

**2019 SENATE ENERGY AND NATURAL RESOURCES**

**SB 2183**

# 2019 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2183  
1/17/2019  
Job Number 30950

☐ Subcommittee  
☐ Conference Committee

Committee Clerk: Marne Johnson
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### Explanation or reason for introduction of bill/resolution:

A bill relating to the sale, transportation, and use of live white sucker bait on the Red River of the North.

### Minutes:

9 Attachments
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**Chair Unruh:** Attendance was taken, all committee members present. Opened the public hearing. Senator Kreun introduced the bill.

**Senator Curt Kreun, District 42:** This particular situation that's arisen over the last few years. The live bait scenario with the wholesaler and vendors transporting this bait over to the North Dakota side to be able to use in retail and fishing business. Those retail wholesalers have since expired their business. There is one business on the Red River on Minnesota side, they are asking to be able to utilize that wholesaler to bring that bait into North Dakota, so he can further his business. The issue is the restriction. They can sell this bait on the Minnesota side, I didn't know there was a net in the middle of the river. I'm not sure why there's such a big problem between this. That particular case is very definitive. It is just in that particular situation in Fargo-Moorhead, up and down the Red River. If you buy the bait on the Minnesota side, launch on the Minnesota side, and use the bait on the Minnesota side, I guess you better not be caught on the North Dakota side of the river. If you can't get bait on North Dakota side, we should at least have some ability to resale it on the North Dakota.

**Brad Durick, Owner, Brad Durick Outdoors LLC (5:00-12:45) testified in favor, please see attachment #1.**

I need to explain what a white sucker is. We're not talking about a scoop of fathead minnows. We're talking about fish, you buy them by the fish, to cut up and use as a dead cut bait.

**Vice Chair Kreun:** When you launch on the North Dakota side and you launch on Minnesota side in these tournaments, when you have your catch and come back to land, the fish cannot be transported across the bridge?

**Brad Durick:** That is true.

**Vice Chair Kreun:** So you have to set up a weigh station, measure the fish, weigh the fish on the North Dakota side; and the same thing for the Minnesota side even though it's the same river. They don't have a net in the middle of the river, why do we have that dual application just to have a fishing tournament?

**Brad Durick:** We do have a law in North Dakota that we can't transport game fish once kept, which is to pull the plug for the live well. Step back to the Cats Incredible of the 80s and 90s, when it was legal. We would load up in North Dakota and drive over the bridge to East Grand Forks. Due to the fact that we can't transport live fish and water; obviously our catches would be dead before we got to East Grand Forks. Cats Incredible has since changed their tournament. Both days of their tournament is on the Minnesota side, to have everybody on the same weigh in side, to not damage the fish. To be fair, Minnesota has the same laws as well. The Boundary Battle was designed around that law, for tournaments, we do day one on the North Dakota side, set our weigh station there; so fish can be brought back and released. On day two, we move the weigh station to East Grand Forks side, and do the whole thing all over again.

**Vice Chair Kreun:** The main reason for this is a catch and release, to be fair sportsmen, utilize our resources, and meet criteria of two different states. Everything is duplicated

**Brad Durick:** Yes. Everything is double.

**Senator Roers:** You talked aquatic nuisance species (ANS), these are not ANS fish?

**Brad Durick:** No, they are not.

**Senator Roers:** When you go fishing, you cut the fish up, so there's no live fish going in the river.

**Brad Durick:** That's not necessarily true, some people do want to use them as live bait. Walleye anglers like them, to be used as a live bait. Some catfish anglers use them as a live bait; when you can use a live one at two dollars each, or cut it into five pieces, for cost and efficiency reasons, you're usually going to cut it. Most people would be cutting it.

**Senator Piepkorn:** When you've got a tournament, everybody has to fish under the same rules. If you didn't use sucker bait, would nobody come to the tournament?

**Brad Durick:** It can be a hindrance. I think the biggest hindrance to suckers, is they have always been readily available. In my opinion they're the best bait. As a guide, they're my go-to bait. It's my biggest stress, I've learned to deal with shortages, I've learned to buy ahead and hold onto it. But I have talked to folks who won't go to the Wednesday night league, because they can't find bait. We want people to get out and fish and enjoy it; we want people utilizing the outdoors, but we have this unique hindrance on what we consider the best bait.

