CHAPTER 97C

FISHING

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FISHING HABITAT

97C.001 EXPERIMENTAL WATERS.

Subdivision 1. **Definition; designation.** (a) Experimental waters are lakes and streams where special regulations are used and evaluated to meet a specific fisheries objective.

(b) The commissioner may designate any waters of the state having free access to the public as experimental waters. The designated experimental waters may not exceed 200 lakes and 50 streams at one time. For all experimental waters, the commissioner shall develop an evaluation plan and specify a termination date. On the termination date, the commissioner shall vacate or extend the experimental waters designation, or designate the experimental waters as special management waters under section 97C.005. The commissioner shall by rule establish methods and criteria for public initiation of experimental waters designation and for public participation in the evaluation of the waters designated.

(c) Designation of experimental waters under this section is not subject to chapter 14.

Subd. 2. **Public notice and comment.** (a) Before the commissioner designates, or vacates or extends the designation of, experimental waters, notice of the proposed change must be provided in the county where the largest portion of the waters is located, a virtual or in-person meeting must be held, and opportunity to submit public comment must be offered.

(b) Before the year that the designation is to become effective, the commissioner must give notice of the proposed designation, vacation, or extension. The notice must summarize the proposed action and invite public comment. Public comments must be accepted at least through September 30, and the commissioner must consider any public comments received in making a final decision. Notice must include:

(1) signs of the proposed changes and instructions for submitting comments posted at publicly maintained access points on the water by June 1;

(2) a list of proposed changes posted on the department's website by June 1, summarizing the proposed actions and inviting public comment; and

(3) a news release issued by the commissioner by July 1, a notice published in a newspaper of general circulation in the area where the waters are located by August 20, and at least one more digital media communication published by August 31.

(c) A virtual or in-person meeting must be held before September 20 where public comment must be accepted. An in-person meeting, where public comment must be accepted, must be held in the county where the largest portion of the waters is located if:

(1) a water or connected waters to be designated is over 5,000 acres or a stream or river reach is over ten miles; or

(2) a request for an in-person meeting is submitted to the commissioner by August 20 before the year that the designation is to become effective.

(d) The notices required in this subdivision must summarize the proposed action, invite public comment, and specify a deadline for the receipt of public comments. The commissioner shall mail a copy of each required notice to persons who have registered their names with the commissioner for this purpose. The commissioner shall consider any public comments received in making a final decision.

(e) If a water to be designated is a lake with a water area of more than 1,500 acres, or is a stream or river with a reach of more than six miles, a public meeting must also be held in the seven-county metropolitan area unless a virtual meeting is held and notice of the meeting is published in a newspaper of general circulation in the seven-county metropolitan area.

Subd. 3. **Seasons, limits, and other requirements.** The commissioner may, in accordance with the procedures in subdivision 2 or by rule under chapter 14, establish open seasons, limits, methods, and other requirements for taking fish on experimental waters.

History: *1985 c 248 s 70; 1986 c 386 art 3 s 1; 1992 c 462 s 15; 2000 c 473 s 12; 2024 c 116 art 3 s 41*

97C.003 MS 2000 [Repealed, 2002 c 351 s 34]

97C.005 SPECIAL MANAGEMENT WATERS.

Subdivision 1. **Definition; designation.** (a) Special management waters are waters that:

(1) have been subject to special regulations that have been evaluated and proven effective under an experimental waters designation under section 97C.001; or

(2) are classified by the commissioner for primary use as trophy lakes, family fishing lakes, designated trout lakes, designated trout streams, special species management lakes, and other designated uses.

(b) The commissioner may designate any waters of the state, including experimental waters, as special management waters. The commissioner shall by rule establish methods and criteria for public participation in the evaluation and designation of waters as special management waters.

(c) Designation of special management waters under this section is not subject to chapter 14.

Subd. 2. **Public notice and comment.** (a) Before the commissioner designates special management waters, notice of the proposed designation must be given, a virtual or in-person meeting must be held, and opportunity to submit public comment must be offered.

(b) If a water proposed to be designated is a lake with a water area of more than 1,500 acres, or is a stream or river with a reach of more than six miles, a public meeting must also be held in the seven-county metropolitan area unless a virtual meeting is held and notice of the meeting is published in a newspaper of general circulation in the seven-county metropolitan area.

(c) For proposed special management waters other than designated trout lakes and designated trout streams, before the year that the designation is to become effective, the commissioner must give notice of the proposed designation. The notice must summarize the proposed action and invite public comment. Public

comments must be accepted at least through September 30, and the commissioner must consider any public comments received in making a final decision. Notice must include:

(1) signs of the proposed designation and instructions for submitting comments posted at publicly maintained access points on the water by June 1;

(2) a list of proposed designations posted on the department's website by June 1, summarizing the proposed action and inviting public comment; and

(3) a news release issued by the commissioner by July 1, a notice published in a newspaper of general circulation in the area where the waters are located by August 15, and at least one more digital media communication published by August 31.

(d) A virtual or in-person meeting must be held before September 20 where public comment must be accepted. An in-person meeting, where public comment must be accepted, must be held in the county where the largest portion of the waters is located if:

(1) a water to be designated is a lake over 5,000 acres or is a stream or river reach over ten miles; or

(2) a request for an in-person meeting is submitted to the commissioner by August 20 before the year that the designation is to become effective.

(e) For waters proposed to be designated as trout streams or trout lakes, notice of the proposed designation must be published at least 90 days before the effective date of the designation in a news release issued by the commissioner and in a newspaper of general circulation in the area where the waters are located. In addition, all riparian owners along the waters must be notified at least 90 days before the effective date of the designation.

(f) The notices required in this subdivision must summarize the proposed action, invite public comment, and specify a deadline for the receipt of public comments. The commissioner shall mail a copy of each required notice to persons who have registered their names with the commissioner for this purpose. The commissioner shall consider any public comments received in making a final decision.

Subd. 3. **Seasons, limits, and other rules.** The commissioner may, in accordance with the procedures in subdivision 2, paragraphs (c) and (f), or by rule under chapter 14, establish open seasons, limits, methods, and other requirements for taking fish on special management waters. The commissioner may, by written order published in the State Register, amend daily, possession, or size limits to make midseason adjustments based on available harvest, angling pressure, and population data to manage the fisheries in the 1837 Ceded Territory in compliance with the court orders in *Mille Lacs Band of Chippewa v. Minnesota*, 119 S. Ct. 1187 (1999) and in the state waters of Upper Red Lake. The midseason adjustments in daily, possession, or size limits are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply. Before the written order is effective, the commissioner shall attempt to notify persons or groups of persons affected by the written order by public announcement, posting, and other appropriate means as determined by the commissioner.

History: *1986 c 386 art 3 s 2; 1992 c 462 s 16; 1Sp2011 c 2 art 5 s 54; 1Sp2021 c 6 art 2 s 70; 2024 c 116 art 3 s 42; 2025 c 20 s 55*

97C.007 NORTHERN PIKE EXPERIMENTAL AND SPECIAL MANAGEMENT WATERS.

The combined number of lakes designated for northern pike under sections 97C.001 and 97C.005 may not exceed 100 at one time. Until November 1, 2021, the designated lakes must be selected from the lakes

identified in rules adopted under sections 97C.001 and 97C.005 with northern pike slot limits effective on January 1, 2011. A designation under this section must continue for at least ten years, at which time the commissioner shall determine, based on scientific studies, whether the designation should be discontinued.

History: *1Sp2011 c 2 art 5 s 55*

97C.011 MS 2012 [Repealed, 2014 c 290 s 70]

97C.015 MS 2004 [Repealed, 2005 c 146 s 52]

97C.02 ACQUIRING CRITICAL AQUATIC HABITAT.

The commissioner shall acquire lands that are critical for fish and other aquatic life and that meet criteria described for aquatic management areas in section 86A.05, subdivision 14. The lands that are acquired may be developed to manage lakes, rivers, streams, and adjacent wetlands and lands for aquatic life, water quality, intrinsic biological value, public fishing, and other compatible outdoor recreational uses. The land may be acquired by gift, lease, easement, or purchase. The commissioner shall designate land acquired under this subdivision as aquatic management areas for the purposes of the outdoor recreation system.

History: *2000 c 495 s 40*

97C.021 ANGLING RESTRICTED IN TROUT STREAMS.

A person may only take fish from a designated trout stream during the open season for trout in the stream.

History: *1986 c 386 art 3 s 5*

97C.025 FISHING AND MOTORBOATS RESTRICTED IN CERTAIN AREAS.

(a) The commissioner may prohibit or restrict the taking of fish or the operation of motorboats by posting waters that:

(1) are designated as spawning beds or fish preserves;

(2) are being used by the commissioner for fisheries research or management activities; or

(3) are licensed by the commissioner as a private fish hatchery or aquatic farm under section 17.4984, subdivision 1, or 97C.211, subdivision 1.

An area may be posted under this paragraph if necessary to prevent excessive depletion of fish or interference with fisheries research or management activities or private fish hatchery or aquatic farm operations.

(b) The commissioner will consider the following criteria in determining if waters licensed under a private fish hatchery or aquatic farm should be posted under paragraph (a):

(1) the waters contain game fish brood stock or native rough fish brood stock and the brood stock is vital to the private fish hatchery or aquatic farm operation;

(2) game fish or native rough fish are present in the licensed waters only as a result of aquaculture activities by the licensee; and

(3) no public access to the waters existed when the waters were first licensed.

(c) A private fish hatchery or aquatic farm licensee may not take fish or authorize others to take fish in licensed waters that are posted under paragraph (a), except as provided in section 17.4983, subdivision 3, and except that if waters are posted to allow the taking of fish under special restrictions, licensees and others who can legally access the waters may take fish under those special restrictions.

(d) Before March 1, 2003, riparian landowners adjacent to licensed waters on April 30, 2002, and riparian landowners who own land adjacent to waters licensed after April 30, 2002, on the date the waters become licensed waters, plus their children and grandchildren, may take two daily limits of fish per month under an angling license subject to the other limits and conditions in the game and fish laws.

(e) Except as provided in paragraphs (c), (d), and (f), a person may not take fish or operate a motorboat if prohibited by posting under paragraph (a).

(f) An owner of riparian land adjacent to an area posted under paragraph (a) may operate a motorboat through the area by the shortest direct route at a speed of not more than five miles per hour.

(g) Postings for water bodies designated under paragraph (a), clause (1), or being used for fisheries research or management under paragraph (a), clause (2), are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply.

History: *1986 c 386 art 3 s 6; 1993 c 231 s 47; 1Sp1995 c 1 s 32; 2002 c 351 s 21; 2006 c 281 art 2 s 42; 2024 c 90 art 2 s 20*

97C.031 MS 2010 [Repealed, 2012 c 277 art 1 s 91]

97C.035 ENDANGERED FISH POPULATIONS.

Subdivision 1. **Conditions.** If the commissioner determines that fish are in danger of dying, or if waters will be restored with the use of piscicides, the commissioner may rescue the fish under subdivision 2 or allow taking of the fish under subdivision 3.

Subd. 2. **Rescuing fish.** If the commissioner rescues fish endangered by lack of oxygen in the winter, the fish may be transferred to other waters, sold, or otherwise disposed of.

Subd. 3. **Taking fish.** (a) The commissioner may authorize residents to take fish:

(1) in any quantity;

(2) in any manner, except by use of seines, hoop nets, fyke nets, and explosives; and

(3) for personal use only, except common carp may be sold.

(b) The commissioner may authorize the taking of fish by posting notice conspicuously along the shore of the waters and publishing a news release in a newspaper of general circulation in the area where the waters are located.

History: *1986 c 386 art 3 s 8; 1991 c 259 s 23; 1996 c 410 s 41; 1997 c 226 s 36; 2024 c 90 art 2 s 21*

97C.041 COMMISSIONER MAY REMOVE NATIVE ROUGH FISH, COMMON CARP, AND RAINBOW SMELT.

The commissioner may take native rough fish, common carp, and rainbow smelt with seines, nets, and other devices. The commissioner may hire or contract persons, or issue permits, to take the fish. The commissioner shall prescribe the manner of taking and disposal. The commissioner may award a contract

under this section without competitive bidding. Before establishing the contractor's compensation, the commissioner must consider the qualifications of the contractor, including the contractor's equipment, knowledge of the waters, and ability to perform the work.

History: *1986 c 386 art 3 s 9; 2000 c 495 s 41; 2023 c 60 art 4 s 62; 2024 c 90 art 2 s 22*

97C.045 REMOVING COMMON CARP AND NATIVE ROUGH FISH FROM BOUNDARY WATERS.

The commissioner may enter into agreements with North Dakota, South Dakota, Wisconsin, and Iowa, relating to the removal of common carp and native rough fish in boundary waters. The agreements may include:

(1) contracting to remove common carp and native rough fish;

(2) inspection of the work;

(3) the division of proceeds; and

(4) regulating the taking of common carp and native rough fish.

History: *1986 c 386 art 3 s 10; 2024 c 90 art 2 s 23*

97C.051 SPECIAL PERMITS TO USE PISCICIDES.

