

**RESOLUTION 1-H.F.No. 544**

*A resolution urging the Office of the United States Trade Representative to forcefully and promptly address and resolve violations of international trade agreements and discriminatory practices by the Province of Ontario and Canadian officials that are injuring Minnesota border lakes tourism businesses.*

WHEREAS, in 1994 the Provincial Government of Ontario saw fit to impose restrictions on the taking of fish from Canadian waters of Rainy Lake by Americans staying in American resorts; and

WHEREAS, the province in 1998 extended these same regulations to Americans fishing on Rainy River and Lake of the Woods; and

WHEREAS, this year the province threatened to extend further those regulations to encompass the entire Minnesota-Ontario border, from Lake of the Woods to Lake Superior, and avoided doing so only after Minnesota resorts and political leaders asked the Office of the United States Trade Representative (USTR) to protest the measures as a serious trade issue between the United States and Canada, and USTR did so raise the issue; and

WHEREAS, in addition to the discriminatory fishing rules by Ontario, immigration officials of the Government of Canada are requiring Minnesota-based fishing guides to obtain, at a significant fee, work authorizations to guide fishing trips from Minnesota into Canada; and

WHEREAS, counsel for Minnesota resorts has prepared and presented to USTR a detailed analysis showing that the discriminatory Ontario fishing regulations violate Ontario and Canada's obligations under the North American Free Trade Agreement (NAFTA) and the General Agreement on Trade in Services (GATS) under the World Trade Organization, and that the requirement to obtain work authorizations violates Canada's obligation under NAFTA; and

WHEREAS, USTR bears the exclusive authority to pursue dispute resolution with foreign governments for their violations of the NAFTA and GATS agreements; and

WHEREAS, the discriminatory Ontario measures are severely and unfairly damaging business for Minnesota resorts and tourism businesses in the border lakes area; and

WHEREAS, years of efforts by officials and private citizens of Minnesota to resolve this issue through diplomacy and discussions with Ontario officials and citizens have yielded nothing but frustration and an expansion of the discriminatory measures by the province; NOW, THEREFORE,

BE IT RESOLVED that the Legislature of the State of Minnesota urgently requests the Office of the United States Trade Representative to take immediate and strong actions to address these discriminatory and unfair restrictions on Minnesota tourism businesses, including the prompt commencement of formal dispute settlement proceedings with Canada under the North American Free Trade Agreement and World Trade Organization and other appropriate forceful actions that will resolve this matter.

BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the United States Trade Representative and the United States Secretary of State.

Presented to the governor March 23, 1999

Signed by the governor March 26, 1999, 1:43 p.m.