**Vice Chair Kreun:** If we have this bait available to be sold wholesale in North Dakota, we can use it on the North Dakota side. Same thing if we wholesale it on the Minnesota side. We use it in the river. What's the difference between North Dakota bait and Minnesota bait?

**Brad Durick:** There isn't any. If you go back, the permitted wholesaler for years recently retired. He would come from Mackintosh, MN, as a Minnesota vendor, drop it off at Cabela's in East Grand Forks, drive it over the bridge and sell it to Home of Economy.

**Senator Bakke, District 43 (19:40-21:20) Please see attachment #2 for an introduction of the bill.**

**Rob Raymond, President, Red River Valley Catfish Club (21:48-23:43) Testified in favor, please see attachment #3.** Being president of the Red River Valley Catfish Club, my job is not just about a bunch of guys going out catfishing and having fun. We have a beautiful waterway running through Grand Forks, an unbelievable fishery. A lot of people don't realize it's there. Over the last fifteen years, the growth of the Red River Catfish League has created demand for White Suckers as bait, and that demand is going to keep growing. It's so great now that it's a constant shortage. There's times when you can't get bait. It is the belief of Red River Catfish Club that allowing the vendors to bring these suckers over the bridge to be imported and sold only in the Red River Cities. We want to keep the sport of catfishing in this famous river. We support SB 2183.

**Greg Power, North Dakota Game and Fish Department, Fisheries Division Chief (24:46-29:08) Testified against, please see attachment #3.**

**Chair Unruh:** There appears to be some problem with accessing this bait on the North Dakota side; is the permitting process too onerous for people to get into?

**Greg Power:** We don't think so. We've contacted all the retailers. Ten years ago, there were more wholesalers than retailers. The demand has increased. There is an argument amongst some anglers, is white sucker preferred or critical? In the last couple years, with the retirement of one individual that has hampered sale to retail. All the bait vendors could definitely use more white suckers at certain times of the year. It's supply and demand, good, bad, or otherwise, we've taken a few steps, made some contacts. I've got a list of a dozen legitimate sources we can put retail in contact with. We also have a White Sucker Association Date Vendor get-together soon in Minnesota, that would be an excellent time or North Dakota retailers to go and make contacts with these people. We've never even heard about this until a month ago. We've known there have been shortages, but we were not aware of anything bigger than that. During the permitting process, one of our staff goes there. The critical thing is the water. Minnesota has about 1000-some infested waters. There's a lot of stuff in Minnesota we don't want in North Dakota. This permitting process allows us to go check that source of water, go through their bait and give a clean bill of health. It's good for 3 years, and they can work with any North Dakota retailer. One non-resident wholesaler in Minnesota and one resident wholesaler in North Dakota are the two sources currently. Hopefully, this is nothing more than short term supply and demand issue.

**Chair Unruh:** How long has the permitting process been in place?

**Greg Power:** Probably 10-12 years. There are seven facilities that are green-lighted in Minnesota. Over the years, they've all checked out. Most of these are leeches. The only two aquatic bait that you can bring across any boarder live are leeches and white suckers. Most of these are leech facilities. There's a big demand for leeches.

**Vice Chair Kreun:** As you indicated Minnesota has many aquatic nuisances in their state, how many have been brought into the Red River?

**Greg Power:** That's a great question. We currently have five species in North Dakota, they came from somewhere else, where they came from is hard to tell. The Zebra Mussel infestation did originate from Minnesota, it wasn't bait. To point directly at bait, no, we haven't seen that.

**Vice Chair Kreun:** Minnesota does the inspection as you do on the North Dakota side, is that correct?

**Greg Power:** No. I wish they did, then we wouldn't have to do it. They don't certify ANS and clean their facilities, that's why we've added this additional step, we ensure we have clean bait by going physically to their facility.

**Senator Roers:** Isn't it almost impossible for you to stop an invasion of a nuisance species? The water that runs north to Canada runs through Minnesota, out of Pelican Lake, Ottertail, etc., how in the world will this control the infestation of ANS?

**Greg Power:** That's a question that's been debated for a long time; what steps can we take? Water craft is a big vector. Water in live wells is a big vector, it has moved a lot of stuff across North America. In the case of the Red River, our concern is no longer Zebra Mussels, they're not going away. We've got problems down at Wahpeton, one of the potato plants down there. It's other critters, like spiny waterflea. It's what you can't see in the water that are brought across in that water. Then once you allow water across a bridge, theoretically that water could find its way to Devils Lake, and we totally lose control. Maybe they're small steps, but we've got to do everything reasonable to slow down the spread.

