

**Minnesota Department of Natural Resources**

**Division of Fish and Wildlife**

**NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING**

**Proposed Amendment to Rules Governing Restrictions on Taking Fish, *Minnesota Rule*, part 6262.0100; Revisor's ID Number R-4857**

**Introduction.** The Department of Natural Resources (DNR) intends to adopt rules under the expedited rulemaking process following the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until Thursday, March 20, 2025.

**Agency Contact Person.** Submit comments, questions, or a request for hearing on the rules to Bethany Bethke, Rules and Regulations Coordinator, at Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155, telephone 651-259-5266, or email [bethany.bethke@state.mn.us](mailto:bethany.bethke@state.mn.us).

**Subject of the Expedited Rules.** The proposed expedited rules adjust Minnesota's fishing regulations for inland waters.

1. Minnesota Rule, part 6262.0100, subp 6.A. The proposed changes include 1) clarification on the "number of multiple hooks" that can be used on a line and 2) change in the maximum length of "multiple hook configuration length allowance."

*Number of Multiple Hooks* – The current language states that "an angler may have up to three single or multiple hooks on a line." Although the limit of three applies to both single hooks and multiple hooks (e.g., treble hooks), the language has been interpreted by some as three single hooks or an undetermined number of multiple hooks. The language change would include a clarification of what constitutes a "hook" and that a single configuration can have no more than three hooks. The clarification will allow for improved understanding of the rule and make enforcement easier.

*Multiple Hook Configuration Length Allowance* – Quick strike/multiple hook configurations were defined in rule since 2012 as having a maximum length of 9 inches. The proposed increase to an 18-inch maximum length is better suited for larger gamefish and is anticipated to reduce the number of swallowed hooks and deep hook sets, thereby decreasing hooking mortality. The proposal also allows anglers to use a wider range of commercially available products, will be more practical for the large bait that anglers are using, and will better allow for good mouth sets because anglers

can set the hook sooner and before the hook is swallowed. The change in maximum length of hook configurations poses no threat to fisheries conservation.

2. Minnesota Rule, part 6262.0100, subp. 8 (new). The proposed change would allow the use of non-motorized devices that set the hook using the force of a spring device or the force of a bent fishing pole. These devices are triggered automatically when a set bait is hit by a fish. These devices are typically used with a “tip-up” type angling device and may reduce the number of swallowed hooks, reducing hooking mortality. No fisheries conservation threats attributed to this proposed modification have been identified.

Minnesota Statute, section 97C.325(a)(4) prohibits the use of spring devices that impale, hook, or capture fish that are not specifically authorized. However, Minnesota Statute, section 97C.325(c) authorizes the commissioner, by rule, to allow the use of non-motorized devices with a recoil mechanism to take fish through the ice. Therefore, the use of these devices would be limited to angling through the ice. As is required with all tip-up use, the angler must be within 200 feet of the tip-up.

**Statutory Authority.** The statutory authorities to adopt these rules are:

- Minnesota Statute, section 97C.315, subd. 2, which provides that the commissioner may establish angling line and hook allowances; and
- Minnesota Statute, section 97C.325(c) which allows the commissioner, by rule, to allow the use of non-motorized devices with recoil mechanisms to set hooks through the ice.

The statutory authority to adopt the rules under the expedited rulemaking process is Minnesota Statute, section 84.027, subd. 13a (b). The DNR is using the expedited permanent rulemaking procedure to complete the rules changes before the opening of Minnesota’s spring fishing season on March 1, 2026, and to include the changes in the 2026 fishing regulations handbook.

**Publication of proposed rules.** A copy of the proposed rules is published in the State Register and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above. The proposed expedited rules may be viewed on the [DNR rulemaking webpage](http://mndnr.gov/input/rules) at [mndnr.gov/input/rules](http://mndnr.gov/input/rules).

**Comments.** You have until 4:30 p.m. on Thursday, March 20, 2025, to submit written comment in support of or in opposition to the proposed expedited rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. The DNR encourages comment. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. You must also make any

comments that you have on the legality of the proposed rules during this comment period. If the proposed expedited rules affect you in any way, the DNR encourages you to participate in the rulemaking process.

**Request for Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. You must make your request in writing and the agency contact person must receive it by 4:30 p.m. on Thursday, March 20, 2025. Your written request must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the DNR cannot count it for determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 50 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 50, the DNR must give written notice of this to all persons who requested a hearing, explain the action the DNR took to effect the withdrawal, and ask for written comments on this action. If the DNR is required to hold a public hearing, the procedures in *Minnesota Statutes*, section 14.131 to 14.20 will be used.

**Modifications.** The DNR may modify the proposed expedited rules using either of two avenues: The DNR may modify the rules directly so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c). Or the DNR may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the State Register, the DNR will publish a notice of adoption in the State Register. If the final rules are different from the rules originally published in the State Register, the DNR must publish a copy of the changes in the State Register.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

**Adoption and Review of Expedited Rules.** If no hearing is required, the DNR may adopt the rules at the end of the comment period. The DNR will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be

notified of the date that the DNR submits the rules. If you want to be so notified or want to receive a copy of the adopted rules or want to register with the DNR to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

1/30/25

Date



Sarah Strommen, Commissioner of Natural Resources