

## CHAPTER 97B

### HUNTING

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#### 97B.015 FIREARMS SAFETY AND WILDLIFE IDENTIFICATION COURSE.

*[For text of subs 1 to 5, see M.S.2006]*

Subd. 5a. **Exemption for military personnel.** Notwithstanding subdivision 5, a person who has successfully completed basic training in the United States armed forces is exempt from the range and shooting exercise portion of the required course of instruction for the firearms safety certificate. The commissioner may require written proof of the person's military training, as deemed appropriate for implementing this subdivision. The commissioner shall publicly announce this exemption from the range and shooting exercise requirement and the availability of the department's online, remote study option for adults seeking firearms safety certification. Military personnel are not exempt from any other requirement of this section for obtaining a firearms safety certificate.

*[For text of subs 6 and 7, see M.S.2006]*

**History:** 2007 c 131 art 1 s 33

#### 97B.020 FIREARMS SAFETY CERTIFICATE REQUIRED.

(a) Except as provided in this section and section 97A.451, subdivision 3a, a person born after December 31, 1979, may not obtain an annual license to take wild animals by firearms unless the person has:

- (1) a firearms safety certificate or equivalent certificate;
- (2) a driver's license or identification card with a valid firearms safety qualification indicator issued under section 171.07, subdivision 13;
- (3) a previous hunting license with a valid firearms safety qualification indicator;
- (4) an apprentice hunter validation issued under section 97B.022; or
- (5) other evidence indicating that the person has completed in this state or in another state a hunter safety course recognized by the department under a reciprocity agreement or certified by the department as substantially similar.

(b) A person who is on active duty and has successfully completed basic training in the United States armed forces, reserve component, or National Guard may obtain a hunting license or approval authorizing hunting regardless of whether the person is issued a firearms safety certificate.

(c) A person born after December 31, 1979, may not use a lifetime license to take wild animals by firearms, unless the person meets the requirements for obtaining an annual license under paragraph (a) or (b).

**History:** 2007 c 131 art 1 s 34

**97B.022 APPRENTICE HUNTER VALIDATION.**

Subdivision 1. **Definition.** For the purpose of this section, “accompanied” means to stay within a distance of another person that permits uninterrupted visual contact and unaided verbal communication.

Subd. 2. **Apprentice hunter validation requirements.** A resident born after December 31, 1979, who is age 12 or older and who does not possess a firearms safety certificate may be issued an apprentice hunter validation. An apprentice hunter validation is valid for only one license year in a lifetime. An individual in possession of an apprentice hunter validation may hunt small game and deer only when accompanied by an adult licensed to hunt in Minnesota whose license was not obtained using an apprentice hunter validation. An apprentice hunter validation holder must obtain all required licenses and stamps.

**History:** 2007 c 131 art 1 s 35

**97B.031 USE AND POSSESSION OF FIREARMS.**

Subdivision 1. **Firearms and ammunition that may be used to take big game.** (a) A person may take big game with a firearm only if:

- (1) the rifle, shotgun, and handgun used is a caliber of at least .23 inches;
- (2) the firearm is loaded only with single projectile ammunition;
- (3) a projectile used is a caliber of at least .23 inches and has a soft point or is an expanding bullet type;
- (4) the ammunition has a case length of at least 1.285 inches;
- (5) the muzzle-loader used is incapable of being loaded at the breech;
- (6) the smooth-bore muzzle-loader used is a caliber of at least .45 inches; and
- (7) the rifled muzzle-loader used is a caliber of at least .40 inches.

(b) Notwithstanding paragraph (a), clause (4), a person may take big game with a ten millimeter cartridge that is at least 0.95 inches in length, a .45 Winchester Magnum cartridge, a .50 A. E. (Action Express) handgun cartridge, or a 56-46 Spencer, 56-50 Spencer, or 56-56 Spencer cartridge.