**Mike McEnroe, North Dakota Chapter of the Wildlife Society (36:39) Testified against.** There is no doubt that the Red River is a world class catfishery, and that we should support that and use it. The interest and popularity of the Red River fishery notwithstanding, we support the Game and Fish's position on the transport of these fish and the water. If you've got a bait that's worth \$2 apiece, you're going to keep it alive as long as you can. If you live in North Dakota, you're going to want to bring that bait back and keep it alive until you can use it again. A scoop of fathead minnows for \$2.50, you can afford to throw those away, you're not going to throw suckers away.

**Lance Gaebe, North Dakota Sportfishing Congress (38:21-41:05) Testified against, please see attachment #5.**

**John Bradley, Executive Director, North Dakota Wildlife Federation (41:30-42:55) Testified against, please see attachment #6.**

**Vice Chair Kreun:** What other bait has the same restrictions?

**John Bradley:** I do not know, the Game and Fish might address that.

**Greg Power:** White suckers are only species that has an exception. We do allow them to be imported. The other baits, primarily fatty minnows are not allowed to be imported in. So they already are exceptional.

**Vice Chair Kreun:** If you launch on Minnesota side is anybody enforcing that that boat can't go to the North Dakota side?

**Greg Power:** In our regulations with the Minnesota Department of Natural Resources, the regulations are standardized. The same limits, one limit for catfish, walleye, pike; most of the rules and regulations are the same. There's a couple ANS type of regulations that are slightly different, by and large they're the same. Either side of the river, you've got pull the plug, all those things still apply.

**Vice Chair Kreun:** That's my point. Everything is the same; if you're going to contaminate it with the boat, with the water, with the bait, you're going to contaminate it all. It's almost ridiculous to think you're going to stop anything in the middle of the river. There are two issues here; one is the bait, the other is the water. The bait is going to be out there no matter what you do. If you restrict it just to the river.

**Greg Power:** It's a commonsense question if you're local. It's bigger than Cabela's and East Grand Forks. If it's purchased in North Dakota, you know it's a clean source. If bait from Cabela's is ok, why not Crookston or further? You lose control.

**Vice Chair Kreun:** On the Minnesota side they can do that already. They can come from wherever.

**Greg Power:** When any angler from Minnesota comes across the border, they cannot have water. Do we know if they're going to stop at Grand Forks? Or are they going on to Devil's Lake or Sakakawea? There could be nasties in that water. I understand the local issue, but it's the only way we can have some assurances. Another thing to understand is that Minnesota does not allow suckers or anything from North Dakota to go into Minnesota. We allow suckers in, but they do not allow anything across their border.

**Chair Unruh:** Closed the hearing.

**Attachments 7-9 are emailed testimony in opposition.**

# 2019 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2183  
1/31/2019  
Job Number 31918

☐ Subcommittee  
☐ Conference Committee

Committee Clerk: Marne Johnson
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### Explanation or reason for introduction of bill/resolution:

A bill relating to the sale, transportation, and use of live white sucker bait on the Red River of the North.

### Minutes:

No Attachments
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**Chair Unruh:** Opened the meeting.

**Vice-Chair Kreun:** I contacted Mr. Brad Durick, once I had a memorandum of agreement written up by Fish and Wildlife. It doesn't address what he has in mind I was visiting with Mr. Steinwand, I think hopefully they can settle this outside, if we leave it open a day or two, we probably won't need the bill, is what I'm getting at. I did look at putting a memorandum of agreement into the Century Code, that is probably not one of the things we would be doing. Just to have that as an option. That's off the table. The only thing they've done that with some federal cases so they aren't doing that in century code. I will continue to work with Mr. Steinwand's group and Mr. Durick's so that we have a completely understanding, I believe we will be voting no on this bill if things work out right.

**Chair Unruh:** We can wait on that, we have a week or two.

# 2019 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2183  
2/7/2019  
Job Number 32336

☐ Subcommittee  
☐ Conference Committee

Committee Clerk: Marne Johnson
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### Explanation or reason for introduction of bill/resolution:

A bill relating to the sale, transportation, and use of live white sucker bait on the Red River of the North.

### Minutes:

No Attachments
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**Chair Unruh:** Opened committee action.