Subdivision 1. **Permit.** (a) The commissioner may issue a special permit, without a fee, to apply piscicides to restore waters at the permittee's expense. The commissioner may by rule prescribe insurance requirements for permit applicants.

(b) A permit under this section may be issued to an individual, a group of riparian owners, or a lake improvement association. The permit may only be issued if all riparian owners have consented in writing.

Subd. 2. **Taking fish.** The commissioner may set special open seasons, limits, and methods to take fish before the piscicides are applied. The commissioner must post the special provisions at or near the waters.

History: *1986 c 386 art 3 s 11; 1993 c 231 s 48*

97C.055 REMOVING DEAD FISH.

The commissioner shall remove and dispose of dead fish that accumulate in or upon the shores of public waters in quantities that are a public nuisance or are detrimental to game fish.

History: *1986 c 386 art 3 s 12*

97C.061 DRAGGING WEIGHT OR ANCHOR THROUGH VEGETATION.

A person may not use a motorboat to drag an anchor or other weight through aquatic vegetation, except by commissioner's rule.

History: *1986 c 386 art 3 s 13; 1991 c 259 s 23*

97C.065 POLLUTANTS IN WATERS.

A person may not dispose of any substance in state waters, or allow any substance to enter state waters, in quantities that injure or are detrimental to the propagation of wild animals or taint the flesh of wild animals. Each day of violation is a separate offense. An occurring or continuous violation is a public nuisance. An

action may be brought by the attorney general to enjoin and abate nuisance upon request of the commissioner. This section does not apply to chemicals used for pest control for the general welfare of the public.

History: *1986 c 386 art 3 s 14*

97C.071 STRUCTURES IN PUBLIC WATERS.

A person may not construct or maintain a dam or other obstruction, except a boat pier, in or over public waters without a permit from the commissioner. The commissioner may establish permit conditions for the construction or modification of a fishway around or over a dam or obstruction.

History: *1986 c 386 art 3 s 15*

97C.075 FISH SCREENS IN FLOWING WATERS.

A person may not obstruct a creek, stream, or river to prevent the passage of fish with a rack or screen without the permission of the commissioner. The person that erected the obstruction, or the owner of the land where the obstruction is located, must immediately remove the obstruction upon order of the commissioner.

History: *1986 c 386 art 3 s 16*

97C.077 FISH SCREENS IN LAKES.

Subdivision 1. **Lake in single county.** If all or a major part of a navigable lake is located within a single county and has been stocked with fish by the United States government, the county board, in order to maintain fish in the lake and prevent their escape from the lake, may erect and maintain screens at the inlets and outlets of the lake. The county board may appropriate from the county treasury money for the erection and maintenance of the screens.

Subd. 2. **Lake in more than one county.** If a lake is located in more than one county, the county boards of the affected counties may jointly provide for the erection and maintenance of screens. The expense of the screens and maintenance must be paid equally between the counties, and the county boards must appropriate money from the county treasury of their respective counties to pay the expenses of the screens and maintenance.

History: *1990 c 391 art 8 s 26*

97C.081 FISHING CONTESTS.

Subdivision 1. **Restrictions.** A person may not conduct a fishing contest on waters except as provided in this section.

Subd. 2. MS 2010 [Repealed, 1Sp2011 c 2 art 5 s 70]

Subd. 3. **Contests requiring permit.** (a) Unless subdivision 3a applies, a person must have a permit from the commissioner to conduct a fishing contest if:

(1) there are more than 25 boats for open-water contests, more than 150 participants for ice-fishing contests, or more than 100 participants for shore-fishing contests;

(2) entry fees are more than $25 per person; or

(3) the contest is limited to trout species.

(b) The commissioner shall charge a fee for the permit that recovers the costs of issuing the permit and of monitoring the activities allowed by the permit. Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish contest permit fees. The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply.

(c) The commissioner may require the applicant to furnish evidence of financial responsibility in the form of a surety bond or bank letter of credit in the amount of $25,000 if entry fees are over $25 per person, or total prizes are valued at more than $25,000, and if the applicant has either:

(1) not previously conducted a fishing contest requiring a permit under this subdivision; or

(2) ever failed to make required prize awards in a fishing contest conducted by the applicant.

(d) The permit fee for any individual contest may not exceed the following amounts:

(1) $70 for an open-water contest not exceeding 50 boats and without off-site weigh-in;

(2) $225 for an open-water contest with more than 50 boats and without off-site weigh-in;

(3) $280 for an open-water contest not exceeding 50 boats with off-site weigh-in;

(4) $560 for an open-water contest with more than 50 boats with off-site weigh-in;

(5) $135 for an ice-fishing contest with more than 150 participants; or

(6) $50 for a contest where all participants are age 18 years or under.

Subd. 3a. **No permit required.** A person may conduct a fishing contest without a permit from the commissioner if:

(1) the contest is not limited to specifically named waters;

(2) the contest is limited to common carp and participants are required to fish with a hook and line; or

(3) the total prize value is $500 or less.

Subd. 4. **Restrictions.** (a) The commissioner may by rule establish restrictions on fishing contests to protect fish and fish habitat, to restrict activities during high use periods, to restrict activities that affect research or management work, to restrict the number of boats, and for the safety of contest participants. The commissioner may require mandatory decontamination of boats participating in fishing contests on infested waters.

(b) By March 1, 2011, the commissioner shall develop a best practices certification program for fishing contest organizers to ensure the proper handling and release of fish.

Subd. 5. MS 2012 [Repealed, 2014 c 290 s 70]

Subd. 6. **Permit application process.** (a) Beginning August 1 each year, the commissioner shall accept permit applications for fishing contests to be held in the following year.

(b) If the number of permit applications received by the commissioner from August 1 through the last Friday in September exceeds the limits specified in subdivisions 7 and 8, the commissioner shall notify the affected applicants that their requested locations and time period are subject to a drawing. After notification, the commissioner shall allow the affected applicants a minimum of seven days to change the location or

time period requested on their applications, provided that the change is not to a location or time period for which applications are already at or above the limits specified in subdivisions 7 and 8.

(c) After the applicants have been given at least seven days to change their applications, the commissioner shall conduct a drawing for all locations and time periods for which applications exceed limits. First preference in the drawings shall be given to applicants for established or traditional fishing contests, and second preference to applicants for contests that are not established as traditional fishing contests based on the number of times they have been unsuccessful in previous drawings. Except for applicants of established or traditional fishing contests, an applicant who is successful in a drawing loses all accumulated preference. "Established or traditional fishing contest" means a fishing contest that was issued permits in 1999 and 2000 or was issued permits four out of five years from 1996 to 2000 for the same lake and time period. Beginning with 2001, established or traditional fishing contests must continue to be conducted at least four out of five years for the same lake and time period to remain established or traditional.

(d) The commissioner has until November 7 to approve or deny permit applications that are submitted by 4:30 p.m. on the last Friday in September. The commissioner may approve a permit application that is received after 4:30 p.m. on the last Friday in September if approving the application would not result in exceeding the limits in subdivisions 7 and 8.

(e) The commissioner shall develop an online web-based fishing contest permit application process.

Subd. 7. **Weekend limitations.** (a) On all waters 55,000 acres or less, the commissioner may ensure that each of the state's waters has at least two weekends per month with no permitted fishing contests.

(b) Unless otherwise authorized by the commissioner, permitted fishing contests that are conducted for more than one day may not include more than one weekend day from Memorial Day weekend through Labor Day weekend.

(c) The commissioner may not approve permits for fishing contests on a weekend with a fishing season opener if the contest targets a species for which the season is opening.

Subd. 8. **Limits on number of fishing contests.** (a) The number of permitted fishing contests allowed each month on a water body shall not exceed the following limits:

(1) Lakes:

	Maximum number of permitted fishing contests	Maximum number of large permitted fishing contests	Maximum number of permitted fishing contest days
Size/acres			
less than 2,000	2	0	4
2,000-4,999	3	1	6
5,000-14,999	4	2	8
15,000-55,000	5	3	10
more than 55,000	no limit	no limit	no limit

For boundary water lakes, the limits on the number of permitted fishing contests shall be determined based on the Minnesota acreage.

(2) Rivers:

	Maximum number of permitted fishing contests	Maximum number of large permitted fishing contests	Maximum number of permitted fishing contest days
Mississippi River: Pool 1, 2, 3, 5, 5A, 6, 7, 8, 9	4 (each pool)	2 (each pool)	8 (each pool)
Pool 4	5	3	10
St. Croix River	2	1	4
Lake St. Croix	4	2	8

(b) Contest waters identified in the permit for Mississippi River pools are limited to no more than one lockage upstream and one lockage downstream from the pool where the contest access and weigh-in is located.

(c) Contest waters for Lake St. Croix are bounded by the U.S. Highway 10 bridge at Prescott upstream to the Arcola Bar. Contest waters for the St. Croix River are bounded by the Arcola Bar upstream to the Wisconsin state line.

(d) For all other rivers, no more than two contest permits, not to exceed four days combined, may be issued for any continuous segment of a river per month. Of the two contests permitted, only one shall be a large permitted fishing contest. Permits issued by the commissioner shall not exceed 60 continuous river miles.

Subd. 8a. **Additional fishing contests; permits.** Notwithstanding the limits in subdivision 8, the commissioner may allow up to five additional permits each year for fishing contests on bodies of water that are 5,000 acres or more in size. No more than one additional contest may be permitted on one body of water in a single year. For additional fishing contests permitted under this subdivision, the fishing contest permit applicant must demonstrate to the commissioner that the contest will:

(1) provide economic benefits to the local area;

(2) promote public awareness of fishing and the state's resources; and

(3) conform to best management practices for the lake.

Subd. 9. **Permit restrictions.** (a) The commissioner may require fishing contest permittees to limit prefishing to week days only as a condition of a fishing contest permit. The commissioner may require proof from permittees that prefishing restrictions on the permit are communicated to fishing contest participants and enforced.

(b) The commissioner may require permit restrictions on the hours that a permitted fishing contest is conducted, including, but not limited to, starting and ending times.

(c) The commissioner may require permit restrictions on the number of parking spaces that may be used on a state-owned public water-access site. The commissioner may require proof from permittees that parking restrictions on the permit are communicated to fishing contest participants and enforced.

(d) To prevent undue mortality of released fish, the commissioner may require restrictions for off-site weigh-ins and live releases on a fishing contest permit or may deny permits requesting an off-site weigh-in or live release. The commissioner may allow for live release weigh-ins at public accesses.

(e) A person may not transfer a fishing contest permit to another person.

(f) Failure to comply with fishing contest permit restrictions may be considered grounds for denial of future permit applications.

Subd. 10. **Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "Permitted fishing contest" means an open-water fishing contest or ice fishing contest that requires a permit from the commissioner under subdivision 3.

(2) "Large permitted fishing contest" means an open-water fishing contest with more than 50 boats or more than 100 participants that requires a permit from the commissioner under subdivision 3.

(3) "Participant" means a person who is taking part in a fishing contest.

(4) "Permitted fishing contest day" means a day on a water body where a permitted fishing contest is held. Two permitted fishing contests that are held on the same water body on the same day count as two permitted fishing contest days.

(5) "Off-site weigh-in" means a weigh-in of fish from a fishing contest at a location that is not adjacent to the waters listed on the fishing contest permit.

(6) "Prefishing" means fishing by participants of a permitted fishing contest prior to the scheduled dates of the contest on waters listed on the fishing contest permit.

History: *1986 c 386 art 3 s 17; 1991 c 259 s 23; 1993 c 231 s 49-51; 1993 c 269 s 25; 1Sp1995 c 1 s 33; 2000 c 473 s 13-19; 2002 c 351 s 22; 2006 c 281 art 2 s 43-46; 2007 c 57 art 1 s 101; 2009 c 176 art 2 s 51-55; 2011 c 107 s 51; 1Sp2011 c 2 art 5 s 56,57; 2017 c 93 art 2 s 99; 2020 c 83 art 1 s 14; 1Sp2021 c 6 art 2 s 71,72; 2024 c 90 art 2 s 24; 2025 c 20 s 56*

97C.085 PERMIT REQUIRED FOR TAGGING FISH.

A person may not tag or otherwise mark a live fish for identification without a permit from the commissioner, except for special fish management tags as authorized under section 97A.551.

History: *1993 c 231 s 52; 1Sp2005 c 1 art 2 s 114*

97C.087 SPECIAL FISH MANAGEMENT REGISTRATION.

Subdivision 1. **Registration.** If the commissioner determines it is necessary to require that a species of fish be registered, the commissioner shall prescribe, by rule, the species to be registered, registration procedures, and endorsement eligibility requirements.

Subd. 2. **Application for endorsement.** Application for a special fish management endorsement must be accompanied by a $5, nonrefundable application fee for each endorsement. A person may not make more than one endorsement application each calendar year. If a person makes more than one application, the

person is ineligible for a special fish management endorsement for that calendar year after determination by the commissioner, without a hearing.

History: *1Sp2005 c 1 art 2 s 115; 1Sp2011 c 2 art 5 s 58; 2024 c 90 art 1 s 47*

PROPAGATION

97C.201 STATE FISH STOCKING PROHIBITED WITHOUT PUBLIC ACCESS.

