

CHAPTER 100

QUADRUPEDS, BIRDS

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100.27 SEASONS.

Subdivision 1. Except as otherwise specifically provided, there shall be no open season on elk, caribou, antelope, cougar, or wolverine.

[For text of subd 2, see M.S.1984]

Subd. 3. The commissioner shall prescribe by order the areas within the state and any other restrictions under which the following animals may be taken and possessed, subject to all other provisions of chapters 97 to 102, between the dates, if any, set opposite the species:

(1) Grey and fox squirrels, October 15 and December 31 statewide; and during any other times, within any areas, and subject to any other restrictions as the commissioner by order may prescribe;

(2) Jack rabbits, cottontail rabbits and varying hare or snowshoe rabbits, September 16 and March 1;

(3) Raccoon, October 15 and December 31 statewide. Notwithstanding the restrictions imposed by this subdivision, raccoon may be treed without being taken by the use of dogs at any time during the year, except for those restrictions found in section 100.29, subdivision 20;

(4) Lynx, or bobcat with the length of the season, if any, for either species determined by the commissioner based upon population estimates of either species within the state;

(5) Fox, provided that no fox may be removed from a den or trapped within 300 feet of a fox den during the period from April 1 and ending August 31 of each year;

(6) Fisher, badger, opossum, and pine marten, based upon population estimates within the state.

Subd. 4. Muskrats may be taken for a period not exceeding 90 days in the aggregate for the area, otter for a period not exceeding 30 days, only by trapping, and mink for a period not exceeding 90 days, in the areas of the state, during the times between October 25th and April 30th of the following year and subject to any other restrictions which the commissioner shall prescribe. Beaver may be taken, by trapping only, in the areas of the state, during the times between October 25th and April 30th of the following year and subject to any other restrictions which the commissioner shall prescribe.

[For text of subds 5 to 9, see M.S.1984]

History: 1985 c 170 s 2-4

100.271 MOOSE OR TURKEY; LICENSES.

[For text of subd 1, see M.S.1984]

Subd. 2. Application shall be on a form provided by the commissioner. The commissioner shall charge a fee of \$3 for each person who makes application for a turkey license and \$1 for each person who makes application for a moose license.

[For text of subds 3 to 5, see M.S.1984]

History: *1Sp1985 c 13 s 227*

NOTE: Subdivision 2, as amended by Laws 1985, First Special Session chapter 13, section 227, is effective for the licensing year beginning March 1, 1986, and for each licensing year thereafter. See Laws 1985, First Special Session chapter 13, section 378.

100.273 TRESPASS.

[For text of subds 1 to 5, see M.S.1984]

Subd. 6. No person shall erect "no hunting," "no trapping," "no fishing," "no trespassing," or other signs prohibiting trespass upon any lands or waters in which he has no right, title, interests, or license. The owner, occupant, or lessee of any private land, or a duly constituted legal authority of public land, may erect signs prohibiting trespassing, hunting, trapping, or fishing if the signs bear letters not less than two inches high, are signed by the owner, occupant, or lessee, and are posted at intervals of not more than 1,000 feet upon the boundaries of the area so protected, or in a wooded area where boundary lines are not clear, at intervals of not more than 500 feet.

[For text of subds 7 and 8, see M.S.1984]

Subd. 9. (a) Violation of any provision of this section is a misdemeanor, except as provided in paragraph (b).

(b) A person is guilty of a gross misdemeanor who: (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.

(c) Upon a person's conviction for violating any provision of this section, any license issued to him pursuant to chapter 98, or any registration pursuant to section 84.82, under which he was exercising or attempting to exercise a privilege while violating this section shall immediately become null and void.

(d) A person convicted of a gross misdemeanor under paragraph (b) may not be issued a license to hunt or trap any wild animal for two years after the conviction.

History: *1985 c 217 s 4,5*

100.281 EXPERIMENTAL SEASON TO TAKE TWO DEER.

Notwithstanding the provisions of section 100.272 or 100.28, subdivision 1, for three calendar years beginning January 1, 1985, the commissioner may, by order, authorize and prescribe the taking of two deer by a hunter during a calendar year, by firearm or bow and arrow. The conditions may include:

(1) the issuance of an additional license; and

(2) the payment of an additional license fee not to exceed the amount a person must pay for a license to take deer by firearm.

History: *1985 c 272 s 1*

100.29 RESTRICTIONS AND PROHIBITIONS.

[For text of subds 1 to 14, see M.S.1984]

Subd. 15. It shall be unlawful to take any raccoon in any manner in a den or hollow tree or cut down any tree inhabited or occupied by raccoon; or to set fire to any tree or use smoke to take raccoons or squirrels.

[For text of subds 16 to 18, see M.S.1984]

Subd. 19. A dog that is known to have killed or which is observed wounding, killing, or pursuing in a manner which endangers a big game animal may be killed by a peace officer or conservation officer, or, between January 1 and July 14, by any person. The officer or person is not liable for damages for killing the dog. The owner of the dog is guilty of a petty misdemeanor and is subject to a civil penalty of up to \$500 for each violation.

[For text of subds 20 to 24, see M.S.1984]

Subd. 25. It shall be unlawful to tend any trap set for wild animals between the hours of 7:00 p.m. and 5:00 a.m.

[For text of subds 26 to 33, see M.S.1984]

History: 1985 c 170 s 5,6; 1985 c 269 s 1