**Vice-Chair Kreun:** I was in contact with Game and Fish people, in contact with the individual that wanted to bring this forward. We have come to the conclusion that we've been able to find a supplier for this need in the Red River Valley. Game and Fish is more than willing to certify a new supplier. The individual and Game and Fish have come together and found a supplier. We're in the process of looking at that. If that is the case, we go back to the way it was prior to the shortage. We should be able to supply it. I think with that, the need for this bill is no longer there. I move Do Not Pass on SB 2183.

**Senator Roers:** I second.

A roll call vote was taken.  
Motion passes 6-0-0.

**Vice-Chair Kreun:** Will carry.



Date: 2/7  
Roll Call Vote #: 1

**2019 SENATE STANDING COMMITTEE**  
**ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2183**

Senate Energy and Natural Resources Committee

☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☐ Adopt Amendment  
☐ Do Pass ☒ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Sen. Kreun Seconded By Sen. Roers

Senators	Yes	No	Senators	Yes	No
Senator Jessica Unruh	X		Senator Merrill Piepkorn	X	
Senator Curt Kreun	X				
Senator Donald Schaible	X				
Senator Dwight Cook	X				
Senator Jim Roers	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Kreun

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2183: Energy and Natural Resources Committee (Sen. Unruh, Chairman)**  
recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
SB 2183 was placed on the Eleventh order on the calendar.

**2019 TESTIMONY**

**SB 2183**

My name is Brad Durick, I am a United States Coast Guard licensed captain and a licensed guide in North Dakota. I own and operate Brad Durick Outdoors LLC on the Red River out of Grand Forks. I am testifying to you today not only as a business owner but as tournament director of the Scheels Boundary Battle Catfish Tournament and the Drayton Rod and Reel Rally. I am also here as a board member of the Red River Valley Catfish League.

The Red River of the North has long been known in fishing circles to be the top channel cat fishery in the world. Anglers from all over the country have read about the Red River over the past decades and it is a MUST DO (Bucket list) trip for many. Each year anglers from all over the Midwest make a trip to the Red River as their annual fishing trip.

Over the past decade the popularity of catfishing has grown exponentially both nationally and regionally. I have been able to build my guide service into a full-time job hosting guests from 15-20 states each year. We have gone from one big tournament in Cats Incredible to three large tournaments with the addition of the Scheels Boundary Battle and Drayton Rod and Reel Rally. The Red River Valley Catfish League has grown from 10-15 boats each Wednesday to upwards of 30 boats each week in the past three years. There is also talk of a catfish league starting up in the Fargo area. That does not even account for local anglers who fish all season long from all up and down the Red River Valley.

This rapidly increased popularity in catfishing has put a much larger demand on bait supplies. In North Dakota the fish of choice is walleye and you may not know anything about catfish. Catfish are voracious predators. They hunt and feed by scent more than any other fish. Most of the time they do not respond to movement of baits such as crank baits or plastics, they smell and taste for their food making fresh bleeding bait an absolute must for success. There are three main baits for catfishing in the Red River. Suckers, goldeye and frogs. Sucker and goldeye are actually cut to make a bloody cut bait. These baits tend to run in seasonal progression but sucker is by far the most popular bait for both fish and fisherman. It is also the one that can be accessed from a bait shop whereas the others must be captured.

Live suckers are not legal live bait anywhere in North Dakota except the Red River. In fact, in 2018 the North Dakota Game and Fish Department made a regulation that it is even illegal to possess live suckers in counties west of a Red River border county. (Pembina, Walsh, Grand Forks, Trail, Cass, Richland)

Retail bait vendors must have a special permit to possess and sell suckers as bait. To the best of my knowledge there are only about five or six of these such permits along the Red River. There is currently only one licensed wholesaler in North Dakota that is supporting the Northern Red River Valley for suckers. He cannot keep up to demand.

This brings us to today's discussion. It IS currently legal for vendors to import suckers from a Minnesota wholesaler. The said wholesaler must be permitted by the North Dakota Game and Fish and have inspected ponds by North Dakota Game and Fish. Since the retirement of Jim Wertish who was our main supplier in 2017 the only other wholesale vendor from Minnesota with this permit does not have suckers to my knowledge and does not return phone calls to vendors in North Dakota anyway.

Suckers are legal in the entire state of Minnesota and there are many wholesale bait vendors in Minnesota serving Minnesota. Representatives from Scheels in Grand Forks and I have contacted some of these vendors who do have stock and the desire to sell suckers to the vendors but are reluctant to deal with more government and regulation. (We are still working on that as well) We are asking for this

to change in the law deregulating the permitting to allow them to sell to the limited amount of retail vendors on the North Dakota side of the Red with less restriction.