*[For text of subs 2 to 5, see M.S.2006]*

**History:** 2007 c 131 art 1 s 36

**97B.035 RESTRICTIONS ON ARCHERY EQUIPMENT.**

*[For text of subd 1, see M.S.2006]*

Subd. 1a. **Minimum draw weight.** A bow used to take big game must have a pull that meets or exceeds 30 pounds at or before full draw.

*[For text of subs 2 to 4, see M.S.2006]*

**History:** 2007 c 131 art 1 s 37

**97B.036 CROSSBOW HUNTING DURING FIREARMS DEER SEASON.**

Notwithstanding section 97B.035, subdivisions 1 and 2, a person may take deer by crossbow during the regular firearms deer season. The transportation requirements of section 97B.051 apply to crossbows during the regular firearms deer season. Crossbows must meet the requirements of section 97B.106, subdivision 2. A person taking deer by crossbow under this section must have a valid firearms deer license.

**History:** 2007 c 131 art 1 s 38

**97B.075 HUNTING RESTRICTED BETWEEN EVENING AND MORNING.**

(a) A person may not take protected wild animals, except raccoon and fox, with a firearm between the evening and morning times established by commissioner’s rule, except as provided in this section.

(b) Big game may be taken from one-half hour before sunrise until one-half hour after sunset.

(c) Except as otherwise prescribed by the commissioner on or before the Saturday nearest October 8, waterfowl may be taken from one-half hour before sunrise until sunset during the entire season prescribed by the commissioner. On the opening day of the duck season, shooting hours for migratory game birds, except woodcock, begin at 9:00 a.m.

**History:** 2007 c 131 art 1 s 39

### 97B.085 USE OF RADIOS TO TAKE ANIMALS.

*[For text of subs 1 and 2, see M.S.2006]*

**Subd. 3. Communication excepted.** This section does not prohibit the use of:

- (1) one-way radio communication between a handler and a dog; or
- (2) a remote-controlled animal noise caller for taking crows, fur-bearing animals, and unprotected animals.

**History:** 2007 c 131 art 1 s 40

### 97B.086 POSSESSION OF NIGHT VISION EQUIPMENT.

(a) A person may not possess night vision goggle equipment while taking wild animals or while having in possession, either individually or as one of a group of persons, a firearm, bow, or other implement that could be used to take wild animals.

(b) This section does not apply to a firearm that is:

- (1) unloaded;
- (2) in a gun case expressly made to contain a firearm that fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the firearm exposed; and

(3) in the closed trunk of a motor vehicle.

(c) This section does not apply to a bow that is:

- (1) completely encased or unstrung; and
- (2) in the closed trunk of a motor vehicle.

(d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or bow must be placed in the rearmost location of the vehicle.

(e) This section does not apply to night vision goggle equipment possessed by peace officers or military personnel while exercising their duties.

**History:** 2007 c 131 art 1 s 41

### 97B.301 DEER LICENSES AND LIMITS.

*[For text of subs 1 to 6, see M.S.2006]*

**Subd. 7. All season deer license.** (a) A resident may obtain an all season deer license that authorizes the resident to hunt during the archery, regular firearms, and muzzle-loader seasons. The all season license is valid for taking three deer, no more than one of which may be a legal buck.

(b) The all season deer license is valid for taking antlerless deer as prescribed by the commissioner.

(c) The commissioner shall issue three tags when issuing a license under this subdivision.

**History:** 2007 c 131 art 1 s 42

### 97B.303 VENISON DONATIONS.

An individual who legally takes a deer may donate the deer, for distribution to charitable food assistance programs, to a meat processor that is licensed under chapter 28A. An indi-

vidual donating a deer must supply the processor with the tag number under which the deer was taken.

**History:** 2007 c 57 art 1 s 97

### 97B.311 DEER SEASONS AND RESTRICTIONS.

(a) The commissioner may, by rule, prescribe restrictions and designate areas where deer may be taken, including hunter selection criteria for special hunts established under section 97A.401, subdivision 4. The commissioner may, by rule, prescribe the open seasons for deer within the following periods:

(1) taking with firearms, other than muzzle-loading firearms, between November 1 and December 15;

(2) taking with muzzle-loading firearms between September 1 and December 31; and

(3) taking by archery between September 1 and December 31.

