosure securely fastened in an upright
 2.12 position with an opening on top that is 50 square inches or less, and the top of the
 2.13 enclosure a minimum of four feet above the ground or ice, and the trap trigger is recessed
 2.14 seven into enclosure 12 inches or more from below the top and frontmost portion of the
 2.15 open end of the enclosure;

2.16 (2) the trap is in a baited or unbaited enclosure with an opening that is 25 square
 2.17 inches or less, the trap trigger is recessed 12 inches or more from the closest edge of the
 2.18 opening of the enclosure, and the opening is placed on the top or side of the enclosure;

2.19 ~~(2)~~ (3) no bait, lure, or other attractant is placed within 20 feet of the trap, and the
 2.20 trap is placed in an enclosure no larger than eight inches wide and eight inches tall with
 2.21 openings restricted to no higher than four inches from the ground and the trap is no closer
 2.22 than 18 inches from any opening and the enclosure is securely fastened or weighted to
 2.23 the ground; or

2.24 ~~(3)~~ (4) the trap is elevated at least three five feet above the surface of the ground
 2.25 or snowpack.

2.26 Sec. 3. **[97B.929] PLACING TRAPS OR SNARES ON PRIVATE LAND;**
 2.27 **WRITTEN PERMISSION REQUIRED.**

2.28 A person may not set or place a trap or snare on private property, other than property
 2.29 owned or occupied by the person, unless the person has the written permission of the
 2.30 owner, occupant, or lessee of the private property. This section includes, but is not limited
 2.31 to, written permission to access private property from waters of the state when the trap
 2.32 or snare is placed or staked in the water.

3.1 Sec. 4. **[97B.930] REPORTING PET OR COMPANION ANIMALS TAKEN;**
3.2 **ANNUAL REPORT; LICENSE REVOCATION.**

3.3 (a) A person who finds a pet or companion animal, as defined in section 343.20,
3.4 subdivision 6, taken in the person's trap or snare must notify a conservation officer or
3.5 employee of the Fish and Wildlife Division within 24 hours after the animal is discovered
3.6 by the person or the taking is reported to the person. A person who violates this paragraph
3.7 is guilty of a misdemeanor and subject to section 97A.421.

3.8 (b) By March 1 each year, the commissioner shall report to the legislature, as provided
3.9 in section 3.197, on the takings reported under paragraph (a) for the previous calendar year.

3.10 (c) A person who kills a pet or companion animal as defined in section 343.20 in an
3.11 illegally set body grip trap or snare, shall lose their trapping license and lose the ability to
3.12 obtain a license to trap for a minimum of five years.