

6212.2600 POSSESSION OF FISH.

Subpart 1. **Possession limits.** Possession limits for contest waters apply to all contest participants at all times except that the total number of fish killed by a contest participant may not exceed one possession limit per event.

Subp. 2. [Repealed, 28 SR 629]

Subp. 3. **Authority to hold and release fish.** In contests where fish may be returned to the contest waters, the permittee may be authorized to hold healthy fish and release them immediately following weigh-in. Suitable release sites may be specified in the permit for the purposes provided in Minnesota Statutes, section 97C.081, subdivision 4. The commissioner shall consider the following criteria to determine when a specific release location should be included in the permit:

A. whether water or habitat quality at or near release sites would result in undue mortality of released fish;

B. whether barriers such as dams or channels exist that would limit natural fish movement or redistribution;

C. whether genetics of the contest fish are consistent with the genetics of the fish population where the contest fish are being released;

D. whether a particular release location is necessary in light of the preferred habitat and home range of the contest fish;

E. whether release of the contest fish at another location would lead to localized depletion of fish stocks from contest waters where the contest fish were caught and removed;
or

F. whether release of contest fish may result in the spread of diseases or invasive species.

Subp. 4. **Gifting and donating fish.**

A. To prevent the waste of fish, a contest organizer may be permitted to accept from contest participants fish lawfully taken and possessed during a contest for gifting to a charitable or nonprofit organization as defined by the Internal Revenue Service or a charity that is registered with the Attorney General's Office, Charities Division, and listed on the attorney general's Web site. Contest organizers who want to apply for a permit to gift or donate fish must fill out the appropriate sections of the contest application.

B. A permitted contest organizer and representatives from the charitable or nonprofit organization must distribute the gifted fish at no cost or consideration.

C. The contest organizer must keep records regarding the fish donated by contestants for two years. The records must include:

- (1) the names and addresses of contest participants donating the fish;
- (2) the contest participant's license number or possession permit number under which the fish were lawfully taken or possessed;
- (3) the number and species of fish donated;
- (4) the date, location, and contest permit number associated with the donation; and
- (5) the name of the designated representative for the charitable or nonprofit organization to which the fish are being donated and the date of the transfer to that person.

D. The following information must accompany the donated fish as the fish are transferred. Each representative of a charitable or nonprofit organization in possession of the fish must keep a copy of the documentation until the fish are consumed or otherwise destroyed:

- (1) the contest organizer's name and address;
- (2) the date, location, and contest permit number associated with the donation;
- (3) the total number of each fish species that was donated;
- (4) the date of transfer; and
- (5) the charitable or nonprofit organization's name, designated representative, and address.

Statutory Authority: *MS s 84.0895; 97C.081*

History: *18 SR 83; 28 SR 629; 37 SR 1207*

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