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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 680

02/04/2019 Authored by Tabke, Hansen, Becker-Finn, Persell, Her and others
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy
03/11/2019 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to game and fish; allowing use of leashed dogs to track big game under
1.3 certain conditions; modifying use of artificial lights; providing criminal penalties;
1.4 amending Minnesota Statutes 2018, sections 97A.321, subdivision 1; 97B.011;
1.5 97B.081, subdivision 3; 97B.205; proposing coding for new law in Minnesota
1.6 Statutes, chapter 97B.

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

1.8 Section 1. Minnesota Statutes 2018, section 97A.321, subdivision 1, is amended to read:

1.9 Subdivision 1. Owner responsibility; penalty amount. (a) The owner of a dog that
1.10 pursues but does not kill or mortally wound a big game animal is subject to a civil penalty
1.11 of \$100 for each violation. The owner of a dog that kills or mortally wounds a big game
1.12 animal is subject to a civil penalty of \$500 for each violation.

1.13 (b) Paragraph (a) does not apply to a person using a dog in compliance with section
1.14 97B.207.

1.15 Sec. 2. Minnesota Statutes 2018, section 97B.011, is amended to read:

1.16 97B.011 DOGS PURSUING BIG GAME.

1.17 (a) A person who observes a dog wounding, killing, or pursuing in a manner that
1.18 endangers big game may kill the dog:

1.19 (1) at any time, if the person is a peace officer or conservation officer; or

1.20 (2) between January 1 and July 14, if the person is not a peace officer or conservation
1.21 officer and the discharge of firearms is allowed.

1.22 The officer or person is not liable for damages for killing the dog.

2.1 (b) Paragraph (a) does not apply to a dog used in compliance with section 97B.207.

2.2 Sec. 3. Minnesota Statutes 2018, section 97B.081, subdivision 3, is amended to read:

2.3 Subd. 3. **Exceptions.** (a) It is not a violation of this section for a person to:

2.4 (1) cast the rays of a spotlight, headlight, or other artificial light to take raccoons
2.5 according to section 97B.621, subdivision 3, or tend traps according to section 97B.931;

2.6 (2) hunt fox or coyote from January 1 to March 15 while using a handheld artificial
2.7 light, provided that the person is:

2.8 (i) on foot;

2.9 (ii) using a shotgun;

2.10 (iii) not within a public road right-of-way;

2.11 (iv) using a handheld or electronic calling device; and

2.12 (v) not within 200 feet of a motor vehicle; or

2.13 (3) cast the rays of a handheld artificial light to retrieve wounded or dead big game
2.14 animals, provided that the person is:

2.15 (i) on foot; and

2.16 (ii) not in possession of a firearm or bow.

2.17 (b) It is not a violation of subdivision 2 for a person to cast the rays of a spotlight,
2.18 headlight, or other artificial light to:

2.19 (1) carry out any agricultural, safety, emergency response, normal vehicle operation, or
2.20 occupation-related activities that do not involve taking wild animals; or

2.21 (2) carry out outdoor recreation as defined in section 97B.001 that is not related to
2.22 spotting, locating, or taking a wild animal.

2.23 (c) Except as otherwise provided by the game and fish laws, it is not a violation of this
2.24 section for a person to use an electronic range finder device from one-half hour before
2.25 sunrise until one-half hour after sunset while lawfully hunting wild animals.

2.26 (d) It is not a violation of this section for a licensed bear hunter to cast the rays of a
2.27 handheld artificial light to track or retrieve a wounded or dead bear while possessing a
2.28 firearm, ~~provided that:~~

2.29 (1) if the person:

- 3.1 ~~(1)~~ (i) has the person's valid bear-hunting license in possession;
- 3.2 ~~(2)~~ (ii) is on foot; and
- 3.3 ~~(3)~~ (iii) is following the blood trail of a bear that was shot during legal shooting hours;
- 3.4 or
- 3.5 (2) as provided in section 97B.207.

3.6 (e) It is not a violation of this section for a licensed deer hunter to cast the rays of a

3.7 handheld artificial light to track or retrieve a wounded deer as provided in section 97B.207.

3.8 (f) For purposes of this subdivision, "handheld artificial light" means an artificial light

3.9 that is carried in the hand or attached to the person.

3.10 Sec. 4. Minnesota Statutes 2018, section 97B.205, is amended to read:

3.11 **97B.205 ~~USE OF~~ USING DOGS AND HORSES TO TAKE BIG GAME**

3.12 **PROHIBITED.**

3.13 A person may not use a dog or horse to take big game, except as provided under section

3.14 97B.207.

3.15 Sec. 5. **97B.207] USING DOGS TO LOCATE WOUNDED DEER OR BEAR.**

3.16 Subdivision 1. **Using dogs allowed.** A person may use a dog to locate and retrieve a

3.17 wounded deer or bear only as provided in this section.

3.18 Subd. 2. **Requirements for hunters and handlers.** (a) A person attempting to locate

3.19 and retrieve a wounded deer or bear using a dog must have a valid license to take the deer

3.20 or bear and have the license in possession. If the person is a dog handler that does not have

3.21 a valid hunting license, the person must be accompanied by a licensed hunter with the license

3.22 in possession.

3.23 (b) The licensed hunter, and any accompanying dog handler, must be on foot and must

3.24 wear blaze orange or blaze pink as provided in section 97B.071, paragraph (a).

3.25 (c) Any light used must be a handheld artificial light, as defined under section 97B.081,

3.26 subdivision 3, paragraph (f).

3.27 Subd. 3. **Requirements for dogs.** (a) A dog used to locate a wounded deer or bear must

3.28 be accompanied by a licensed hunter and any dog handler until the wounded deer or bear

3.29 is located. The dog must be leashed and the licensed hunter or dog handler must be in

3.30 physical control of the leash at all times. The leash must not exceed 30 feet in length.

4.1 (b) The dog owner's information, including the owner's name and telephone number,
4.2 must be on the dog while the dog is used to locate a wounded deer or bear under this section.

4.3 (c) The licensed hunter and any accompanying dog handler are jointly and severally
4.4 responsible for a dog under this section. A violation of this subdivision is a misdemeanor
4.5 under section 97A.301, subdivision 1, and section 97A.421 applies.

4.6 Subd. 4. **Additional requirements.** (a) The trespass provisions in section 97B.001 apply
4.7 to activities under this section, including all requirements to gain permission to enter private
4.8 or public property.

4.9 (b) Activities under this section may occur during legal shooting hours or outside legal
4.10 shooting hours of the open season for the location and species. Any activity occurring under
4.11 this section outside the open season for the location and species must be reported to the
4.12 local conservation officer before locating or retrieving the wounded deer or bear.