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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1021**

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

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
1.4 2, 3, 8, by adding a subdivision; repealing Minnesota Statutes 2006, section
1.5 97C.835, subdivision 4.

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

1.7 Section 1. Minnesota Statutes 2006, section 97C.835, subdivision 2, is amended to read:

1.8 Subd. 2. **Types of fish permitted.** ~~Lake trout~~, Ciscoes, chubs, alewives, lake
1.9 whitefish, round whitefish, ~~pygmy whitefish~~, rainbow smelt, and rough fish may be
1.10 taken by licensed commercial fishing operators from Lake Superior, in accordance with
1.11 this section.

1.12 Sec. 2. Minnesota Statutes 2006, section 97C.835, subdivision 3, is amended to read:

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

1.17 Sec. 3. Minnesota Statutes 2006, section 97C.835, subdivision 8, is amended to read:

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

2.1 Sec. 4. Minnesota Statutes 2006, section 97C.835, is amended by adding a subdivision
2.2 to read:

2.3 Subd. 9. **Lake whitefish.** Lake whitefish may not be taken by gill net except by
2.4 permit in accordance with subdivision 8. Lake whitefish incidentally taken in accordance
2.5 with commercial operations under subdivision 5 may be possessed without a permit.

2.6 Sec. 5. **RULE AMENDMENTS.**

2.7 The commissioner of natural resources may use the good cause exemption under
2.8 Minnesota Statutes, section 14.388, subdivision 1, clause (3), to amend rules to conform to
2.9 sections 1 to 4 and 6. Minnesota Statutes, section 14.386, does not apply to the rulemaking
2.10 under this section except to the extent provided under Minnesota Statutes, section 14.388.

2.11 Sec. 6. **REPEALER.**

2.12 Minnesota Statutes 2006, section 97C.835, subdivision 4, is repealed.