

CHAPTER 6234
DEPARTMENT OF NATURAL RESOURCES
SMALL GAME

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6234.0200 TAKING RUFFED GROUSE AND SPRUCE GROUSE.

Subpart 1. **Open season.** Ruffed grouse and spruce grouse may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to January 1, except when January 1 is a Thursday, Friday, or Saturday, the season closes the following Sunday.

[For text of subp 2, see M.R.]

Statutory Authority: *MS s 97B.711*

History: *34 SR 621*

6234.0400 TAKING PHEASANTS.

Subpart 1. **Open season.** Only cock (male) pheasants may be taken by firearm or bow and arrow from the Saturday on or nearest October 13 to January 1, except when January 1 is a Thursday, Friday, or Saturday, the season closes the following Sunday. Shooting hours are from 9:00 a.m. to sunset each day.

[For text of subps 2 and 3, see M.R.]

Statutory Authority: *MS s 97B.711*

History: *34 SR 621*

6234.0500 TAKING GRAY PARTRIDGE.

Subpart 1. **Open season.** Gray (Hungarian) partridge may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to January 1, except when January 1 is a Thursday, Friday, or Saturday, the season closes the following Sunday.

[For text of subp 2, see M.R.]

Statutory Authority: *MS s 97B.711*

History: *34 SR 621*

6234.0800 HUNTING BY FALCONRY.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Open season and hours for migratory game birds.** Woodcock, sora and Virginia rails, mourning dove, and common snipe may be taken by falconry from September 1 to December 16. Ducks, coots, and moorhens (*Gallinules*) may be taken by falconry from the Saturday nearest October 1 to the Saturday nearest January 14. Geese may be taken by falconry during any open goose season. Crows may be taken by falconry during the open season. Falconry hours are from one-half hour before sunrise to sunset, except during the regular waterfowl season when falconry hours are the same as waterfowl shooting hours.

Statutory Authority: *MS s 97B.731*

History: *35 SR 505*

6234.2100 SPECIAL PROVISIONS FOR TAKING BEAVER AND OTTER.

[For text of subps 1 to 4, see M.R.]

Subp. 5. [Repealed, 35 SR 505]

Subp. 6. [Repealed, 35 SR 505]

Statutory Authority: *MS s 97B.605; 97B.921; 97B.925; 97B.935*

History: *35 SR 505*

6234.2200 USE OF TRAPS.

[For text of subp 1, see M.R.]

Subp. 2. **Trap-tending interval; nondrowning sets.**

A. Any trap, except a body-gripping or "conibear" type trap, capable of capturing a protected wild animal and not capable of drowning the animal must be tended at least once each calendar day and any animal captured must be removed from the trap. A body-gripping or "conibear" type trap need not be tended more frequently than once every third calendar day and any animal captured must be removed from the trap.

B. Foothold traps with a jaw spread of 4.75 inches or less or a rat type snap trap, contained entirely within a container with an opening of no more than two inches in height or width, need not be tended more frequently than once every third calendar day and any animal captured must be removed from the trap. This item applies only to sets that are designed to immediately kill the animal.

[For text of subps 3 to 6, see M.R.]

Subp. 7. **Placement of body-gripping traps.** A person may not set, place, or operate any body-gripping or "conibear" type trap that has a maximum jaw opening, when set, of greater than 6-1/2 inches measured from the inside edges of the body-gripping portions of the jaws:

A. in a road right-of-way within 500 feet of a building occupied by a human or livestock without written permission of the landowner, except as a completely submerged waterset; or

B. in or within three feet of the opening of a six-foot-wide or smaller culvert, except as a completely submerged waterset.

[For text of subp 8, see M.R.]

Subp. 9. **Marking trapping site.** Prior to the opening of the trapping season for any protected species of wild animal, no trap, either set or unset, may be placed or staked and no flag, stake, or other device may be placed for the purpose of marking or preempting a trapping site. During the muskrat trapping season, no flag, stake, or other device may be placed in or on a muskrat house for the purpose of marking or preempting a trap site unless an operational trap is set at the site at the time it is first staked or marked.

[For text of subps 10 to 12, see M.R.]

Statutory Authority: *MS s 97B.605; 97B.611; 97B.615; 97B.621; 97B.625; 97B.631; 97B.635; 97B.911; 97B.915; 97B.921; 97B.925*

History: *35 SR 505*

6234.2300 GENERAL RESTRICTIONS ON USE OF SNARES.

Subpart 1. **Regulation of snares as traps.** Unless otherwise specified, snares may be used for taking all species of protected wild animals that may be taken by the use of traps. The use of snares is subject to all rules for the use of traps that are consistent with parts 6234.2300 and 6232.2400.

Subp. 2. [Repealed, L 2005 c 146 s 52]

Subp. 3. [Repealed, L 2005 c 146 s 52]

Statutory Authority: *MS s 97B.605; 97B.611; 97B.615; 97B.621; 97B.625; 97B.631; 97B.635; 97B.911; 97B.915; 97B.921; 97B.925*

History: *35 SR 505*

6234.2400 SMALL GAME

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6234.2400 SPECIAL RESTRICTIONS ON USE OF SNARES.

Subpart 1. **Scope.** The provisions of parts 6234.2300 and 6232.2400 apply to the use of snares capable of taking a wild animal protected under provisions of Minnesota Statutes, sections 97B.601 to 97B.671 or 97B.901 to 97B.945.

[For text of subps 2 to 10, see M.R.]

Statutory Authority: *MS s 97B.605; 97B.611; 97B.615; 97B.621; 97B.625; 97B.631; 97B.635; 97B.911; 97B.915; 97B.921; 97B.925*

History: *35 SR 505*

6234.2500 [Repealed, 35 SR 505]

6234.3000 CERTIFICATION FOR PREDATOR CONTROL.

[For text of subps 1 to 4, see M.R.]

Subp. 5. [Repealed, 35 SR 505]

Statutory Authority: *MS s 97B.671*

History: *35 SR 505*