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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-SIXTH  
SESSION

**HOUSE FILE No. 2213**

March 30, 2009

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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; modifying permit requirements and fees for  
1.3 fishing contest permits; amending Minnesota Statutes 2008, section 97C.081,  
1.4 subdivisions 2, 3, 4, 6, 9.

1.5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

1.6 Section 1. Minnesota Statutes 2008, section 97C.081, subdivision 2, is amended to read:

1.7 Subd. 2. **Contests without a permit.** A person may conduct a fishing contest  
1.8 without a permit from the commissioner provided:

1.9 (1) the following criteria are met:

1.10 (i) there are ~~30 participants~~ 25 boats or less for open water contests and 150  
1.11 participants or less for ice fishing contests;

1.12 (ii) the entry fee is \$25 per person or less;

1.13 (iii) the total prize value is \$25,000 or less; and

1.14 (iv) the contest is not limited to trout species only;

1.15 (2) the following criteria are met:

1.16 (i) the contest is not limited to specifically named waters; and

1.17 (ii) the contest is not limited to trout species only; ~~or~~

1.18 (3) all the contest participants are age 18 years or under;

1.19 (4) the contest is limited to rough fish; or

1.20 (5) the total prize value is \$500 or less.

1.21 Sec. 2. Minnesota Statutes 2008, section 97C.081, subdivision 3, is amended to read:

1.22 Subd. 3. **Contests requiring a permit.** (a) A person must have a permit from the  
1.23 commissioner to conduct a fishing contest that does not meet the criteria in subdivision

2.1 2. The commissioner shall charge a fee for the permit that recovers the costs of issuing  
 2.2 the permit and of monitoring the activities allowed by the permit. ~~The commissioner~~  
 2.3 ~~may waive the fee under this subdivision for a charitable organization.~~ Notwithstanding  
 2.4 section 16A.1283, the commissioner may, by written order published in the State Register,  
 2.5 establish contest permit fees. The fees are not subject to the rulemaking provisions of  
 2.6 chapter 14 and section 14.386 does not apply.

2.7 (b) If entry fees are over \$25 per person, or total prizes are valued at more than  
 2.8 \$25,000, and if the applicant has either:

2.9 (1) not previously conducted a fishing contest requiring a permit under this  
 2.10 subdivision; or

2.11 (2) ever failed to make required prize awards in a fishing contest conducted by  
 2.12 the applicant, the commissioner may require the applicant to furnish the commissioner  
 2.13 evidence of financial responsibility in the form of a surety bond or bank letter of credit in  
 2.14 the amount of \$25,000.

2.15 (c) The permit fee for any individual contest may not exceed the following amounts:

2.16 (1) ~~\$120~~ \$60 for an open water contest not exceeding ~~100 participants~~ 50 boats and  
 2.17 without off-site weigh-in;

2.18 (2) ~~\$400~~ \$200 for an open water contest with more than ~~100 participants~~ 50 boats  
 2.19 and without off-site weigh-in;

2.20 (3) ~~\$500~~ \$250 for an open water contest not exceeding ~~100 participants~~ 50 boats  
 2.21 with off-site weigh-in;

2.22 (4) ~~\$1,000~~ \$500 for an open water (4) contest with more than ~~100 participants~~ 50 boats  
 2.23 with off-site weigh-in; or

2.24 (5) \$120 for an ice fishing contest with more than 150 participants.

2.25 Sec. 3. Minnesota Statutes 2008, section 97C.081, subdivision 4, is amended to read:

2.26 Subd. 4. **Restrictions.** (a) The commissioner may by rule establish restrictions on  
 2.27 fishing contests to protect fish and fish habitat, to restrict activities during high use periods,  
 2.28 to restrict activities that affect research or management work, to restrict the number of  
 2.29 boats, and for the safety of contest participants.

2.30 (b) By March 1, 2011, the commissioner shall develop a best practices certification  
 2.31 program for fishing contest organizers to ensure the proper handling and release of fish.

2.32 Sec. 4. Minnesota Statutes 2008, section 97C.081, subdivision 6, is amended to read:

3.1 Subd. 6. **Permit application process.** (a) Beginning August 1 each year, the  
3.2 commissioner shall accept permit applications for fishing contests to be held in the  
3.3 following year.

3.4 (b) If the number of permit applications received by the commissioner from August  
3.5 1 through the last Friday in September exceeds the limits specified in subdivisions 7 and 8,  
3.6 the commissioner shall notify the affected applicants that their requested locations and  
3.7 time period are subject to a drawing. After notification, the commissioner shall allow  
3.8 the affected applicants a minimum of seven days to change the location or time period  
3.9 requested on their applications, provided that the change is not to a location or time period  
3.10 for which applications are already at or above the limits specified in subdivisions 7 and 8.

3.11 (c) After the applicants have been given at least seven days to change their  
3.12 applications, the commissioner shall conduct a drawing for all locations and time periods  
3.13 for which applications exceed limits. First preference in the drawings shall be given  
3.14 to applicants for established or traditional fishing contests, and second preference to  
3.15 applicants for contests that are not established as traditional fishing contests based on the  
3.16 number of times they have been unsuccessful in previous drawings. Except for applicants  
3.17 of established or traditional fishing contests, an applicant who is successful in a drawing  
3.18 loses all accumulated preference. "Established or traditional fishing contest" means a  
3.19 fishing contest that was issued permits in 1999 and 2000 or was issued permits four out of  
3.20 five years from 1996 to 2000 for the same lake and time period. Beginning with 2001,  
3.21 established or traditional fishing contests must continue to be conducted at least four out  
3.22 of five years for the same lake and time period to remain established or traditional.

3.23 (d) The commissioner has until November 7 to approve or deny permit applications  
3.24 that are submitted by 4:30 p.m. on the last Friday in September. The commissioner  
3.25 may approve a permit application that is received after 4:30 p.m. on the last Friday  
3.26 in September if approving the application would not result in exceeding the limits in  
3.27 subdivisions 7 and 8.

3.28 (e) The commissioner shall develop an online Web-based fishing contest permit  
3.29 application process.

3.30 Sec. 5. Minnesota Statutes 2008, section 97C.081, subdivision 9, is amended to read:

3.31 Subd. 9. **Permit restrictions.** (a) The commissioner may require fishing contest  
3.32 permittees to limit prefishing to week days only as a condition of a fishing contest permit.  
3.33 The commissioner may require proof from permittees that prefishing restrictions on the  
3.34 permit are communicated to fishing contest participants and enforced.

4.1 (b) The commissioner may require permit restrictions on the hours that a permitted  
4.2 fishing contest is conducted, including, but not limited to, starting and ending times.

4.3 (c) The commissioner may require permit restrictions on the number of parking  
4.4 spaces that may be used on a state-owned public water access site. The commissioner may  
4.5 require proof from permittees that parking restrictions on the permit are communicated to  
4.6 fishing contest participants and enforced.

4.7 (d) To prevent undue mortality of released fish, the commissioner may require  
4.8 restrictions for off-site weigh-ins and live releases on a fishing contest permit or may deny  
4.9 permits requesting an off-site weigh-in or live release. The commissioner shall allow for  
4.10 live release weigh-ins at public accesses.

4.11 (e) A person may not transfer a fishing contest permit to another person.

4.12 (f) Failure to comply with fishing contest permit restrictions may be considered  
4.13 grounds for denial of future permit applications.