

CHAPTER 97B

HUNTING

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97B.005 TRAINING DOGS.

[For text of subd 1, see M.S.1992]

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.** The commissioner may issue special permits, without a fee, to organizations and individuals to use firearms and live ammunition on domesticated birds or banded game birds from game farms for holding field trials and training hunting dogs.

[For text of subd 4, see M.S.1992]

History: 1993 c 269 s 9,10

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.

History: 1993 c 269 s 11

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.

History: 1993 c 269 s 12

97B.071 BLAZE ORANGE REQUIREMENTS.

A person may not hunt or trap during the open season in a zone or area where deer may be taken by firearms, 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.

This section is effective for the 1994 firearms deer season and subsequent firearms deer seasons. The commissioner of natural resources shall, by way of public service announcements and other means, inform the public of the provisions of this section.

History: 1993 c 196 s 1; 1993 c 269 s 13

NOTE: The exemption for migratory waterfowl hunters is effective August 1, 1993. See Laws 1993, chapter 269, section 13.

97B.106 CROSSBOW PERMITS FOR HUNTING.

The commissioner may issue a special permit, without a fee, to take big game or turkey with a crossbow to a person that is unable to hunt by archery because of a permanent or temporary physical disability. To qualify a person for a special permit under this section, a temporary disability must render the person unable to hunt by archery for a minimum of two years after application for the permit is made. The permanent or temporary disability, established by medical evidence, and the inability to hunt by archery for the required period of time must be verified in writing by a licensed physician. The person must obtain the appropriate license. The crossbow 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 with a broadhead.

History: 1993 c 69 s 1

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.** (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.
- (c) The commissioner may impose reasonable permit conditions.

History: 1993 c 269 s 14

97B.211 HUNTING BIG GAME BY ARCHERY.

Subdivision 1. **Possession of firearms prohibited.** (a) Except as provided in paragraph (b), a person may not take big game by archery while in possession of a firearm.

(b) A person may take bear by archery while in possession of a handgun specified in section 97B.031, subdivision 1.

[For text of subd 2, see M.S.1992]

History: 1993 c 269 s 15

97B.301 DEER LICENSES AND LIMITS.

[For text of subs 1 to 3, see M.S.1992]

Subd. 4. **Taking more than one deer.** 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;
- (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.

[For text of subd 5, see M.S.1992]

Subd. 6. **Residents under age 16 may take deer of either sex.** (a) A resident under the age of 16 may take a deer of either sex. This subdivision does not authorize the taking of an antlerless deer by another member of a party under subdivision 3.

(b) This subdivision is repealed effective December 31, 1995.

History: 1993 c 269 s 16; 1993 c 310 s 6

NOTE: Subdivision 6 was also amended by Laws 1993, chapter 269, section 17, to read as follows:

"Subd. 6. **Residents under age 16 may take deer of either sex.** (a) A resident under the age of 16 may take a deer of either sex. This subdivision does not authorize the taking of an antlerless deer by another member of a party under subdivision 3.

(b) This subdivision is repealed effective December 31, 1994."

97B.311 DEER SEASONS AND RESTRICTIONS.

(a) The commissioner may, by rule, prescribe restrictions and designate areas where deer may be taken. 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 between September 1 and January 15.

History: 1993 c 269 s 18

97B.312 EXPANDING MUZZLE-LOADING HUNTING AREAS.

The commissioner of natural resources, in setting seasons under section 97B.311, shall consider expanding the areas where deer may be taken with muzzle-loading firearms.

History: 1993 c 229 s 1

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.

History: 1993 c 231 s 38

97B.621 RACCOONS.

Subdivision 1. **Season.** The statewide open season for raccoon may be set by the commissioner.

[For text of subds 2 to 4, see M.S.1992]

History: 1993 c 51 s 1; 1993 c 269 s 19

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.

[For text of subd 3, see M.S.1992]

History: 1993 c 231 s 39,40

97B.711 GAME BIRDS.

[For text of subd 1, see M.S.1992]

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;
- (6) gray partridge; and
- (7) chukar partridge.

(b) A person may not take more than ten quail 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.

History: 1993 c 231 s 41,42

97B.721 LICENSE REQUIRED TO TAKE TURKEY; TAGGING AND REGISTRATION REQUIREMENTS.

(a) A person may not take a turkey without a turkey license.

(b) The commissioner may by rule prescribe requirements for the tagging and registration of turkeys.

History: 1993 c 231 s 43

97B.811 DECOYS AND BLINDS ON PUBLIC LANDS AND WATERS.

[For text of subds 1 to 4, see M.S.1992]

Subd. 5. **Rules governing blinds.** The commissioner may adopt rules for the use of blinds on public lands and public waters.

History: 1993 c 231 s 44

97B.901 COMMISSIONER MAY REQUIRE TAGS ON FUR-BEARING ANIMALS.

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.

History: 1993 c 269 s 20

97B.911 MUSKRAT SEASONS.

The commissioner may establish open seasons and restrictions for taking muskrat.

History: 1993 c 269 s 21

97B.915 MINK SEASONS.

The commissioner may establish open seasons and restrictions for taking mink.

History: 1993 c 269 s 22

97B.921 OTTER SEASONS.

The commissioner may establish open seasons and restrictions for taking otter.

History: 1993 c 269 s 23

97B.925 BEAVER SEASONS.

The commissioner may establish open seasons and restrictions for taking beaver.

History: 1993 c 269 s 24

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; or
- (3) the person's name and mailing address.

(b) The commissioner may not prescribe additional requirements for identification of traps or snares.

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.

History: 1993 c 231 s 45

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.

History: 1993 c 231 s 46