84.111 NATURAL WILD RICE HARVESTING.

Subdivision 1. **Watercraft restrictions.** It shall be unlawful to use, in harvesting wild rice in any public waters in this state, any watercraft other than a boat, skiff, or canoe propelled by hand, which boat, skiff, or canoe may have a top width of not more than 36 inches and a length of not more than 18 feet, or any machine or mechanical device for gathering or harvesting the grain other than with flails not over 30 inches in length nor over one pound in weight, which flails must be held and operated by hand.

Subd. 2. **Pole restrictions.** It is unlawful to use any pole for propelling any watercraft used in such harvesting which is not forked at the end, with each branch less than 12 inches in length.

Subd. 3. **Machine restrictions.** It is unlawful to use in such harvesting any machine or device for gathering the grain other than a flail not over 30 inches in length nor over one pound in weight, held and operated by hand.

Subd. 4. **Harvest hours.** It is unlawful to harvest any wild rice in any public waters between 3:00 p.m. and 9:00 a.m. following except as otherwise expressly permitted in writing by an authorized committee member or other agent of the commissioner pursuant to rules of the commissioner.

Subd. 5. **Fee holder provisions.** Notwithstanding the provisions of subdivisions 1 to 3, any person holding fee title to all property surrounding a body of public waters may use mechanical harvesting devices to harvest wild rice in those waters. This subdivision does not apply to:

(1) any body of public waters greater than 125 acres in size;

(2) any body of public waters to which the public has access directly or through a channel or watercourse;

(3) any body of public waters within the original boundaries of any Indian reservation; or

(4) harvesting of wild rice for use or sale by any person other than the owner of the surrounding property.

History: *1949 c 506 s 3,4; 1959 c 684 s 1; 1963 c 174 s 1; 1982 c 543 s 1; 1985 c 248 s 70; 1986 c 444*