The commissioner and state agencies may only stock fish in waters where there is public access. The commissioner may stock fish in any stream within privately owned lands where the public is granted free access to and use of the stream for fishing purposes.

History: *1986 c 386 art 3 s 18; 1986 c 424 s 2*

97C.202 WATER-QUALITY MONITORING AT STATE FISH HATCHERIES.

(a) The commissioner, in conjunction with the commissioners of health, agriculture, and the Pollution Control Agency, must test the source water at the state fish hatcheries located in the cities of Altura, Lanesboro, and Peterson monthly for nitrates and pesticides, including neonicotinoids. By February 15 each year, the commissioner must report the results of the previous calendar year's testing to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources policy and finance and health policy and finance.

(b) Once construction of the state fish hatchery in the city of Waterville is completed, the commissioner must test the groundwater source water monthly and report the results as required for other hatcheries under paragraph (a).

History: *2024 c 116 art 3 s 43*

97C.203 EXCHANGING FISH OR WILDLIFE RESOURCES; DISPOSAL OF STATE HATCHERY PRODUCTS.

(a) The commissioner shall dispose of fish hatchery products or exchange fish or wildlife resources only after they have been tested for certifiable diseases. The testing must have been completed within the 12 months preceding the disposal or exchange. Fish or wildlife resources subject to an exchange must have received a disease-free certification for those certifiable diseases not currently documented in Minnesota. Disease certification must be provided prior to accepting the fish or wildlife resource. When the fish or wildlife resource is not certified as disease-free, they may be stocked or transferred only into waters that already contain that disease.

(b) State hatchery products shall be disposed of according to the following order of priorities:

(1) distribution of fish eggs and fry to state hatcheries to hatch fry or raise fingerlings for stocking waters of the state for recreational fishing;

(2) transfer to other government agencies in exchange for fish or wildlife resources of equal value or private fish hatcheries in exchange for fish to be stocked in waters of the state for recreational fishing;

(3) sale to private fish hatcheries or licensed aquatic farms at a price not less than the fair wholesale market value, established as the average price charged at the state's private hatcheries and contiguous states per volume rates;

(4) transfer to other government agencies, colleges, or universities for cooperative fish management and research purposes; and

(5) sale of not more than $25 fair market value to any school, museum, or commercial enterprise for curriculum implementation, educational programs, public exhibition, or cooperative displays.

History: *1987 c 318 s 3; 1992 c 566 s 18; 1993 c 226 s 16; 1996 c 410 s 42; 2005 c 146 s 43; 2008 c 307 s 12*

97C.205 TRANSPORTING AND STOCKING FISH.

(a) Except on the water body where taken, a person may not transport a live fish in a quantity of water sufficient to keep the fish alive, unless the fish:

(1) is being transported under an aquaculture license as authorized under sections 17.4985 and 17.4986;

(2) is being transported for a fishing contest weigh-in under section 97C.081;

(3) is a minnow being transported under section 97C.505 or 97C.515;

(4) is being transported by a commercial fishing license holder under section 97C.821; or

(5) is being transported as otherwise authorized in this section or as prescribed for certifiable diseases under sections 17.46 to 17.4999.

(b) The commissioner may adopt rules to allow and regulate:

(1) the transportation of fish and fish eggs; and

(2) the stocking of waters with fish or fish eggs.

(c) The commissioner must allow the possession of fish on special management or experimental waters to be prepared as a meal on the ice or on the shore of that water body if the fish:

(1) were lawfully taken;

(2) have been packaged by a licensed fish packer; and

(3) do not otherwise exceed the statewide possession limits.

(d) The commissioner shall prescribe rules designed to encourage local sporting organizations to propagate game fish by using rearing ponds. The rules must:

(1) prescribe methods to acquire brood stock for the ponds by seining public waters;

(2) allow the sporting organizations to own and use seines and other necessary equipment; and

(3) prescribe methods for stocking the fish in public waters that give priority to the needs of the community where the fish are reared and the desires of the organization operating the rearing pond.

(e) A person age 16 or under may, for purposes of display in a home aquarium, transport largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie, white crappie, bluegill pumpkinseed, green sunfish, orange spotted sunfish, and black, yellow, and brown bullheads taken by angling, except as otherwise ordered by the commissioner upon documentation of an emergency fish disease in Minnesota waters, as defined in section 17.4982, subdivision 9. No more than four of each species may be transported at any one time, and any individual fish can be no longer than ten inches in total length. The commissioner may, by

written order published in the State Register, prohibit transportation of live fish under this paragraph to help prevent spread of an emergency fish disease documented to occur in Minnesota waters. The order is exempt from the rulemaking provisions of chapter 14, and section 14.386 does not apply.

History: *1986 c 386 art 3 s 19; 1993 c 231 s 53; 1996 c 410 s 43; 2006 c 281 art 2 s 47; 2008 c 307 s 13; 2008 c 368 art 2 s 59; 1Sp2011 c 2 art 5 s 59; 2025 c 20 s 57*

97C.209 MS 1990 [Repealed, 1992 c 566 s 23]

97C.211 PRIVATE FISH HATCHERIES.

Subdivision 1. **License required.** A person may not operate a private fish hatchery without a private fish hatchery license. A private fish hatchery is a facility for raising fish, including minnows, for sale, stocking waters, angling, or processing. A private fish hatchery license is valid for five years but must be renewed annually.

Subd. 2. **Operating rules.** The commissioner shall prescribe rules that allow a person to maintain and operate a private fish hatchery to raise and dispose of fish. The commissioner shall establish and assess a fee to cover the cost of inspection and disease certification of private hatcheries.

Subd. 2a. **Acquiring fish.** (a) A private fish hatchery may not obtain fish outside of the state unless the fish or the source of the fish are approved by the commissioner. The commissioner may apply more stringent requirements to fish or a source of fish from outside the state than are applied to fish and sources of fish from within the state. The commissioner must either approve or deny the acquisition within 30 days after receiving a written request for approval. Minnows acquired must be processed and not released into public waters, except as provided in section 97C.515, subdivision 4. A request may be for annual acquisition.

(b) If the commissioner denies approval, a written notice must be submitted to the applicant stating the reasons for the denial and the commissioner must:

(1) designate approved sources to obtain the desired fish or fish eggs; or

(2) sell the fish or fish eggs from state fish hatcheries at fair market value.

Subd. 3. **Angling without license; certificate.** A person may take fish by angling without a fishing license at a licensed private fish hatchery or an artificial pool containing only fish purchased from a private fish hatchery, if the operator of the hatchery or pool furnishes each person catching fish a certificate prescribed by the commissioner. The certificate must state the number and species of the fish caught and other information as prescribed by the commissioner. A person without a fishing license may possess, ship, and transport within the state the fish caught in the same manner as fish taken by a resident with a fishing license.

Subd. 4. **License required to take sucker eggs.** A person may not take sucker eggs from public waters for a private fish hatchery without a license to do so.

Subd. 5. **Price of game fish fry and eggs.** The commissioner may sell or barter game fish or native rough fish fry or eggs for not less than the cost associated with the production of eggs or fry.

Subd. 6. **Nonpublic records.** Information on production, harvest, and sales of aquatic life by a private fish hatchery is nonpublic information.

History: *1986 c 386 art 3 s 20; 1987 c 318 s 5-7; 1987 c 404 s 134; 1988 c 588 s 11,12; 1997 c 226 s 37,38; 1Sp2011 c 2 art 5 s 60; 2024 c 90 art 2 s 25*

97C.215 SPECIAL PERMITS FOR UNITED STATES AGENTS.

The commissioner may issue a special permit, without a fee, to an authorized agent of the United States to conduct fish culture operations, rescue work, and related fishery operations.

History: *1986 c 386 art 3 s 21*

FISHING METHODS

97C.301 LICENSE REQUIRED TO TAKE FISH.

Subdivision 1. **Requirement.** Unless exempted under section 97A.445, 97A.451, or 97A.465, subdivision 1, a person must have a license to take fish as provided in this section.

Subd. 2. **Angling.** A person may not take fish without an angling license.

Subd. 2a. **Aquatic invasive species affirmation.** (a) A nonresident license to take fish issued under section 97A.475, subdivision 7, includes aquatic invasive species affirmation as provided in section 84D.106.

(b) The aquatic invasive species affirmation portion of the license must be displayed with the nonresident license to take fish issued under section 97A.475, subdivision 7. The aquatic invasive species affirmation will be provided at the time of purchase of a new or duplicate nonresident license.

(c) If a license is purchased online, the aquatic invasive species affirmation may be completed electronically as part of the online sales process, and the electronic record of the license sale is sufficient for documenting the affirmation.

(d) Failure to complete the aquatic invasive species affirmation in this subdivision is subject to the penalty prescribed in section 84D.13, subdivision 5.

Subd. 3. **Spearing.** A person may not take fish by spearing from a dark house without a dark-house-spearing license and an angling license.

Subd. 4. **Netting.** A person may not take fish by netting without the required license to net fish and an angling license.

Subd. 5. **Aquatic farms.** An aquatic farm licensee may take aquatic life under the aquatic farm license and its endorsements as authorized without additional licenses under the game and fish laws.

History: *1986 c 386 art 3 s 22; 1992 c 566 s 19; 1Sp2015 c 4 art 4 s 71; 2024 c 90 art 1 s 48*

97C.303 CONSERVATION ANGLING LICENSE.

Subdivision 1. **Availability.** The commissioner shall make available a conservation angling license according to this section. Conservation angling licenses shall be offered for resident individuals and resident married couples.

Subd. 2. **Daily and possession limits.** Daily and possession limits for fish taken under a conservation angling license are one-half the daily and possession limits for the corresponding fish taken under a standard angling license, rounded down to the next whole number if necessary.

Subd. 3. **License fee.** The fee for a conservation angling license issued under this section is two-thirds of the corresponding standard angling license fee under section 97A.475, subdivision 6, rounded to the nearest whole dollar.

History: *2008 c 368 art 2 s 60*

97C.305 TROUT-AND-SALMON STAMP VALIDATION.

Subdivision 1. **Requirement.** Except as provided in subdivision 2 or section 97A.405, subdivision 2, a person over age 18 and under age 65 required to possess an angling license must have a trout-and-salmon stamp validation to:

(1) take fish by angling in:

(i) a stream designated by the commissioner as a trout stream;

(ii) a lake designated by the commissioner as a trout lake; or

(iii) Lake Superior; or

(2) possess trout or salmon taken in the state by angling.

Subd. 2. **Exception.** A trout-and-salmon stamp validation is not required to take fish by angling or to possess trout and salmon if:

(1) the person:

(i) possesses a license to take fish by angling for a period of 24 hours or 72 hours from the time of issuance under section 97A.475, subdivision 6, clause (4) or (5); or 7, paragraph (a), clause (3) or (5); and

(ii) is taking fish by angling, or the trout or salmon were taken by the person, during the period the license is valid;

(2) the person is taking fish, or the trout or salmon were taken by the person, as authorized under section 97C.035; or

(3) the person has a valid license issued under section 97A.441, subdivision 1, 2, 3, 4, or 5.

History: *1986 c 386 art 3 s 23; 1988 c 437 s 5; 1995 c 220 s 90; 1Sp1995 c 1 s 34; 1996 c 410 s 44; 1997 c 216 s 88; 1Sp2001 c 2 s 119; 2002 c 323 s 16; 2012 c 277 art 2 s 32,33,38*

97C.311 LAKE SUPERIOR FISHING-GUIDE LICENSE.

Subdivision 1. **License required.** A person may not operate a charter boat and guide anglers on Lake Superior or the St. Louis River Estuary for compensation without a fishing guide license. For purposes of this subdivision and section 97A.475, subdivision 15, "St. Louis River Estuary" means the United States Coast Guard navigable waters of the lower St. Louis River to the Minnesota State Highway No. 23 bridge.

Subd. 2. **Rules.** The commissioner shall adopt rules for:

(1) issuance of the licenses, including qualifications for licensees; and

(2) record keeping and reporting by licensees.

Subd. 3. **Federal requirements.** A person may not use a watercraft for activities authorized under this section unless the watercraft complies with all applicable licensing and safety requirements of the United States Coast Guard.

History: *1986 c 386 art 3 s 24; 1993 c 231 s 54; 1999 c 57 s 2*

97C.315 ANGLING LINES AND HOOKS.

Subdivision 1. **Lines.** An angler may not use more than one line, except that:

(1) two lines may be used to take fish through the ice;

(2) the commissioner may, by rule, authorize the use of two lines in areas designated by the commissioner in Lake Superior; and

(3) two lines may be used in the Minnesota River downstream of the Granite Falls Dam and in the Mississippi River downstream of St. Anthony Falls.

Subd. 2. **Hooks.** An angler may not have more than one hook on a line, except:

(1) three artificial flies may be on a line used to take largemouth bass, smallmouth bass, trout, crappies, sunfish, and rock bass;

(2) a single artificial bait may contain more than one hook; and

(3) as otherwise prescribed by the commissioner.

History: *1986 c 386 art 3 s 25; 1991 c 259 s 23; 2006 c 281 art 2 s 48; 2023 c 60 art 4 s 63*

97C.317 FISHING BY PARTY.

