

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1138**

February 26, 2009

Authored by Dill

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight

1.1 A bill for an act
1.2 relating to game and fish; expanding all-terrain vehicle use for purposes of
1.3 baiting bear; modifying winter trout season in Boundary Waters Canoe Area;
1.4 amending Minnesota Statutes 2008, sections 84.926, subdivisions 2, 4; 97C.395,
1.5 subdivision 1.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 84.926, subdivision 2, is amended to read:

1.8 Subd. 2. **All-terrain vehicles; managed or limited forests; off trail.**

1.9 Notwithstanding section 84.777, but subject to the commissioner's authority under
1.10 subdivision 5, on state forest lands classified as managed or limited, other than the Richard
1.11 J. Dorer Memorial Hardwood Forest, a person may use an all-terrain vehicle off forest
1.12 trails or forest roads when:

1.13 (1) hunting big game, including baiting bear, or transporting or installing hunting
1.14 stands during October, November, and December, when in possession of a valid big
1.15 game hunting license;

1.16 (2) retrieving big game in September, when in possession of a valid big game
1.17 hunting license;

1.18 (3) tending traps during an open trapping season for protected furbearers, when in
1.19 possession of a valid trapping license; ~~or~~

1.20 (4) trapping minnows, when in possession of a valid minnow dealer, private fish
1.21 hatchery, or aquatic farm license; or

1.22 (5) baiting bear during August and September.

1.23 Sec. 2. Minnesota Statutes 2008, section 84.926, subdivision 4, is amended to read:

2.1 Subd. 4. **Off-road and all-terrain vehicles; limited or managed forests; trails.**

2.2 Notwithstanding section 84.777, but subject to the commissioner's authority under
 2.3 subdivision 5, on state forest lands classified as limited or managed, other than the Richard
 2.4 J. Dorer Memorial Hardwood Forest, a person may use vehicles registered under chapter
 2.5 168 or section 84.798 or 84.922, including class 2 all-terrain vehicles, on forest trails that
 2.6 are not designated for a specific use when:

2.7 (1) hunting big game, including baiting bear, or transporting or installing hunting
 2.8 stands during October, November, and December, when in possession of a valid big
 2.9 game hunting license;

2.10 (2) retrieving big game in September, when in possession of a valid big game
 2.11 hunting license;

2.12 (3) tending traps during an open trapping season for protected furbearers, when in
 2.13 possession of a valid trapping license; ~~or~~

2.14 (4) trapping minnows, when in possession of a valid minnow dealer, private fish
 2.15 hatchery, or aquatic farm license; or

2.16 (5) baiting bear during August and September.

2.17 Sec. 3. Minnesota Statutes 2008, section 97C.395, subdivision 1, is amended to read:

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

2.20 (1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and
 2.21 smallmouth bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend
 2.22 to the last Sunday in February;

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

2.24 (3) for the winter season for lake trout on all lakes located outside or partially within
 2.25 the Boundary Waters Canoe Area, from January 15 to March 31;

2.26 (4) for the winter season for lake trout on all lakes located entirely within the
 2.27 Boundary Waters Canoe Area, from January 1 to March 31;

2.28 (5) for brown trout, brook trout, rainbow trout, and splake, between January 1 to
 2.29 October 31 as prescribed by the commissioner by rule except as provided in section
 2.30 97C.415, subdivision 2;

2.31 ~~(5)~~ (6) for the winter season for brown trout, brook trout, rainbow trout, and splake
 2.32 on all lakes, from January 15 to March 31; and

2.33 ~~(6)~~ (7) for salmon, as prescribed by the commissioner by rule.

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