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