While two or more persons are taking fish by angling as a party, the total number of fish taken and the total number of fish possessed by the party may not exceed the limit of the number of persons in the party that may take and possess fish by angling. For the purpose of this section, a party means:

(1) for persons who are not on the water, the persons are maintaining unaided visual and vocal contact;

(2) for persons who are on frozen water surfaces, the persons are maintaining unaided visual and vocal contact; and

(3) for persons who are on open water surfaces, the persons are angling from a single watercraft.

History: *1989 c 153 s 3; 2002 c 323 s 17*

97C.321 RESTRICTIONS ON UNATTENDED LINES.

Subdivision 1. **General prohibition.** A person may not take fish by angling with a set line or an unattended line except as provided in this section and rules adopted under the game and fish laws.

Subd. 2. **Ice fishing.** A person may use an unattended line to take fish through the ice if:

(1) the person is within sight of the line; or

(2) a tip-up is attached to the line and the person is within 200 feet of the tip-up.

History: *1986 c 386 art 3 s 26; 1Sp1995 c 1 s 35; 1997 c 226 s 39*

97C.325 RESTRICTIONS ON TAKING FISH.

(a) Except as specifically authorized, a person may not take fish with:

(1) explosives, chemicals, drugs, poisons, lime, medicated bait, fish berries, or other similar substances;

(2) substances or devices that kill, stun, or affect the nervous system of fish;

(3) nets, traps, trot lines, or snares; or

(4) spring devices that impale, hook, or capture fish.

(b) If a person possesses a substance or device listed in paragraph (a) on waters, shores, or islands, it is presumptive evidence that the person is in violation of this section.

(c) The commissioner may, by rule, allow the use of a nonmotorized device with a recoil mechanism to take fish through the ice.

(d) To protect water quality or improve habitat for fish or wildlife, the commissioner may prescribe restrictions on fishing seasons, limits, or methods on specific bodies of water.

History: *1986 c 386 art 3 s 27; 1994 c 623 art 1 s 39; 2007 c 131 art 1 s 47*

97C.327 MEASURING FISH LENGTH.

For the purpose of determining compliance with size limits for fish in this chapter or in rules of the commissioner, the length of a fish must be measured from the tip of the nose or jaw, whichever is longer, to the farthest tip of the tail when fully extended.

History: *1993 c 231 s 55; 2005 c 146 s 44*

97C.331 SNAGGING FISH PROHIBITED.

Subdivision 1. **General prohibition.** A person may not:

(1) intentionally take fish by snagging; or

(2) use a snag line, snag pole, snag hook, or cluster of fish hooks, designed to be placed in or drawn through the water to hook the body of a fish.

Subd. 2. **Lake Superior tributaries.** On tributaries to Lake Superior below the posted boundaries, and on tributaries to Lake Superior with no posted boundaries, a fish that is hooked in any part of the body except in the mouth must be immediately unhooked and returned to the water.

History: *1986 c 386 art 3 s 28; 1993 c 231 s 56; 1994 c 460 s 1*

97C.335 USE OF ARTIFICIAL LIGHTS TO TAKE FISH PROHIBITED.

(a) A person may not use artificial lights to lure or attract fish or to see fish in the water while spearing, except that while angling or spearing, a person may:

(1) affix a lighted artificial bait with hooks attached to the end of a fishing line; or

(2) use a lighted decoy for spearing.

(b) A battery that is used in lighted fishing lures must not contain mercury.

(c) The restrictions in paragraph (a) do not apply to bow fishing.

History: *1986 c 386 art 3 s 29; 2000 c 308 s 1; 2000 c 463 s 19; 2000 c 473 s 20; 2007 c 131 art 1 s 48; 2009 c 176 art 2 s 56*

97C.341 CERTAIN AQUATIC LIFE PROHIBITED FOR BAIT.

(a) A person may not use live minnows imported from outside of the state, game fish, goldfish, or carp for bait. Notwithstanding paragraphs (b) and (d), the commissioner may adopt rules to authorize the use of game fish eggs as bait in Lake Superior and its tributaries below the posted boundaries and prescribe restrictions on their use.

(b) A person may not import or possess live, frozen, or processed bait from known waters where viral hemorrhagic septicemia has been identified as being present: (1) unless the bait has been processed to inactivate viral hemorrhagic septicemia in a manner prescribed by rules adopted by the commissioner; or (2) except as provided in paragraph (c). For purposes of this paragraph, "bait" includes fish, aquatic worms, amphibians, invertebrates, and insects used for taking wild animals in waters of the state.

(c) Cisco and rainbow smelt taken under rules adopted by the commissioner may be used as:

(1) fresh or frozen bait only on Lake Superior; or

(2) bait that has been processed to inactivate viral hemorrhagic septicemia in a manner prescribed by rules adopted by the commissioner.

(d) To ensure that frozen or dead fish being brought into the state are not in violation of paragraph (b), the following paperwork must accompany the shipment. Documents must be open for inspection by the commissioner at any reasonable time. All documents must be available to purchasers of these bait items. Each container or package of frozen or dead fish must have the following information:

(1) water body source;

(2) lot number;

(3) company contact including name, phone, and address;

(4) date of packaging and labeling; and

(5) valid negative fish health certification from the source water body.

History: *1986 c 386 art 3 s 30; 2008 c 307 s 14; 1Sp2011 c 2 art 5 s 61; 2012 c 272 s 26; 2013 c 121 s 46*

97C.342 DISEASE-FREE CERTIFICATION; FROZEN OR DEAD FISH BAIT.

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "Water body" means waters identified by a unique Department of Natural Resources public water identification number; a body of water that has defined boundaries and that has no Department of Natural Resources public water identification number; or a section of stream designated by a Kittle number, lock and dam numbering system, or to the upstream and downstream barrier.

(2) "Commercial license" means a license issued under section 97A.475, subdivision 26, 27, 29, or 30.

Subd. 2. **Bait restrictions.** (a) Frozen or dead fish on the VHS-susceptible-species list under section 17.4982, subdivision 21b; cisco (all *Coregonus*, including lake herring and tullibee); and smelt (all *Osmerus*, *Spirincus*, *Hypomesus*, and *Allosmerus*) being used as bait in waters of the state must originate from water bodies certified disease-free. A water body is certified as disease-free if:

(1) the water body has been tested for viral hemorrhagic septicemia and the testing indicates the disease is not present; or

(2) the water body is located within a viral hemorrhagic septicemia-free zone posted on the Department of Natural Resources website.

(b) Certification for individually tested water bodies is valid for one year from the date of test results. Certification of water bodies within a viral hemorrhagic septicemia-free zone posted on the Department of Natural Resources website is valid for the dates included in the posting. A viral hemorrhagic septicemia-free certification is also referred to as fish health certification.

Subd. 3. **Testing requests.** As a part of commercial licensing procedures, a list of water bodies requiring a fish health certification for commercial bait harvest must be provided to the commissioner no later than March 1 of each year, except in 2011 the list must be provided by August 1.

Subd. 4. **Certification fees.** Notwithstanding section 16A.1283, the commissioner may by written order published in the State Register establish fees for the services and testing required to issue health certifications for a water body. The fees must be set in an amount that does not recover significantly more or less than the costs of providing services to health certify a water body. The fees are not subject to the rulemaking provisions of chapter 14, and sections 14.125 and 14.386 do not apply. The services covered under this subdivision include:

(1) cost of collecting the species for testing;

(2) fish health inspection and certification, including initial tissue sample collection, basic fish health assessment, and fish disease testing; and

(3) administrative overhead for tracking and documentation of testing.

Subd. 5. **Transportation permit requirements.** A commercial licensee harvesting from a certified disease-free water body must obtain a live fish importation, transportation, and stocking permit to move fish from that source. A live fish importation, transportation, and stocking permit may be used for multiple shipments within a 30-day term period if the source and destination remain the same. The commercial licensee must contact the department within 24 hours of exercising the permit. Permits may be issued through the department's regional offices or St. Paul office and must be obtained prior to moving fish as approved for movement from these certified disease-free water bodies.

Subd. 6. **Reporting requirements.** A commercial licensee harvesting bait under this section must maintain records on forms provided by the commissioner for each lot of frozen or dead fish for sale as bait. The records must include the lot number for each batch of frozen or dead fish, water body health certification documentation, transportation permit number, and other information as specified on the reporting form. The commercial licensee must enter required records onto forms within 24 hours of packaging and labeling each lot of fish. The commercial licensee must retain records for three years following the year of creation. All records required to be retained must be open to inspection by the commissioner at any reasonable time.

Subd. 7. **Labeling requirements.** Frozen or dead fish from certified disease-free water bodies that are being sold as bait must be labeled. The seller of the product is responsible for making sure the items are

labeled according to this section. Each container or package of frozen or dead fish bait must have the following information:

(1) Department of Natural Resources certified water body number;

(2) Department of Natural Resources transportation permit number;

(3) lot number;

(4) date of harvest from water body;

(5) date of packaging and labeling;

(6) bait store or vendor name where purchased; and

(7) disease-free certification date.

Subd. 8. **Persons using frozen or dead fish bait.** A person on, or taking wild animals in, waters of the state with frozen or dead fish bait must possess all labeling as prescribed under subdivision 7. The person must retain the labeling until the bait is used and no longer in the person's possession.

History: *1Sp2011 c 2 art 5 s 62; 1Sp2021 c 6 art 2 s 73; 2025 c 20 s 58*

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 through 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. 3b. **Cast nets for gizzard shad.** (a) Cast nets may be used only to take gizzard shad for use as bait for angling from July 1 to November 30 as allowed under section 84D.03, subdivision 3.

(b) Cast nets used under this subdivision must be monofilament and may not exceed five feet in radius. Mesh size must be from three-eighths-inch to five-eighths-inch bar measure. A person may use up to two cast nets at one time.

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; 1Sp2019 c 4 art 3 s 71; 2023 c 60 art 4 s 64*

97C.346 MS 2012 [Repealed, 2013 c 121 s 59]

97C.347 MS 1988 [Repealed, 1988 c 588 s 17]

97C.351 FISH NETS; TAGS.

A person may not possess a fish net unless specifically authorized or a tag is attached bearing the name and address of the owner when the net is not in use and the name and address of the operator when the net is in use, as prescribed by the commissioner. This section does not apply to minnow nets, landing nets, dip nets, and nets in stock for sale by dealers.

History: *1986 c 386 art 3 s 32; 1992 c 462 s 17*

97C.355 SHELTERS ON ICE; DARK HOUSES AND FISH HOUSES.

Subdivision 1. **Identification required.** All shelters on the ice of state waters, except portable shelters under subdivision 2a but including dark houses and fish houses, must have: (1) the owner's name and address, (2) the owner's driver's license number, or (3) the "MDNR#" license identification number issued to the owner legibly displayed on the exterior with characters at least two inches high.

Subd. 2. **License required.** (a) A person may not place a dark house, fish house, or shelter, except a portable shelter, on the ice unless:

(1) the house or shelter is licensed by the shelter owner; and

(2) the owners' information is displayed according to subdivision 1.

(b) A dark house, fish house, or shelter license is not required of a resident on boundary waters where the adjacent state does not charge a fee for the same activity.

Subd. 2a. **Portable shelters.** (a) A person using a portable shelter that is not identified under subdivision 1 may not leave the portable shelter unattended between midnight and sunrise and must remain within 200 feet of the shelter while the shelter is on the ice of state waters.

(b) If a person leaves the portable shelter unattended any time between midnight and one hour before sunrise or is not within 200 feet of the portable shelter, the portable shelter must be licensed as provided under subdivision 2.

Subd. 3. **Door requirement.** A person may not use a dark house or fish house unless the door is constructed so that it can be opened from the outside when it is in use.

Subd. 4. **Distance between houses.** A person may not erect a dark house, fish house, or shelter within ten feet of an existing dark house, fish house, or shelter.

Subd. 5. **Burning structures.** A person may not burn a structure on the ice of state waters without permission of the commissioner. The commissioner may allow burning only after determining that the structure cannot be removed from the ice by another reasonable manner. The owner must remove the remains of the burned structure from the ice.

Subd. 6. MS 2004 [Repealed, 2006 c 281 art 2 s 58]

Subd. 7. **Shelters prohibited; dates and times.** (a) A shelter, including a fish house or dark house, may not be on the ice unattended between midnight and one hour before sunrise after:

(1) the first Monday in March, for state waters south of a line starting at the Minnesota-North Dakota border and formed by rights-of-way of U.S. Route No. 10, then east along U.S. Route No. 10 to Trunk Highway No. 34, then east along Trunk Highway No. 34 to Trunk Highway No. 200, then east along Trunk Highway No. 200 to U.S. Route No. 2, then east along U.S. Route No. 2 to the Minnesota-Wisconsin border; and

(2) the third Monday in March, for other state waters.

A shelter, including a fish house or dark house, on the ice in violation of this subdivision is subject to the enforcement provisions of paragraph (b). The commissioner may, by rule, change the dates in this paragraph for any part of state waters. Copies of the rule must be conspicuously posted on the shores of the waters as prescribed by the commissioner.

