

**97C.345 RESTRICTIONS ON USING AND POSSESSING NETS AND SPEARS.**

Subdivision 1. **When use prohibited.** Except as specifically authorized, a person may not take fish with a spear from the third Monday in February to the Friday before the last Saturday in April and may not take fish with a fish trap, net, dip net, seine, or other device capable of taking fish from the third Monday in February to April 30.

Subd. 2. **Possession.** (a) Except as specifically authorized, a person may not possess a spear, fish trap, net, dip net, seine, or other device capable of taking fish on or near any waters. Possession includes personal possession and in a vehicle.

(b) A person may possess dip nets and spear guns allowed under section 97C.381 on or near waters between sunrise and sunset from May 1 to the last Sunday in February, or as otherwise prescribed by the commissioner. A person may possess a spear on or near waters between sunrise and sunset from the last Saturday in April to the last Sunday in February, or as otherwise prescribed by the commissioner.

Subd. 3. **Dip nets.** A person may possess and use a dip net between one hour before sunrise and one hour after sunset from May 1 to the third Sunday in February.

Subd. 3a. MS 2016 [Expired, 1Sp2015 c 4 art 5 s 28]

Subd. 4. **Exceptions.** Subdivisions 1 to 3 do not apply to:

- (1) nets used to take rainbow smelt during the open season;
- (2) nets used to land game fish taken by angling;
- (3) seines or traps used for the taking of minnows for bait;
- (4) nets, seines, or traps possessed and used under an aquatic farm license; and
- (5) angling equipment.

Subd. 5. **Rules.** The commissioner may adopt rules to regulate the use of nets to take fish.

**History:** 1986 c 386 art 3 s 31; 1987 c 149 art 1 s 52,53; 1992 c 566 s 20; 1993 c 231 s 57,58; 1Sp1995 c 1 s 36-38; 2005 c 146 s 45; 2009 c 176 art 2 s 57; 2013 c 121 s 47,48; 1Sp2015 c 4 art 5 s 28