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HOUSE FILE No. 1021

FIRST COMMITTEE ENGROSSMENT

February 15, 2007

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources

Referred by Chair to Game, Fish and Forestry Division.

March 12, 2007

Returned to the Committee on Environment and Natural Resources as Amended.

1.1 A bill for an act
1.2 relating to game and fish; modifying Lake Superior commercial fishing
1.3 provisions; amending Minnesota Statutes 2006, section 97C.835, subdivisions 1,
1.4 2, 3, 8; proposing coding for new law in Minnesota Statutes, chapter 97C.

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

1.6 Section 1. Minnesota Statutes 2006, section 97C.835, subdivision 1, is amended to read:

1.7 Subdivision 1. **Commercial fishing license for Lake Superior.** (a) A license to
1.8 fish commercially in Lake Superior shall be issued to a maximum of ~~50~~25 residents. To
1.9 qualify for licensing, a resident must have landed fish in the previous year with a value of
1.10 at least \$1,500, and must have engaged in commercial fishing for at least 30 days of the
1.11 previous year. An applicant may be issued a license, at the discretion of the commissioner,
1.12 if failure to meet the requirements for the dollar value of fish landed or number of days
1.13 fished resulted from illness or other mitigating circumstances, or the applicant has reached
1.14 the age of 65 and has been licensed at least five of the previous ten years.

1.15 (b) A license may be issued to a resident who has not previously fished commercially
1.16 on Lake Superior and has not been convicted of a game and fish law violation in the
1.17 preceding three years, if the applicant:

1.18 (1) shows a bill of sale indicating the purchase of gear and facilities connected
1.19 with an existing license;

1.20 (2) shows proof of inheritance of all the gear and facilities connected with an
1.21 existing license; or

1.22 (3) has served at least two years as an apprentice in a Minnesota Lake Superior
1.23 licensed commercial fishing operation.

2.1 Sec. 2. Minnesota Statutes 2006, section 97C.835, subdivision 2, is amended to read:

2.2 Subd. 2. **Types of fish permitted.** Lake trout, ciscoes, chubs, alewives, lake
2.3 whitefish, round whitefish, ~~pygmy whitefish~~, rainbow smelt, and rough fish may be
2.4 taken by licensed commercial fishing operators from Lake Superior, in accordance with
2.5 this section.

2.6 Sec. 3. Minnesota Statutes 2006, section 97C.835, subdivision 3, is amended to read:

2.7 Subd. 3. **Pound nets and trap nets.** Pound or trap nets may be used to take lake
2.8 whitefish, round whitefish, ~~pygmy whitefish~~, ciscoes, chubs, alewives, rainbow smelt, and
2.9 rough fish in Lake Superior, including St. Louis Bay east of the U.S. Highway 53 bridge,
2.10 under the rules prescribed by the commissioner.

2.11 Sec. 4. Minnesota Statutes 2006, section 97C.835, subdivision 8, is amended to read:

2.12 Subd. 8. **Special permits.** The commissioner may issue special permits to duly
2.13 licensed commercial fishing operators ~~not exceeding 20 in number~~, for the purpose
2.14 of taking lake trout, ciscoes, and lake whitefish ~~spawn during the closed season for the~~
2.15 ~~propagation of trout~~ in Lake Superior and adjacent waters under rules prescribed by the
2.16 commissioner.

2.17 Sec. 5. **[97C.836] LAKE SUPERIOR LAKE TROUT EXPANDED ASSESSMENT**
2.18 **HARVEST.**

2.19 The commissioner shall provide for taking of lake trout by licensed commercial
2.20 operators in Lake Superior management zones MN-3 and MN-2 for expanded assessment
2.21 and sale. The commissioner shall authorize expanded assessment taking and sale of lake
2.22 trout in Lake Superior management zone MN-3 beginning in 2007 and zone MN-2
2.23 beginning in 2010. Total assessment taking and sale may not exceed 3,000 lake trout
2.24 in zone MN-3 or 2,000 lake trout in zone MN-2 and may be reduced when necessary
2.25 to protect the lake trout population or to manage the effects of invasive species or fish
2.26 disease. Taking lake trout for expanded assessment and sale shall be allowed from June 1
2.27 to September 30, but may end earlier in the respective zones if the quotas are reached. The
2.28 quotas must be reassessed at the expiration of the current ten-year Fisheries Management
2.29 Plan for the Minnesota Waters of Lake Superior dated September 2006.

2.30 Sec. 6. **RULE AMENDMENTS.**

2.31 The commissioner of natural resources may use the good cause exemption under
2.32 Minnesota Statutes, section 14.388, subdivision 1, clause (3), to amend rules to conform

- 3.1 to sections 1 to 5. Minnesota Statutes, section 14.386, does not apply to the rulemaking
- 3.2 under this section except to the extent provided under Minnesota Statutes, section 14.388.