(b) A conservation officer must confiscate a fish house, dark house, or shelter in violation of paragraph (a). The officer may remove, burn, or destroy the house or shelter. The officer shall seize the contents of the house or shelter and hold them for 60 days. If the seized articles have not been claimed by the owner, they may be retained for the use of the division or sold at the highest price obtainable in a manner prescribed by the commissioner.

Subd. 7a. **Houses left overnight.** A fish house, dark house, or shelter left on the ice overnight must be marked with reflective material on each side of the structure. The reflective material must measure a total area of no less than two square inches on each side of the structure.

Subd. 8. **Confiscating unlawful structures; civil penalty.** (a) Structures on the ice in violation of this section may be confiscated and disposed of, retained by the division, or sold at the highest price obtainable, in a manner prescribed by the commissioner.

(b) In addition to other penalties provided by law, the owner of a structure left on the ice in violation of this section is subject to a civil penalty under section 115A.99.

(c) This subdivision also applies to structures left on state public access sites for more than 48 hours past the deadlines specified in subdivision 7.

Subd. 9. **Placing waste on ice prohibited.** A person using a fish house, dark house, or other shelter on the ice of state waters is subject to section 97C.363.

History: *1986 c 386 art 3 s 33; 1989 c 199 s 1; 1991 c 84 s 1; 1991 c 259 s 23; 1993 c 172 s 57; 1995 c 65 s 1; 1Sp1995 c 1 s 39,40; 1996 c 403 s 1; 1998 c 252 s 2; 2001 c 185 s 31,32; 2003 c 28 art 1 s 15,16; 2004 c 215 s 28; 2006 c 281 art 2 s 49; 2007 c 57 art 1 s 102; 2007 c 131 art 1 s 49; 2008 c 368 art 2 s*

61-65; 2009 c 176 art 2 s 59; 2012 c 277 art 1 s 73,74; 2017 c 93 art 2 s 100,101; 2018 c 182 art 1 s 9; 2023 c 60 art 4 s 65; 2024 c 90 art 1 s 49

97C.361 RESTRICTIONS ON FISH HOUSES AND DARK HOUSES IN BOUNDARY WATERS CANOE AREA.

A person may only use a portable fish house or dark house within the Boundary Waters Canoe Area. The house must be removed from the waters and collapsed or disassembled each night. The house may not remain in the Boundary Waters Canoe Area if the person leaves the Boundary Waters Canoe Area.

History: *1986 c 386 art 3 s 34*

97C.363 STORING GARBAGE AND OTHER WASTE ON ICE.

Subdivision 1. **Prohibition.** A person using a shelter, a motor vehicle, or any other conveyance on the ice of state waters may not deposit garbage, rubbish, cigarette filters, debris from fireworks, offal, the body of a dead animal, litter, sewage, or any other waste outside the shelter, motor vehicle, or conveyance unless the material is:

(1) placed in a container that is secured to the shelter, motor vehicle, or conveyance; and

(2) not placed directly on the ice or in state waters.

Subd. 2. **Definition.** For purposes of this section, "sewage" means excrementitious or other discharge from the bodies of human beings or animals, together with such other water as may be present.

Subd. 3. **Penalty.** A violation of this section is a petty misdemeanor, and a person who violates this section is subject to a civil penalty of $100 for each violation.

History: *2023 c 60 art 4 s 66*

97C.365 MS 2006 [Repealed, 2007 c 131 art 1 s 96]

97C.371 SPEARING FISH.

Subdivision 1. **Species allowed.** Only common carp, native rough fish, catfish, lake whitefish, cisco (tullibee), and northern pike may be taken by spearing.

Subd. 2. **Dark houses required for certain species.** Catfish, lake whitefish, cisco (tullibee), and northern pike may be speared only from dark houses.

Subd. 3. **Restrictions while spearing from dark house.** A person may not take fish by angling or the use of tip-ups while spearing fish in a dark house, except that a person may take fish by angling if only one angling line is in use and any fish caught by angling is immediately released to the water or placed on the ice.

Subd. 4. **Open season.** The open season for spearing through the ice is November 15 through the last Sunday in February.

Subd. 5. **Nonresidents.** Nonresidents may spear from a fish house or dark house.

History: *1986 c 386 art 3 s 36; 1Sp1995 c 1 s 41; 2006 c 281 art 2 s 50,51; 2008 c 368 art 2 s 66; 2009 c 176 art 2 s 60; 2023 c 60 art 4 s 67-69; 2024 c 90 art 2 s 26*

97C.375 TAKING NATIVE ROUGH FISH AND COMMON CARP BY SPEARING.

(a) A resident or nonresident may take native rough fish and common carp by spearing according to paragraph (b) and during the times, in waters, and in the manner prescribed by the commissioner.

(b) Suckers may be taken by spearing from May 1 through the last day in February.

History: *1986 c 386 art 3 s 37; 1993 c 269 s 26; 2009 c 176 art 2 s 61; 2013 c 121 s 49; 2024 c 90 art 2 s 27*

97C.376 BOW FISHING.

Subdivision 1. **Season.** (a) The regular bow-fishing season for residents and nonresidents is from May 1 through the last day in February at any time of the day.

(b) The early bow-fishing season for residents and nonresidents is open only south of State Highway 210 from March 1 through the last day in April at any time of the day. During the early season, a person may bow fish:

(1) only from a boat; and

(2) only while on a lake or on the Mississippi, Minnesota, or St. Croix River.

Subd. 2. **Possessing bows and arrows.** A person may possess bows and arrows for the purposes of bow fishing on or within 100 feet of waters at any time from the last Saturday in April to the last Sunday in February and at other times on lakes and rivers south of State Highway 210 as specified in subdivision 1, paragraph (b), subject to local ordinances. A person must take reasonable measures to retrieve arrows and wounded fish.

Subd. 3. **Nighttime restrictions on motors.** (a) From sunset to sunrise, the noise limits for total noise while bow fishing must not exceed a noise level of 65 decibels on the A scale measured at a distance of 50 feet from the motorboat or equivalent noise levels at other distances as specified by the commissioner in a pass-by test.

(b) The noise limits under paragraph (a) shall be determined under a test procedure approved by the commissioner under section 86B.321, subdivision 2.

(c) The noise limits in paragraph (a) do not preclude enforcement of other laws relating to motorboat noise.

(d) The noise levels under section 86B.321 apply to persons traveling to and from bow-fishing sites from sunset to sunrise.

Subd. 4. **Nighttime shooting; restrictions.** A person shall not discharge an arrow while bow fishing within 150 feet of an occupied structure or within 300 feet of a campsite from sunset to sunrise.

Subd. 5. **Returning native rough fish and common carp to waters.** Native rough fish and common carp taken by bow fishing must not be returned to the water, and native rough fish and common carp may not be left on the banks of any water of the state.

History: *2009 c 176 art 2 s 62; 2013 c 121 s 50-52; 2024 c 90 art 2 s 28,29*

97C.381 HARPOONING NATIVE ROUGH FISH.

A resident or nonresident may use a rubber powered gun, spring gun, or compressed air gun to take native rough fish and common carp by harpooning. The harpoon must be fastened to a line not more than 20 feet long. The commissioner may prescribe the times, the waters, and the manner for harpooning native rough fish and common carp.

History: *1986 c 386 art 3 s 38; 1994 c 467 s 1; 2024 c 90 art 2 s 30*

97C.385 COMMISSIONER'S AUTHORITY TO REGULATE WINTER FISHING.

Subdivision 1. **Effect on summer angling season.** If the commissioner closes the statutory open season for spearing a game fish or native rough fish species in any waters, the commissioner must, in the same rule, close the following statutory open season for angling for the same species in the waters in the same proportion.

Subd. 2. **Effect on summer angling limits.** If the commissioner reduces the limit of a species of game fish or native rough fish taken by spearing in any waters under section 97A.045, subdivision 2, the commissioner must reduce the limit for taking the species by angling in the waters during the following open season for angling.

Subd. 3. **Limiting closures by county.** The commissioner may not close the open season for taking game fish or native rough fish through the ice on more than 50 percent of the named lakes or streams of a county under section 97A.045, subdivision 2.

History: *1986 c 386 art 3 s 39; 1991 c 259 s 23; 2024 c 90 art 2 s 31*

97C.391 BUYING AND SELLING FISH.

Subdivision 1. **General restrictions.** A person may not buy or sell fish taken from the waters of this state, except:

(1) minnows;

(2) common carp;

(3) smelt taken from Lake Superior and rivers and streams that flow into Lake Superior;

(4) fish taken under licensed commercial fishing operations;

(5) fish that are private aquatic life; and

(6) fish lawfully taken and subject to sale from other states and countries.

Subd. 2. **Restrictions on certain game fish.** Largemouth bass, smallmouth bass, rock bass, muskellunge, and sunfish may be bought or sold by a private hatchery or aquatic farm, or as prescribed by the commissioner.

Subd. 3. **Rules.** The commissioner may by rule establish reasonable conditions on the buying and selling of fish that would prevent or slow the spread of certifiable diseases and invasive species.

History: *1986 c 386 art 3 s 40; 1987 c 318 s 8; 1992 c 566 s 21; 1993 c 231 s 59; 2008 c 307 s 15; 1Sp2019 c 4 art 3 s 72; 2024 c 90 art 2 s 32*

97C.392 [Never effective, 2004 c 215 s 29; 2004 c 255 s 51]

97C.395 OPEN SEASONS FOR ANGLING.

Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by angling are as follows:

(1) for walleye, sauger, northern pike, and muskellunge, the Saturday two weeks prior to the Saturday of Memorial Day weekend through the last Sunday in February;

(2) for brown trout, brook trout, lake trout, rainbow trout, and splake, between January 1 through October 31 as prescribed by the commissioner by rule except as provided in section 97C.415, subdivision 2; and

(3) for salmon, as prescribed by the commissioner by rule.

(b) The commissioner shall close the season in areas of the state where fish are spawning and closing the season will protect the resource.

Subd. 2. **Continuous season for certain species.** For largemouth bass, smallmouth bass, sunfish, white crappie, black crappie, yellow perch, channel catfish, rock bass, white bass, yellow bass, burbot, cisco (tullibee), lake whitefish, common carp, and native rough fish, the open season is continuous.

History: *1986 c 386 art 3 s 41; 1989 c 242 s 2; 1991 c 259 s 23; 1Sp1995 c 1 s 42; 2005 c 146 s 46; 2008 c 368 art 2 s 67; 2009 c 176 art 2 s 63; 2012 c 277 art 1 s 75; 1Sp2019 c 4 art 3 s 73; 2023 c 60 art 4 s 70; 2024 c 90 art 2 s 33; 2024 c 116 art 3 s 44; 1Sp2025 c 1 art 4 s 14*

97C.401 LIMITS.

Subdivision 1. **Duty to prescribe limits.** Unless otherwise provided in this chapter, the commissioner shall, by rule, prescribe the limits on the number of each species of fish that may be taken in one day and the number that may be possessed.

Subd. 2. **Walleye.** A person may have no more than one walleye larger than 20 inches in possession. This subdivision does not apply to boundary waters.

Subd. 3. **Gar.** The commissioner must annually establish daily and possession limits for gar under section 84.027, subdivision 13, paragraph (b).

History: *1986 c 386 art 3 s 42; 1991 c 259 s 23; 1993 c 185 s 2; 1994 c 523 s 1; 2005 c 146 s 47; 2008 c 368 art 2 s 68; 2017 c 93 art 2 s 102; 1Sp2021 c 6 art 2 s 74*

97C.402 MS 1987 Supp [Repealed, 1988 c 588 s 17]

97C.403 MS 2004 [Repealed, 2005 c 146 s 52]

97C.405 MS 2008 [Repealed, 2009 c 176 art 2 s 71]

97C.411 STURGEON AND PADDLEFISH.

Lake sturgeon, shovelnose sturgeon, and paddlefish may not be taken, bought, sold, transported or possessed except as provided by rule of the commissioner.

History: *1986 c 386 art 3 s 44; 1991 c 259 s 23; 1996 c 410 s 45; 2024 c 116 art 3 s 45*

97C.415 TROUT AND SALMON.

Subdivision 1. **Hours for taking trout restricted.** A person may not take trout, except lake trout, between 11:00 p.m. and one hour before sunrise.

Subd. 2. **Lake Superior streams.** The commissioner may prescribe the open season and conditions for taking brook trout, brown trout, rainbow trout, steelhead trout, and salmon in any portion of a stream that flows into Lake Superior.

Subd. 3. **Salmon.** The commissioner may prescribe, by rule, the method of taking and possessing salmon.

History: *1986 c 386 art 3 s 45; 1991 c 259 s 23*

97C.417 REPORTING INVASIVE CARP.

A person who takes any of the following invasive carp species must report the type of carp taken to the commissioner within seven days of taking:

(1) grass carp (*Ctenopharyngodon idella*);

(2) bighead carp (*Hypophthalmichthys nobilis*); or

(3) silver carp (*Hypophthalmichthys molitrix*).

History: *2007 c 131 art 1 s 50; 2014 c 289 s 48*

MINNOWS

97C.501 MINNOW LICENSES REQUIRED.

Subdivision 1. **Minnow retailers.** (a) A person may not be a minnow retailer without a minnow retailer license except as provided in subdivisions 2, paragraph (d), and 3. A person must purchase a minnow retailer license for each minnow retail outlet operated, except as provided by subdivision 2, paragraph (d).

