

CHAPTER 97C

FISHING

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

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

- (1) are designated as spawning beds or fish preserves; or
- (2) are being used by the commissioner for fisheries research or management activities.

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

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

(c) 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.

History: *1Sp1995 c 1 s 32*

97C.081 FISHING CONTESTS.

[For text of subs 1 and 2, see M.S.1994]

Subd. 3. **Contests authorized by commissioner.** The commissioner may, by rule or permit, allow fishing contests with entry fees over \$10 per person or total prizes valued at more than \$2,000.

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, the commissioner may require the applicant to furnish the commissioner evidence of financial responsibility in the form of a surety bond or bank letter of credit in the amount of \$25,000. Permits must be issued without a fee and if the commissioner does not deny the permit within 14 days, excluding holidays, after receipt of an application, the permit is granted.

[For text of subs 4 and 5, see M.S.1994]

History: *1Sp1995 c 1 s 33*

97C.305 TROUT AND SALMON STAMP.

Subdivision 1. **Requirement.** Except as provided in subdivision 2, a person over age 16 and under age 65 required to possess an angling license must have a trout and salmon stamp in possession 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.

[For text of subd 2, see M.S.1994]

History: *1995 c 220 s 90; 1Sp1995 c 1 s 34*

97C.321 RESTRICTIONS ON UNATTENDED LINES.

[For text of subd 1, see M.S.1994]

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: *1Sp1995 c 1 s 35*

97C.345 RESTRICTIONS ON USE AND POSSESSION OF NETS AND SPEARS.

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

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 spears, dip nets, bows and arrows, and spear guns allowed under section 97C.381 on or near waters between sunrise and sunset from May 1 to the third Sunday in February.

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.

[For text of subs 4 and 5, see M.S.1994]

History: *1Sp1995 c 1 s 36-38*

97C.355 DARK HOUSES AND FISH HOUSES.

Subdivision 1. **Identification required.** All shelters on the ice of state waters, including dark houses and fish houses, must have the name and address or driver's license number of an owner legibly painted on the exterior with characters at least three inches high.

Subd. 2. **License required.** A person may not take fish from a dark house or fish house unless the house is licensed and has a durable license tag attached to the exterior as prescribed by the commissioner, except as provided in this subdivision. The commissioner must issue a durable tag that is at least two inches in diameter with a 3/16 inch hole in the center with a dark house or fish house license. The durable tag must be marked with a number to correspond with the license and the year of issue. A dark house or fish house license is not required of a resident on boundary waters where the adjacent state does not charge a fee for the same activity.

[For text of subs 3 to 6, see M.S.1994]

Subd. 7. **Dates and times houses may remain on ice.** (a) A fish house or dark house may not be on the ice between 12:00 a.m. and one hour before sunrise after the following dates:

(1) February 28, 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) March 15, for other state waters.

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 or dark house in violation of paragraph (a). The officer may remove, burn, or destroy the house. The officer shall seize the contents of the house 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.

[For text of subd 8, see M.S.1994]

History: 1995 c 65 s 1; 1Sp1995 c 1 s 39,40

97C.371 SPEARING FISH.

[For text of subs 1 to 3, see M.S.1994]

Subd. 4. **Open season.** The open season for spearing through the ice is December 1 to the third Sunday in February.

History: 1Sp1995 c 1 s 41

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, muskellunge, largemouth bass, and smallmouth bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend to the third Sunday in February;

(2) for lake trout, from January 1 to October 31;

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

(4) 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.

[For text of subd 2, see M.S.1994]

History: 1Sp1995 c 1 s 42

97C.505 MINNOWS.

[For text of subs 1 to 3, see M.S.1994]

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

[For text of subs 5 and 6, see M.S.1994]

97C.605 TURTLES.

[For text of subs 1 and 2, see M.S.1994]

Subd. 3. **Taking; methods prohibited.** (a) Except as allowed in paragraph (b), a person may take turtles in any manner, except by use of:

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

(2) traps; or

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

(b) A person with a turtle seller's license may take turtles with a floating turtle trap that:

(1) has one or more openings above the water surface that measure at least ten inches by four inches; and

(2) has a mesh size of not less than one-half inch, bar measure.

The commissioner may prescribe additional regulations for taking turtles for sale.

[For text of subd 4, see M.S.1994]

History: 1Sp1995 c 1 s 43

97C.821 POSSESSION, SALE, AND TRANSPORTATION OF 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. 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 exotic species.

History: *1Sp1995 c 1 s 44*