(b) Notwithstanding paragraph (a), the commissioner may establish special seasons within designated areas at any time of year.

**History:** 2007 c 131 art 1 s 43

### 97B.318 ARMS USE AREAS AND RESTRICTIONS; REGULAR FIREARMS SEASON.

Subdivision 1. **Shotgun use area.** During the regular firearms season in the shotgun use area, only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading long guns, and legal handguns may be used for taking deer. Legal shotguns include those with rifled barrels. The shotgun use area is that portion of the state lying within the following described boundary: Beginning on the west boundary of the state at the northern boundary of Clay County; thence along the northern boundary of Clay County to State Trunk Highway (STH) 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to County State-Aid Highway (CSAH) 40, Douglas County; thence along CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22, Todd County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71 to STH 27; thence along STH 27 to the Mississippi River; thence along the east bank of the Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence along the east, south, and west boundaries of the state to the point of beginning.

*[For text of subd 2, see M.S.2006]*

**History:** 2007 c 131 art 1 s 44

### 97B.328 BAITING PROHIBITED.

(a) A person may not hunt deer:

(1) with the aid or use of bait;

(2) in the vicinity of bait if the person knows or has reason to know that bait is present; or

(3) in the vicinity of where the person has placed bait or caused bait to be placed within the previous ten days.

(b) This restriction does not apply to:

(1) food resulting from normal or accepted farming, forest management, wildlife food plantings, orchard management, or other similar land management activities; or

(2) a person hunting on the person's own property, when the person has not participated in, been involved with, or agreed to feeding wildlife on adjacent land owned by another person.

**History:** 2007 c 131 art 1 s 45

**97B.601 SMALL GAME LICENSES.**

*[For text of subs 1 and 2, see M.S.2006]*

Subd. 3. **Nonresidents: raccoon or bobcat.** A nonresident may not take raccoon or bobcat by firearms without a separate license to take that animal in addition to a small game license.

*[For text of subs 3a and 4, see M.S.2006]*

**History:** 2007 c 57 art 1 s 98

**97B.715 PHEASANTS.**

Subdivision 1. **Stamp required.** (a) Except as provided in paragraph (b) or section 97A.405, subdivision 2, a person required to possess a small game license may not hunt pheasants without a pheasant stamp validation.

(b) The following persons are exempt from this subdivision:

- (1) residents under age 18 or over age 65;
- (2) persons hunting on licensed commercial shooting preserves; and
- (3) resident disabled veterans with a license issued under section 97A.441, subdivision 6a.

*[For text of subs 2 and 3, see M.S.2006]*

**History:** 2007 c 57 art 1 s 99

**97B.801 MINNESOTA MIGRATORY WATERFOWL STAMP REQUIRED.**

(a) Except as provided in this section or section 97A.405, subdivision 2, a person required to possess a small game license may not take migratory waterfowl without a migratory waterfowl stamp validation.

(b) Residents under age 18 or over age 65; resident disabled veterans with a license issued under section 97A.441, subdivision 6a; and persons hunting on their own property are not required to possess a stamp validation under this section.

**History:** 2007 c 57 art 1 s 100

**97B.928 IDENTIFICATION OF TRAPS AND SNARES.**

Subdivision 1. **Information required.** (a) A person may not set or place a trap or snare, other than on property owned or occupied by the person, unless the following information is affixed to the trap or snare in a manner that ensures that the information remains legible while the trap or snare is on the lands or waters:

- (1) the number and state of the person's driver's license;
- (2) the person's Minnesota identification card number;
- (3) the person's name and mailing address; or
- (4) the license identification number issued by the Department of Natural Resources.

(b) The commissioner may not prescribe additional requirements for identification of traps or snares.

(c) Until March 1, 2013, the driver's license number under paragraph (a), clause (1), may be the person's previously issued Minnesota driver's license number.

*[For text of subs 2 and 3, see M.S.2006]*

**History:** 2007 c 131 art 1 s 46