(b) A minnow retailer must obtain a minnow retailer's vehicle license for each motor vehicle used by the minnow retailer to transport more than 12 dozen minnows to the minnow retailer's place of business. A minnow retailer is not required to obtain a minnow retailer's vehicle license:

(1) as provided in subdivision 3;

(2) if the minnow retailer is licensed as a resort under section 157.16, is transporting minnows purchased from a minnow dealer's place of business directly to the resort, possesses a detailed receipt, including the date and time of purchase, and presents the receipt and minnows for inspection upon request; or

(3) if minnows are being transported by common carrier and information is provided that allows the commissioner to find out the location of the shipment in the state.

Subd. 2. **Minnow dealers.** (a) A person may not be a minnow dealer without a minnow dealer license except as provided in subdivision 3.

(b) A minnow dealer must obtain a minnow dealer's vehicle license for each motor vehicle used to transport minnows. The serial number, motor vehicle license number, make, and model must be on the license. The license must be conspicuously displayed in the vehicle.

(c) A minnow dealer may not transport minnows out of the state without an exporting minnow dealer license. A minnow dealer must obtain an exporting minnow dealer's vehicle license for each motor vehicle used to transport minnows out of the state. The serial number, motor vehicle license number, make, and model must be on the license. The license must be conspicuously displayed in the vehicle.

(d) A person with a minnow dealer's license may sell minnows at one retail outlet. A minnow dealer must obtain a minnow retailer license for each additional retail outlet operated. A minnow dealer operating a retail outlet under a minnow dealer's license must list the following information for the retail outlet: name of the business; city; state; zip code; and legal description or fire number. The retail outlet name and location may be changed by making application to the commissioner.

(e) A minnow dealer may designate employees as helpers who are authorized to take, buy, sell, and transport minnows on behalf of the minnow dealer. The employees designated as helpers must be listed on the minnow dealer's license, and a copy of the license designating the employee as a helper must be in the helper's possession when acting on behalf of the minnow dealer. The minnow dealer may add and delete helpers listed on the dealer's license within a license year by notifying the commissioner in writing of the change to the license. Employees who are acting under the direction and control of the minnow dealer but who are not designated as helpers may not buy or sell minnows on behalf of the minnow dealer. This paragraph does not apply to employees selling minnows at the retail outlet location under paragraph (d).

Subd. 3. **License exemption for minors selling leeches.** A resident under age 18 may take leeches, sell leeches at retail, and transport leeches without a minnow retailer or dealer license.

Subd. 4. **Nonresident exporting minnow dealers.** (a) A nonresident must obtain an exporting minnow dealer's vehicle license for the motor vehicle used to transport minnows. The serial number, motor vehicle license number, make, and model must be on the license. The license must be conspicuously displayed in the vehicle.

(b) Only one nonresident exporting minnow dealer vehicle license may be issued to a nonresident exporting minnow dealer.

History: *1986 c 386 art 3 s 46; 1990 c 502 s 4; 1997 c 216 s 89; 2000 c 495 s 42,43; 2004 c 255 s 39; 1Sp2015 c 4 art 5 s 29; 2017 c 93 art 2 s 103*

97C.502 MINNOWS AND LEECHES; INVASIVE SPECIES TRAINING REQUIRED.

Subdivision 1. **Minnows; invasive species training required.** A minnow dealer, and each person working under the minnow dealer's license, must annually satisfactorily complete aquatic invasive-species-related training provided by the commissioner before taking, selling, or transporting for sale minnows within the state.

Subd. 2. **Training certification required.** Minnow dealers, and each person working under the minnow dealer's license, must have a valid invasive species training certification in possession while taking, selling, or transporting for sale minnows within the state. A person who only sells minnows for the licensed minnow dealer at a retail location is not required to have a training certification.

Subd. 3. **Leeches; invasive species training required.** A resident under age 18 must annually satisfactorily complete aquatic invasive-species-related training provided by the commissioner before taking, selling, or transporting for sale leeches within the state. A resident under age 18 must have a valid invasive species training certification in possession while taking, selling, or transporting for sale leeches within the state.

History: *2014 c 290 s 54*

97C.505 MINNOWS.

Subdivision 1. **Authority to take, possess, buy, and sell.** (a) Minnows may be taken, possessed, bought, and sold, subject to the restrictions in this chapter, section 84D.03, subdivision 3, and rules adopted by the commissioner under paragraph (b). A person may not take, possess, or sell minnows except for use as bait or for ornamental or aquacultural purposes.

(b) The commissioner may adopt rules for the taking, possession, purchase, sale, and transportation of minnows.

Subd. 2. **Continuous open season.** The open season for taking minnows is continuous, except as provided in subdivision 3.

Subd. 3. **Closing waters.** The commissioner may close any state waters for commercially taking minnows if a survey is conducted and the commissioner determines it is necessary to close the waters to prevent depletion or extinction of the minnows.

Subd. 4. MS 1994 [Repealed, 1Sp1995 c 1 s 48]

Subd. 5. **Restrictions on taking from trout waters.** A person may not take minnows from designated trout lakes or trout streams without a special permit issued by the commissioner.

Subd. 6. **Approved equipment required.** A person must use equipment approved by the commissioner to possess or transport minnows for sale. This subdivision does not apply to licensed aquatic farms.

Subd. 7. **Interference prohibited.** A person may not knowingly damage, disturb, or interfere with legal commercial minnow harvest operations.

Subd. 8. **Possession for minnow dealers.** When nets and traps are lawfully set and tended, minnows, incidentally taken game fish under four inches in length, and incidentally taken native rough fish that are not classified as minnows are not considered to be in possession until the minnows, native rough fish, or game fish are placed on a motor vehicle or trailer for transport on land.

History: *1986 c 386 art 3 s 47; 1992 c 566 s 22; 1993 c 231 s 61; 1997 c 226 s 40; 2002 c 270 s 8; 2008 c 307 s 16; 2019 c 50 art 1 s 23; 2024 c 90 art 2 s 34*

97C.511 MINNOW SEINES.

Subdivision 1. **Size restrictions.** Except as provided in subdivision 2, a person may not take minnows with a seine longer than 25 feet, and deeper than:

(1) 148 meshes of 1/4-inch bar measure;

(2) 197 meshes of 3/16-inch bar measure; or

(3) four feet of material of less than 3/16-inch bar measure.

Subd. 2. **Licensed minnow dealers.** A minnow dealer may take minnows with a seine that is not longer than 50 feet, and not deeper than:

(1) 222 meshes of 1/4-inch bar measure;

(2) 296 meshes of 3/16-inch bar measure; or

(3) six feet of material of less than 3/16-inch bar measure.

History: *1986 c 386 art 3 s 48*

97C.515 IMPORTED MINNOWS.

Subdivision 1. **General prohibition.** A person may not bring live minnows into the state except as provided in this section.

Subd. 2. **Permit for transportation.** (a) A person may transport live minnows through the state with a permit from the commissioner. The permit must state the name and address of the person, the number and species of minnows, the point of entry into the state, the destination, and the route through the state. The permit is not valid for more than 12 hours after it is issued.

(b) Minnows transported under this subdivision must be in a tagged container. The tag number must correspond with tag numbers listed on the minnow transportation permit.

(c) The commissioner may require the person transporting minnow species found on the official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services, to provide health certification for viral hemorrhagic septicemia. The certification must disclose any incidentally isolated replicating viruses, and must be dated within the 12 months preceding transport.

Subd. 3. MS 2006 [Repealed, 2008 c 307 s 21]

Subd. 4. **Private fish hatchery or aquatic farm.** Live minnows used for feeding fish at a licensed private fish hatchery or aquatic farm must be obtained within the state. Dead minnows may be imported for feeding hatchery or aquatic farm fish according to section 97C.341, paragraph (d).

Subd. 5. **Special permits.** (a) The commissioner may issue a special permit, without a fee, to allow a person with a private fish hatchery license, which private fish hatchery has been designated as a containment facility under section 17.4982, subdivision 8, to import live minnows from other states for export. A containment facility for the purposes of this section applies to live minnows imported for later export and does not need to comply with section 17.4982, subdivision 8, clause (4). The permit shall include conditions necessary to avoid spreading aquatic invasive species and fish pathogens. Permits shall not be issued to containment facilities located within a 25-year floodplain.

(b) An applicant for a permit under this subdivision shall submit to the commissioner sufficient information to identify potential threats to native plant and animal species and an evaluation of the feasibility of the proposal. The permit may include reasonable restrictions on importation, transportation, possession, containment, disease certification, and disposal of minnows to ensure that native species are protected. The permit may have a term of up to two years and may be modified, suspended, or revoked by the commissioner for cause, including violation of a condition of the permit.

(c) The premises, property, vehicles, private aquatic life, and equipment that are part of a containment facility permitted under this subdivision are subject to reasonable and necessary inspections at reasonable times by a fish health specialist delegated by the commissioner. The owner, operator, or designee may be present when inspections are conducted. During the inspection, a representative sample of imported minnows may be collected for the purpose of fish pathogen or invasive species screening.

(d) The commissioner may require the applicant to furnish evidence of financial responsibility at the time of application for a permit under this section, as prescribed by the commissioner.

History: *1986 c 386 art 3 s 49; 1988 c 588 s 13; 1993 c 226 s 17,18; 1993 c 269 s 27; 2008 c 307 s 17-19; 2012 c 277 art 1 s 76-78*

97C.521 TRANSPORTING CARP FINGERLINGS PROHIBITED.

Except as provided in section 17.4984, subdivision 2, paragraph (g), a person may not transport live carp fingerlings.

History: *1986 c 386 art 3 s 50; 2000 c 331 s 5*

97C.525 RESTRICTIONS ON TRANSPORTING MINNOWS.

Subdivision 1. **Applicability.** This section does not apply to the transportation of 24 dozen minnows, or less, or to transportation with a permit issued under section 97C.515, subdivision 2.

Subd. 2. **Transporting out of state.** A person may not transport minnows out of the state, except as provided in this section.

Subd. 3. **Minnow dealers.** A resident minnow dealer or a nonresident exporting minnow dealer may transport minnows out of the state. A nonresident exporting minnow dealer must possess a bill of lading issued by a resident minnow dealer with an exporting minnow dealer's license. The bill of lading must be on a form furnished by the commissioner and must state the nonresident exporting minnow dealer's name and address, the route through the state, number and species of minnows, and the time it was issued.

Subd. 4. **Minnow retailers.** A minnow retailer transporting minnows from a place of wholesale purchase to the retailer's place of business must use the most reasonably direct route.

Subd. 5. **Out-of-state vehicles.** The nonresident exporting minnow dealer must transport the minnows out of the state within 24 hours of the time of issuance stated on the bill of lading. A person may not transport minnows in a motor vehicle licensed in another state without an exporting minnow dealer's vehicle license.

Subd. 6. **Common carrier.** An exporting minnow dealer may transport minnows by common carrier and must provide on request by the commissioner information pertaining to product, quantity, and destination.

History: *1986 c 386 art 3 s 51; 1990 c 502 s 5; 1993 c 226 s 19; 2004 c 255 s 40,41*

AMPHIBIANS

97C.601 FROGS.

Subdivision 1. **Season.** The open season for frogs is May 16 through March 31. The commissioner may, by rule, establish closed seasons in specified areas.

Subd. 2. **License required.** (a) A person may not take or possess frogs without an angling license if the person is required to have an angling license to take fish.

(b) A person may not purchase, possess, and transport frogs for purposes other than bait without a license to purchase, possess, and transport frogs.

(c) A person may not take, possess, transport, and sell frogs for purposes other than bait without a license to take, possess, transport, and sell frogs.

Subd. 3. **Taking with cloth screens prohibited.** A person may not use cloth screens or similar devices to take frogs.

Subd. 4. **Taking with artificial lights.** The commissioner may issue permits to take frogs with the use of artificial lights in waters designated in the permit.

Subd. 5. **Limits.** (a) A person may possess frogs, up to six inches long, without limit if the frogs are possessed, bought, sold, and transported for bait.

(b) Unless the commissioner prescribes otherwise, a person may possess frogs over six inches long and:

(1) transport the frogs, except by common carrier; and

(2) sell the frogs in any quantity during the open season.

(c) The length of a frog is measured from the tip of the nose to the tip of the hind toes, with the legs fully extended.

Subd. 6. **Rules.** The commissioner shall prescribe rules for taking, buying, selling, possessing, importing, and transporting frogs for purposes other than bait.

Subd. 7. **For human consumption.** The commissioner may issue permits for importing, raising, and selling frogs for human consumption.

History: *1986 c 386 art 3 s 52; 1991 c 259 s 23; 1993 c 231 s 62; 2023 c 60 art 4 s 71*

REPTILES

97C.605 TURTLES.

Subdivision 1. **Taking turtles; requirements.** (a) A person may not take, possess, or transport turtles without a resident angling license and a recreational turtle license.

(b) Turtles taken from the wild are for personal use only and may not be resold.

