

CHAPTER 102

COMMERCIAL FISHING

102.235 New licenses prohibited.

102.26 Lake of the Woods and Rainy Lake fishing.

102.235 NEW LICENSES PROHIBITED.

The commissioner shall not issue any new commercial fishing license which permits netting of game fish on Lake of the Woods and Rainy Lake.

History: 1983 c 356 s 13

102.26 LAKE OF THE WOODS AND RAINY LAKE FISHING.

[For text of subs 1 to 3, see M.S.1982]

Subd. 3a. Beginning March 1, 1984, the commissioner shall limit the maximum poundage of walleye that may be taken by commercial fishermen in Lake of the Woods in any one season on the following schedule:

YEAR	SEASONAL COMMERCIAL WALLEYE TAKE IN POUNDS
1984	164,000
1985	150,000
1986	135,000
1987	120,000
1988	100,000
1989	80,000
1990	60,000
1991	30,000
1992	0

For the 1984 license year, 150,000 pounds of walleye shall be allocated equally among the ten existing gill net licensees according to order of the commissioner. Up to 14,000 pounds of walleye shall be allocated among existing trap or pound licensees, provided that no licensee shall take more than the highest poundage harvested in any of the last three years. For 1985 and subsequent years the allocation of walleye poundage among the licensees shall be determined by order of the commissioner.

Subd. 3b. Beginning March 1, 1984, the commissioner shall limit the maximum poundage of walleye that may be taken by commercial fishermen in Rainy Lake in any one season on the following schedule:

YEAR	SEASONAL COMMERCIAL WALLEYE TAKE IN POUNDS
1984	14,500
1985	12,500
1986	10,500
1987	8,500
1988	6,500
1989	4,500
1990	2,500
1991	1,000
1992	0

For the 1984 license year and subsequent years, the seasonal commercial walleye take in pounds in Rainy Lake shall be allocated among the licensees by order of the commissioner.

Subd. 3c. All gill net licenses on Lake of the Woods and Rainy Lake shall be canceled after the 1987 license year. A gill net licensee whose license is canceled as provided in this subdivision retains the walleye quota which he holds at the time of cancellation, subject to the quota phase-out schedule in subdivision 3a or 3b. Notwithstanding the provisions of section 102.235, the licensee may be issued a pound or trap net for the netting of game fish in accordance with the quota of the licensee.

Subd. 3d. In 1984 and any subsequent year an existing licensee may transfer the walleye quota allocated to him under subdivision 3a or 3b to any other existing licensee or, after July 1, 1985, he may sell the quota to the state. If a licensee sells the quota to the state, he must sell the quota for all years remaining in the quota schedule as provided in subdivision 3a or 3b. A sale to the state shall be at the present wholesale value of the quota as determined by applying the standard formula for computing present value assuming the following: (a) an allocation to the licensee of the same proportion of the total remaining walleye quota as allocated in the year of sale; (b) an interest rate of eight percent; and (c) a walleye wholesale price in the round of \$1.15 per pound. A licensee may elect to receive payment for a sale to the state in a lump sum or in up to four annual installments. Any quota sold to the state shall cancel and is not available for reallocation to any other licensee. When a walleye quota is sold to the state and canceled, the gill net license of the licensee shall be canceled.

[For text of subds 4 and 5, see M.S.1982]

History: 1983 c 356 s 14-17