

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 865

(SENATE AUTHORS: RUUD, Koran, Housley and Tomassoni)

DATE	D-PG	OFFICIAL STATUS
02/13/2017	576	Introduction and first reading
		Referred to Environment and Natural Resources Policy and Legacy Finance
03/15/2017		Comm report: To pass as amended and re-refer to Environment and Natural Resources Finance

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; requiring rulemaking; amending Minnesota Statutes 2016, section

1.4 97B.071.

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

1.6 Section 1. Minnesota Statutes 2016, section 97B.071, is amended to read:

1.7 **97B.071 ~~BLAZE ORANGE~~ CLOTHING REQUIREMENTS; BLAZE ORANGE**

1.8 **OR BLAZE PINK.**

1.9 (a) Except as provided in rules adopted under paragraph (c), a person may not hunt or

1.10 trap during the open season where deer may be taken by firearms under applicable laws and

1.11 ordinances, unless the visible portion of the person's cap and outer clothing above the waist,

1.12 excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze pink

1.13 includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within each

1.14 foot square. This section does not apply to migratory waterfowl hunters on waters of this

1.15 state or in a stationary shooting location or to trappers on waters of this state.

1.16 (b) Except as provided in rules adopted under paragraph (c), and in addition to the

1.17 requirement in paragraph (a), a person may not take small game other than turkey, migratory

1.18 birds, raccoons, and predators, except while trapping, unless a visible portion of at least one

1.19 article of the person's clothing above the waist is blaze orange or blaze pink. This paragraph

1.20 does not apply to a person when in a stationary location while hunting deer by archery or

1.21 when hunting small game by falconry.

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

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

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

2.7 (a) The commissioner of natural resources shall amend Minnesota Rules, parts 6232.2500,
2.8 6232.2550, 6232.2560, 6232.3700, and 6232.4400, to allow a person to wear blaze pink as
2.9 provided in Minnesota Statutes, section 97B.071.

2.10 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
2.11 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
2.12 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
2.13 14.388.