Subd. 2. MS 2022 [Repealed, 2023 c 60 art 4 s 112]

Subd. 2a. MS 2022 [Repealed, 2023 c 60 art 4 s 112]

Subd. 2b. MS 2022 [Repealed, 2023 c 60 art 4 s 112]

Subd. 2c. **License exemptions.** (a) A person does not need the licenses specified under subdivision 1:

(1) when buying turtles from a licensed aquatic farm or licensed private fish hatchery for resale at a retail outlet or restaurant;

(2) when buying a turtle at a retail outlet;

(3) to take, possess, and rent up to 25 turtles greater than four inches in length for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person is a resident under age 18. The person is responsible for the well-being of the turtles; or

(4) if under 16 years of age when possessing turtles. Notwithstanding any other law to the contrary, a person under the age of 16 may possess, without a license, up to three snapping or western painted turtles, provided the turtles are possessed for personal use and are within the applicable length and width requirements.

(b) A person with an aquatic farm license with a turtle endorsement or a private fish hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate turtles and turtle eggs without the licenses specified under subdivision 1.

(c) Turtles possessed under this subdivision may not be released back into the wild.

Subd. 3. **Taking; methods prohibited.** A person may not take turtles by using:

(1) explosives, drugs, poisons, lime, and other harmful substances;

(2) traps;

(3) nets other than anglers' fish landing nets;

(4) commercial equipment;

(5) firearms and ammunition;

(6) bow and arrow or crossbow; or

(7) spears, harpoons, or any other implements that impale turtles.

Subd. 4. MS 2000 [Repealed, 2002 c 351 s 34]

Subd. 5. MS 2022 [Repealed, 2023 c 60 art 4 s 112]

Subd. 6. **Rules.** The commissioner may adopt rules for taking turtles. The commissioner may prescribe seasons, limits, closed areas, and other restrictions and requirements the commissioner deems necessary for the conservation of turtles.

History: *1986 c 386 art 3 s 53; 1989 c 266 s 2,3; 1Sp1995 c 1 s 43; 2000 c 495 s 44,45; 2002 c 351 s 23; 2003 c 107 s 28; 2004 c 215 s 30,31; 1Sp2021 c 6 art 2 s 75; 2023 c 60 art 4 s 72-74*

97C.611 TURTLE SPECIES; LIMITS.

Subdivision 1. **Snapping turtles.** A person may not possess more than three snapping turtles of the species *Chelydra serpentina*. Until new rules are adopted under section 97C.605, a person may not take snapping turtles of a size less than ten inches wide including curvature, measured from side to side across the shell at midpoint. After new rules are adopted under section 97C.605, a person may only take snapping turtles of a size specified in the adopted rules.

Subd. 2. **Western painted turtles.** (a) A person may not possess more than three Western painted turtles of the species *Chrysemys picta*. Western painted turtles must be between 4 and 5-1/2 inches in shell length.

(b) This subdivision does not apply to persons acting under section 97C.605, subdivision 2c, paragraph (a).

Subd. 3. MS 2022 [Repealed by amendment, 2023 c 60 art 4 s 75]

Subd. 4. **Other species.** A person may not possess any other species of turtle except with an aquatic farm or private fish hatchery license with a turtle endorsement or as specified under section 97C.605, subdivision 2c.

History: *1986 c 386 art 3 s 54; 1989 c 266 s 4; 2002 c 351 s 24; 1Sp2021 c 6 art 2 s 76; 2023 c 60 art 4 s 75*

97C.615 MS 1988 [Repealed, 1989 c 266 s 5]

97C.621 AREAS MAY BE CLOSED TO TAKING TURTLES.

The commissioner may prohibit the taking of turtles from state waters where operations are being conducted to aid fish propagation.

History: *1986 c 386 art 3 s 56*

MUSSELS AND CLAMS

97C.701 TAKING MUSSELS.

Subdivision 1. **Commissioner's authority.** The commissioner may by rule set size limits and prescribe conditions for the taking, possession, transportation, sale, and purchase of mussels.

Subd. 1a. MS 2016 [Repealed, 2017 c 93 art 2 s 166]

Subd. 2. MS 1992 [Repealed, 1993 c 269 s 32]

Subd. 3. MS 1992 [Repealed, 1993 c 269 s 32]

Subd. 4. MS 1992 [Repealed, 1993 c 269 s 32]

Subd. 5. MS 1992 [Repealed, 1993 c 269 s 32]

Subd. 6. MS 2016 [Repealed, 2017 c 93 art 2 s 166]

Subd. 7. **Harvesting mussel shells.** Live mussels may not be harvested. A person possessing a valid resident or nonresident angling license or a person not required to have an angling license to take fish may take and possess at any time, for personal use only, not more than 24 whole shells or 48 shell halves of dead freshwater mussels. Mussel shells may be harvested in waters of the state where fish may be taken by angling. Mussel shells must be harvested by handpicking only and may not be purchased or sold.

History: *1986 c 386 art 3 s 57; 1993 c 269 s 28,29; 2017 c 93 art 2 s 104*

97C.705 MS 2016 [Repealed, 2017 c 93 art 2 s 166]

97C.711 MS 2016 [Repealed, 2017 c 93 art 2 s 166]

NETTING AND COMMERCIAL FISHING

97C.801 TAKING NATIVE ROUGH FISH ON MISSISSIPPI RIVER.

Subdivision 1. MS 1996 [Repealed, 1997 c 216 s 90; 1997 c 226 s 51]

Subd. 2. **Commercial fish netting on Mississippi River.** (a) A license is required to commercially take native rough fish with seines in the Mississippi River from the St. Croix River junction to St. Anthony Falls.

(b) A person may take native rough fish in the Mississippi River, from the St. Croix River junction to St. Anthony Falls, only with the following equipment and methods:

(1) operations shall be conducted only in the flowing waters of the river and in tributary backwaters prescribed by the commissioner;

(2) seines may be used only as prescribed by this section and rules adopted by the commissioner;

(3) seines must be hauled to a landing immediately after being placed;

(4) two seines may not be joined together in the water; and

(5) a seine may not be landed between sunset and sunrise.

History: *1986 c 386 art 3 s 60; 1997 c 216 s 90; 1997 c 226 s 41; 2024 c 90 art 2 s 35*

97C.805 NETTING LAKE WHITEFISH AND CISCOES.

Subdivision 1. **Open season.** (a) The commissioner shall, by rule, prescribe the open season and open state waters for netting lake whitefish and ciscoes. The commissioner may open specific lakes and waters that are otherwise closed if the commissioner posts notice of the date and time in appropriate public places at least 48 hours before the open season begins.

(b) The commissioner may close specific lakes and waters that are otherwise open under this subdivision if the commissioner posts notice of the closing at a minimum of three sites on the shore of the waters, including all public water-access sites. Before closing waters under this paragraph, the commissioner shall determine that the closure is necessary to protect game fish or native rough fish populations.

Subd. 2. **Restrictions.** (a) Netting lake whitefish and ciscoes is subject to the restrictions in this subdivision.

(b) A person may not use:

(1) more than one net;

(2) a net more than 100 feet long; or

(3) a net more than three feet wide.

(c) The mesh size of the net may not be less than:

(1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and

(2) 3-1/2 inches, stretch measure, for all other nets.

(d) A net may not be set in water, including ice thickness, deeper than six feet.

(e) The commissioner may designate waters where nets may be set so that portions of the net extend into water deeper than six feet under conditions prescribed by the commissioner to protect game fish. A pole or stake must project at least two feet above the surface of the water or ice at one end of the net.

(f) A net may not be set within 50 feet of another net.

(g) A person may not have angling equipment in possession while netting lake whitefish or ciscoes.

Subd. 3. **Fish may not be sold.** Notwithstanding section 97C.391, subdivision 1, lake whitefish and ciscoes taken under this section may not be bought or sold.

Subd. 4. **No limit on native rough fish netted.** Lake whitefish and ciscoes taken under this section may be taken and possessed without limit. Native rough fish caught while netting may be retained. All other fish taken while netting must be returned to the water immediately.

History: *1986 c 386 art 3 s 61; 1988 c 588 s 14; 1991 c 259 s 22; 1993 c 231 s 63-65; 1Sp2021 c 6 art 2 s 77; 2024 c 90 art 2 s 36,37*

97C.811 COMMERCIAL FISHING IN INLAND WATERS.

Subdivision 1. **Inland waters defined.** For the purposes of this section and section 97A.475, subdivision 30, "inland waters" means all waters entirely located within the boundaries of the state and the border waters between Minnesota and North Dakota, South Dakota and Iowa, excluding those waters described in section 97C.801.

Subd. 2. **Commercial fish defined.** For purposes of this section and section 97A.475, subdivision 30, "commercial fish" are common carp and native rough fish, except for bowfin.

Subd. 3. **Regulation.** The commissioner shall, by rule, regulate the taking, possession, transportation, and sale of commercial fish, and the licensing of commercial fishing operators in inland waters.

Subd. 4. **Licenses required.** A person may not commercially fish inland waters without a commercial fishing license. Nonresidents may only be licensed to fish waters not previously assigned to residents. In the license application the applicant must list the number of feet of seine of each depth to be licensed.

Subd. 5. **Season.** Licenses to net commercial fish in inland waters are issued to residents and nonresidents annually subject to this section and shall be valid for commercial fishing during the open season for commercial fishing in inland waters from the day after Labor Day to the day before the open season for walleye.

Subd. 6. **License invalidation.** (a) A license to take commercial fish is void upon:

(1) the licensee's death;

(2) cessation of commercial fishing operations within an assigned area, except as provided by paragraph (c);

(3) conviction of two or more violations of inland commercial fishing laws within a license period; or

(4) failure to apply for a new or renewal license prior to June 15 of any year.

(b) A commercial inland fishing license is not subject to the license revocation provisions of section 97A.421. Commercial fishing rights and area assignments covered by a license that becomes void reverts to the commissioner for reassignment.

(c) A person possessing a valid inland commercial fishing license may apply to the commissioner for transfer of an assigned commercial fishing area to another person. Upon receipt of the application, the commissioner shall notify the applicant that the application for transfer has been received and shall determine if other people are interested in the assigned area by:

(1) notifying the Inland Commercial Fish Trade Association in writing; and

(2) publishing notice in a newspaper of general circulation in the vicinity of the assigned area.

These notices must allow interested persons 30 days to notify the commissioner of their interest in the assigned area. Within 60 days after publishing notice, the commissioner shall review the qualifications of all interested persons and approve or deny the transfer based on the criteria in section 97C.815, subdivision 2. If the transfer is denied, the licensee may retain the license or request that it become void.

Subd. 7. **Monthly reports.** A licensed inland commercial fishing operator shall submit a report on the licensed activities the operator was engaged in to the commissioner each month. The report must be on a form provided by the commissioner and submitted prior to the 15th day of the following month. The report shall be submitted whether fishing activity took place unless the operator has a written release from this obligation signed by the commissioner.

History: *1986 c 386 art 3 s 62; 1991 c 259 s 23; 1996 c 410 s 46; 2024 c 90 art 2 s 38*

97C.815 COMMERCIAL FISHING AREAS.

Subdivision 1. **Designation.** The commissioner shall specify inland commercial fishing areas, taking into account the amount, size, and proximity of waters specified, the species to be removed, and the type and quantity of fishing gear and equipment necessary to provide an adequate removal effort. The commissioner may change inland commercial fishing area boundaries by rule prior to a new licensing period.

Subd. 2. **Assignment.** (a) The commissioner shall assign licensed inland commercial fishing operators to commercial fishing areas, and each operator is obligated to fish in the area that the commissioner has assigned to them. The commissioner's assignment is valid as long as the assigned operator continues to purchase a license, continues to provide an adequate removal effort in a good and professional manner, and is not convicted of two or more violations of laws or rules governing inland commercial fishing operations during any one license period. In the operator assignment, the commissioner shall consider the proximity of the operator to the area, the type and quantity of fish gear and equipment possessed, knowledge of the affected waters, and general ability to perform the work well.

(b) Area assignments must not restrict permits and contracts that the commissioner issues to governmental subdivisions and their subcontractors for invasive species control.

Subd. 3. **Unused areas.** If an area is not assigned, or the operator licensed for the area is not fishing that area, the commissioner may issue a special inland commercial fishing permit for the area. The permit may be issued to an individual holding a valid inland commercial fishing license. The permit must describe the specific waters involved, the county, the species to be removed, the equipment to be used, and the time period of the total operation.

Subd. 4. **Inland Commercial Fishing Trade Association; license problems.** The commissioner shall consult with representatives of the Inland Commercial Fishing Trade Association when disagreements arise in the areas of license issuance, problems with performance pursuant to the license, transfers of licenses, area assignments, and the entry of new commercial fishing operators into the inland commercial fishery.

History: *1986 c 386 art 3 s 63; 1991 c 259 s 23; 1996 c 410 s 47; 1Sp2019 c 4 art 3 s 74; 2025 c 20 s 59*

97C.821 POSSESSING, SELLING, AND TRANSPORTING COMMERCIAL FISH.

