
CHAPTER 241—S.F.No.600

An act relating to natural resources; exempting track racing snowmobiles from registration requirements; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.

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

Section 1. Minnesota Statutes 1978, Section 84.82, Subdivision 6, is amended to read:

Subd. 6. **EXEMPTIONS.** No registration hereunder shall be required for the following described snowmobiles:

(a) Snowmobiles owned and used by the United States, another state, or a political subdivision thereof.

(b) Snowmobiles registered in a country other than the United States temporarily used within this state.

(c) Snowmobiles covered by a valid license of another state and which have not been within this state for more than 30 consecutive days.

(d) Snowmobiles used exclusively in organized track racing events.

Approved May 29, 1979.

CHAPTER 242—S.F.No.681

An act relating to game and fish; providing for the licensing and regulation of commercial fishing in inland waters; contracts for removal of rough fish; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision; and Chapter 102, by adding a section; repealing Minnesota Statutes 1978, Section 97.4861.

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

Section 1. Minnesota Statutes 1978, Section 98.46, is amended by adding a subdivision to read:

Subd. 9a. Licenses to net commercial fish in inland waters shall be issued annually and shall be valid for commercial fishing during the period from the day after Labor Day to the day preceding the opening of the season for the taking of walleye. License fees shall be \$50, plus:

(a) Fifty cents for each hoop net pocket;

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(b) \$10 for each 1,000 feet of seine. Provided that in the license application to the commissioner, each applicant shall list the number of feet of seine of each depth for which he wishes to be licensed; and

(c) \$5 for each helper's license.

Sec. 2. Minnesota Statutes 1978, Chapter 102, is amended by adding a section to read:

[102.285] COMMERCIAL FISHING IN INLAND WATERS. Subdivision 1. The commissioner shall by order regulate the taking, possession, transportation and sale of commercial fish and the licensing of commercial fishermen in inland waters. For the purposes of sections 1 and 2 "inland waters" means all waters entirely located within the boundaries of the state and the border waters between Minnesota and North Dakota, South Dakota and Iowa, excluding those waters described in section 102.25. Licenses to net commercial fish in inland waters, except for helper's licenses, shall be issued only to Minnesota residents, provided that non-residents may be licensed to fish waters not previously assigned to residents. For purposes of sections 1 and 2, "commercial fish" are carp, buffalo fish, suckers, redhorse, sheepshead, dogfish, eelpout, tullibeets, garfish, goldeyes, bullheads, smelt and whitefish.

Subd. 2. The commissioner shall delineate inland commercial fishing areas, taking into account the amount of water encompassed, the size and proximity of waters encompassed, the species to be removed and the type and quantity of fishing gear and equipment necessary to provide an adequate removal effort. The commissioner may change inland commercial fishing area boundaries by order prior to a new licensing period after complying with the publication requirements of section 97.53, subdivision 2.

Subd. 3. The commissioner shall assign licensed inland commercial fishermen to commercial fishing areas and each fisherman shall be obligated to fish his assigned area. The commissioner's assignment shall be valid as long as the assigned fisherman continues to purchase a license, continues to provide an adequate removal effort in a good and workmanlike manner and is not convicted of two or more violations of laws or rules governing inland commercial fishing operations during any one license period. In the fisherman assignment, the commissioner shall consider the proximity of the fisherman to the area, the type and quantity of fish gear and equipment possessed, knowledge of the affected waters, and general ability to perform the work well.

Subd. 4. Whenever an area is not assigned, or the fisherman licensed for that area is not fishing that area or is unable to fish that area, the commissioner shall have the authority to issue a special inland commercial fishing permit to any individual holding a valid inland commercial fishing license allowing the fisherman to fish that area and operate beyond the limits of his assigned area. The permit shall indicate the specific waters involved, the county, the species to be removed, the gear to be used and the time period of the total operation.

Subd. 5. A licensed inland commercial fisherman shall submit monthly reports on his licensed activities in each month to the commissioner, on forms provided by the
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commissioner, prior to the 15th of the following month. These reports shall be submitted regardless of whether or not any fishing activity took place unless the fisherman has a written release from this obligation signed by the commissioner.

Subd. 6. A license to take commercial fish shall become void upon the licensee's death, sale of the commercial fishing business, removal from the state, conviction of two or more violations of inland commercial fishing laws or rules within a license period or failure to apply for a new or renewal license prior to June 15 of any year. A commercial inland fishing license shall not be subject to the license revocation provisions of section 98.52. Commercial fishing rights and area assignments covered by a license which becomes void shall revert to the commissioner for reassignment.

Subd. 7. The commissioner shall consult with representatives of the inland commercial fishermen's trade association when disagreements arise in the areas of license issuance, problems with performance pursuant to the license, area assignments and the entry of new commercial fishermen into the inland commercial fishery.

Sec. 3. Minnesota Statutes 1978, Section 97.4861, is repealed.

Approved May 29, 1979.

CHAPTER 243—S.F.No.712

An act relating to Indians; providing for use of the nomenclature "American Indians" in Minnesota Statutes; amending Minnesota Statutes 1978, Sections 145.922, Subdivision 2; 152.02, Subdivision 2; 254A.02, Subdivision 11; 254A.03; 254A.031; 254A.07, Subdivision 2; 462A.07, Subdivisions 13, 14, and 15; 462A.21, Subdivisions 4c and 4d; and 517.18, Subdivision 4.

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

Section 1. Minnesota Statutes 1978, Section 145.922, Subdivision 2, is amended to read:

Subd. 2. The state commissioner of health may make special grants to local boards of health to establish, operate, or subsidize clinic facilities and services to furnish health services for ~~native Americans~~ American Indians who have no established county of residence. The community health services plan submitted by the local board of health must contain a proposal for the delivery of the services and documentation of input by affected segments of the community to the plan in order to qualify for a grant under this subdivision.

Sec. 2. Minnesota Statutes 1978, Section 152.02, Subdivision 2, is amended to read:

Subd. 2. The following items are listed in Schedule I:

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