Subdivision 1. **Transporting and holding commercial fish.** Subject to the applicable provisions of the game and fish laws, fish taken under commercial fishing licenses may be possessed in any quantity, bought, sold, and transported at any time. Commercial fishing licensees may transport their catch live to holding facilities, if the licensee has exclusive control of the facilities. Licensees must annually provide the legal

description and verification of exclusive control on forms provided by the commissioner with the license application. Commercial fishing licensees may harvest fish from their holding facilities at any time with their licensed gear. The commissioner may prohibit the transport of live fish taken under a commercial fishing license from waters that contain nonnative species, are listed as infested waters, or are infected with any certifiable disease.

Subd. 2. **Invasive species certification.** (a) A commercial fishing licensee, and each apprentice working under the licensee's commercial fishing license, must annually complete invasive species training provided by the commissioner and pass an examination to qualify to take, sell, or transport commercial fish within the state.

(b) A commercial fishing licensee, and each apprentice working under the licensee's commercial fishing license, must have a valid invasive species training certification in possession while taking, selling, or transporting commercial fish within the state.

History: *1986 c 386 art 3 s 64; 1Sp1995 c 1 s 44; 2004 c 243 s 38; 2008 c 307 s 20; 2014 c 289 s 49; 2014 c 290 s 55*

97C.825 LAKE OF THE WOODS AND RAINY LAKE FISHING.

Subdivision 1. **New commercial fishing licenses prohibited.** The commissioner may not issue a new commercial fishing license that allows netting of game fish on Lake of the Woods and Rainy Lake.

Subd. 2. **Restrictions on fish and nets.** The following rules and restrictions shall apply to all commercial fishing operations conducted in Lake of the Woods and Rainy Lake unless otherwise changed by rule of the commissioner under authority of section 97A.045, subdivision 4:

(1) Any fish, except largemouth bass, smallmouth bass, rock bass, muskellunge, crappies, sturgeon, and sunfish, may be taken subject to all other restrictions contained in the game and fish laws.

(2) Pound net mesh and staked trap net mesh may not be less than 2-1/2 inches nor more than four inches stretch measure in the pound or crib.

(3) Gill net mesh may not be less than four inches stretch measure, and may not be more than 30 meshes in width.

(4) Fyke net mesh may not be less than 2-1/2 inches nor more than four inches stretch measure in the pot or crib. Fyke nets may not have a hoop or opening more than six feet in height, wings more than 100 feet in length, nor a lead more than 400 feet in length.

(5) Submerged trap net mesh may not be less than 2-1/2 inches nor more than three inches stretch measure in the heart, pot, or crib. A submerged trap net may not have a pot or crib exceeding 150 square feet in area, a lead exceeding 300 feet in length, nor a pot or lead exceeding 12 feet in depth.

Subd. 3. **Net limits for individual operators.** A person may not operate more than six pound nets, 4,000 feet of gill nets, eight submerged trap nets, ten fyke or staked trap nets, or one pound net station.

Subd. 4. **Net location.** Nets may only be set at a place consented to by the commissioner.

Subd. 5. **Net limits for Lake of the Woods and Rainy Lake.** (a) The maximum amount of nets permitted to be licensed shall be:

(1) in Lake of the Woods, 50-pound nets, 160 submerged trap nets, and 80 fyke or staked trap nets; and

(2) in Rainy Lake, 20-pound nets.

(b) Commercial fishing may be prohibited in the Minnesota portions of international waters when it is prohibited in the international waters by Canadian authorities.

Subd. 6. MS 2004 [Repealed, 2005 c 146 s 52]

Subd. 7. MS 2004 [Repealed, 2005 c 146 s 52]

Subd. 8. MS 2004 [Repealed, 2005 c 146 s 52]

Subd. 9. MS 2004 [Repealed, 2005 c 146 s 52]

Subd. 10. **Taking eggs for propagation; commissioner's rule.** The commissioner may require a person licensed to take fish for commercial purposes in the waters covered by this section to take eggs for propagation purposes when it can be done in connection with the licensed commercial fishing. The eggs must be taken under rules prescribed by the commissioner.

History: *1985 c 248 s 70; 1986 c 386 art 3 s 65; 1991 c 259 s 23; 2005 c 146 s 48; 2020 c 83 art 1 s 15*

97C.827 MS 2012 [Repealed, 2014 c 290 s 70]

97C.831 NAMAKAN AND SAND POINT LAKES; COMMERCIAL FISHING.

Subdivision 1. **Lake whitefish, common carp, and native rough fish.** Lake whitefish, common carp, and native rough fish may be taken by licensed commercial fishing operators unless otherwise changed by rule of the commissioner, under section 97C.805, subdivision 1, from Namakan Lake and Sand Point Lake.

Subd. 2. **Gill nets prohibited on Sand Point Lake.** Gill nets may not be used in Sand Point Lake.

Subd. 3. **Maximum amount of nets in Sand Point Lake.** The maximum amount of nets permitted to be licensed in Sand Point Lake shall be 12 pound, fyke, or submerged trap nets.

Subd. 4. **Maximum amount of nets in Namakan Lake.** The maximum amount of nets that may be licensed in Namakan Lake shall be (1) 7,000 feet of gill net, with a mesh not less than four inches stretch measure, and (2) 12 pound, fyke, or submerged trap nets.

History: *1986 c 386 art 3 s 66; 1991 c 259 s 23; 2024 c 90 art 2 s 39*

97C.835 LAKE SUPERIOR COMMERCIAL FISHING.

Subdivision 1. **Commercial fishing license for Lake Superior.** (a) A license to fish commercially in Lake Superior shall be issued to a maximum of 25 residents. To qualify for licensing, a resident must have landed fish in the previous year with a value of at least $1,500, and must have engaged in commercial fishing for at least 30 days of the previous year. An applicant may be issued a license, at the discretion of the commissioner, if failure to meet the requirements for the dollar value of fish landed or number of days fished resulted from illness or other mitigating circumstances, or the applicant has reached the age of 65 and has been licensed at least five of the previous ten years.

(b) A license may be issued to a resident who has not previously fished commercially on Lake Superior and has not been convicted of a game and fish law violation in the preceding three years, if the applicant:

(1) shows a bill of sale indicating the purchase of gear and facilities connected with an existing license;

(2) shows proof of inheritance of all the gear and facilities connected with an existing license; or

(3) has served at least two years as an apprentice in a Minnesota Lake Superior licensed commercial fishing operation.

Subd. 2. **Types of fish permitted.** Lake trout, ciscoes, chubs, alewives, lake whitefish, round whitefish, pygmy whitefish, rainbow smelt, common carp, and native rough fish may be taken by licensed commercial fishing operators from Lake Superior, in accordance with this section.

Subd. 3. **Pound nets and trap nets.** Pound or trap nets may be used to take lake whitefish, round whitefish, pygmy whitefish, ciscoes, chubs, alewives, rainbow smelt, common carp, and native rough fish in Lake Superior, including St. Louis Bay east of the U.S. Highway 53 bridge, under the rules prescribed by the commissioner.

Subd. 4. **Gill nets; lake trout and lake whitefish.** Gill nets for taking lake trout and lake whitefish may not be less than 4-1/2-inch extension measure mesh. The commissioner may prescribe rules to limit the total amount of gill net to be licensed for the taking of lake trout and lake whitefish and may limit the amount of net to be operated by each licensee.

Subd. 5. **Gill nets; ciscoes.** Gill nets for taking ciscoes and chubs may not be less than 2-1/4-inch extension measure mesh and may not exceed 2-3/4-inch extension measure mesh except that smaller or larger mesh sizes may be used under a permit issued by the commissioner.

Subd. 6. **Maximum amount of gill net in Lake Superior.** The amount of gill net licensed in Minnesota waters of Lake Superior may not exceed 300,000 feet of net weighted to fish in a floating or suspended position off the bottom and 300,000 feet of net weighted to fish on the bottom.

Subd. 7. **Maximum amount of gill net for each Lake Superior licensee.** A licensee may not operate more than 6,000 feet of gill net weighted to fish in a floating or suspended position off the bottom or 25,000 feet of gill net weighted to fish on the bottom. The commissioner may authorize gill net footage in excess of the individual limits when the commissioner determines that all of the gill net footage permitted for Minnesota waters of Lake Superior would not otherwise be allocated in a license year. The commissioner must allocate this excess gill net footage equitably among the licensees who have applied for it.

Subd. 8. **Special permits.** The commissioner may issue special permits to duly licensed commercial fishing operators for the purpose of taking lake trout, ciscoes, and lake whitefish in Lake Superior and adjacent waters under rules prescribed by the commissioner.

History: *1986 c 386 art 3 s 67; 1996 c 410 s 48,49; 2007 c 131 art 1 s 51-53; 2024 c 90 art 2 s 40,41*

97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT HARVEST.

The commissioner shall provide for taking of lake trout by licensed commercial operators in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale. The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect the lake trout population or to manage the effects of invasive species or fish disease. Taking lake trout for expanded assessment and sale shall be allowed from June 1 through September 30,

but may end earlier in the respective zones if the quotas are reached. The quotas must be reassessed at the expiration of the current ten-year Fisheries Management Plan for the Minnesota Waters of Lake Superior.

History: *2007 c 131 art 1 s 54; 1Sp2021 c 6 art 2 s 78; 2023 c 60 art 4 s 76*

97C.841 APPRENTICE LICENSE.

(a) A person with a commercial fishing license may list one person as an apprentice on the license. A person acting as an apprentice for a commercial fishing licensee must have an apprentice license. The commercial fishing licensee or the apprentice listed on the license must be present at all commercial fishing operations including going to and from fishing locations, or in setting or lifting nets, or removing fish from nets. A person possessing an angling license may assist the holder of a master's or apprentice license in going to and from fishing locations, or in setting or lifting nets, or removing fish from nets.

(b) An apprentice license is transferable to another by the holder of a master's license applying to the commissioner.

History: *1986 c 386 art 3 s 68; 1996 c 410 s 50*

97C.843 POSSESSION FOR COMMERCIAL NETTING.

When commercial nets, seines, bags, or cribs are lawfully set and tended, incidentally taken fish not included in the license are not considered in possession if they are returned to the water or if they are tagged in accordance with section 97C.835 before they are placed on a motor vehicle or trailer for transport on land.

History: *2002 c 270 s 9*

97C.845 INTERFERENCE WITH COMMERCIAL FISHING.

A person may not:

(1) knowingly place or maintain an obstruction that will hinder, prevent, or interfere with a licensed commercial fishing operation;

(2) remove fish from nets licensed under the game and fish laws; or

(3) knowingly damage, disturb, or interfere with commercial fishing nets.

History: *1986 c 386 art 3 s 69*

97C.851 COMMERCIAL FISHING IN INTERNATIONAL WATERS; RESORT OWNERS.

A license to buy or sell fish or to take fish commercially in international waters extending from Pigeon Point West to the North Dakota boundary line may not be issued to a person engaged in the business of conducting a summer resort, or to a member of the person's household or to an employee of the person.

History: *1986 c 386 art 3 s 70*

97C.855 UPPER AND LOWER RED LAKE AND NETT LAKE; TRANSPORTATION, SALE, AND DISPOSAL.

The commissioner may, by rule, allow the transportation, sale, and disposal of fish taken within the Red Lake Indian Reservation on Upper Red Lake and Lower Red Lake and from waters within the Nett Lake Indian Reservation, also known as Bois Forte Indian Reservation.

History: *1986 c 386 art 3 s 71; 1991 c 259 s 23; 2025 c 20 s 60*

97C.861 FISH VENDORS; REQUIREMENTS.

Subdivision 1. **License required.** A person may not sell fish with the use of a motor vehicle without a fish vendor's license.

Subd. 2. **Misrepresenting fish.** (a) A licensed fish vendor or the vendor's employee may not misrepresent a species of fish to be sold. If a licensed fish vendor or employee of the fish vendor is convicted of misrepresenting a species of fish that is sold, the license shall be revoked, and the licensee is not eligible to obtain a fish vendor's license for one year after revocation.

(b) Misrepresentation includes the designation of fish by a name other than its common name in:

(1) the state; and

(2) in the locality where it was taken if it is not generally known by any common name in the state.

History: *1986 c 386 art 3 s 72*

97C.865 FISH PACKERS.

Subdivision 1. **License required; records.** (a) A person engaged in a business providing services to a person taking fish may not prepare dressed game fish or dressed native rough fish for shipment without a fish packer's license. The fish packer must maintain a permanent record of:

(1) the name, address, and license number of the shipper;

(2) the name and address of the consignee; and

(3) the number of each species and net weight of fish in the shipment.

(b) The records of the fish packer must be made available to an enforcement officer upon request.

Subd. 2. **Rules.** The commissioner may adopt rules establishing requirements for labeling and packing fish under a fish packer's license. The commissioner shall require only the license number of the fish packer, the name and license number of the angler or person who lawfully possesses the fish, the name of the lake on which the fish were caught, the species of fish, and the number of fish to appear on a label. The commissioner must not allow sauger to be labeled as walleye.

History: *1986 c 386 art 3 s 73; 1993 c 231 s 66; 2008 c 368 art 2 s 69; 2024 c 90 art 2 s 42*

97C.871 CRAYFISH.

The commissioner may adopt rules, including record-keeping requirements, for taking, importing, buying, selling, possessing, and transporting crayfish.

History: *1993 c 231 s 67*