### **Access**

With the Red River being a border water, a simple solution would be to launch or fish the Minnesota side of the river. The reality is there is just not boat access available in both places. To reach North Grand Forks, Drayton or South Fargo one must launch a boat on the North Dakota side due to dams being barriers.

### **Common Sense**

Let's step back for a moment and consider this. The Red River is a border water with Minnesota. This means that since suckers are legal in Minnesota that an angler can go to Bemidji for example, buy a dozen suckers and launch a boat into the Red River at East Grand Forks. That same angler cannot drive over a bridge with that same sucker and launch into the same Red River with the same water at Grand Forks. The point is it's the same fish in the same water on the same river. In a perfect world, anglers could simply purchase suckers on their own for their own use but for this discussion we are starting with vendors.

### **Aquatic Nuisance Species**

One of the main arguments against this change in regulation is the prevention and spread of Aquatic Nuisance Species (ANS). This is a very important topic but like stated earlier because the Red River is border water nothing is being prevented by not allowing suckers that are legal to enter one side of and not the other. It's the same water in the same river.

There are regulations in place to prevent ANS from spreading from the Red River. First, all water must be drained when you leave the river. Second, mentioned before is that it is now illegal to possess live suckers west of Red River counties.

Allowing bait vendors with the sucker permit to import suckers from Minnesota without the wholesale permit is a common-sense approach to allowing more people to enjoy the ever-growing sport of catfishing on the Red River. It is my feeling that there will be no negative effect to the Red River and with the current laws in place to prevent the spread of ANS from the Red River the rest of North Dakota is protected. This is a simple way to expand the heritage of fishing, allow more people to get into it, expanding the growth of catfishing and tourism for the Red River and for North Dakota.

Testimony for SB2183

Senator JoNell Bakke

SB2183 is a bill that was requested by a constituent, Brad Durick who owns a fishing guide business in Grand Forks. He conducts his business mainly on the Red River and of course we all know that the Red River is known for Catfish.

The bait that is the best for catching Catfish are a fish called the White Sucker. In the past, Brad has been able to purchase this fish from wholesalers in either Devils Lake, Grand Forks, or Fargo. These suppliers are no longer in operation and his only source for this bait has been East Grand Forks or Bemidji.

What Mr. Durick is asking in SB2183 is that individuals who are fishing on the Red River and the Red River only, be allowed to transport the White Sucker across state lines to use for bait.

At this point I will let Mr. Durick address the committee and explain his position on this issue further.

Thank you for your consideration of SB2183

SB 2183  
1.17.19  
#3  
Pg. 1

January 14, 2019

RE- SB-2183 Allow licensed bait vendors to import white sucker from Minnesota

Over the past 15 years the popularity of catfishing on the Red River has grown greatly. With this new-found popularity for catfishing, the growth of the Red River Valley Catfish League based in Grand Forks and East Grand Forks the demand for fresh suckers as bait has also grown. The demand has become so great that there is a constant shortage and sometimes no suckers for bait. These shortages are anticipated to get worse if something cannot be done to get bait to Red River towns in North Dakota.

It is the belief of the Red River Valley Catfish Club that allowing vendors to bring suckers over the Red River to be imported to and sold only in Red River cities such as Grand Forks, Fargo, Drayton or Wahpeton that the sport of catfishing in this famous river will continue to grow and become more mainstream.

We support SB 2183

Sincerely,



Rob Raymond  
President- Red River Valley Catfish Club



Senate Energy and Natural Resources Committee  
Testimony on SB 2183

North Dakota Game and Fish Department  
Greg Power, Chief Fisheries Division  
January 17, 2019

SB 2183  
1.17.19  
#4  
Pg.1

Madam Chair Unruh and members of the Senate Energy and Natural Resources Committee, my name is Greg Power and I am the Chief of the Fisheries Division of the North Dakota Game and Fish Department. I am here this morning to express our opposition to SB 2183.

This bill appears to have two intentions and I will speak to both. First, I would like to provide some broad perspective on the Red River white sucker matter.

Live white suckers are the bait of choice for some Red River anglers. Minnesota bait farmers are the traditional source for these suckers as they have the wholesale infrastructure in place to provide for some of the North Dakota demand. Unfortunately, Minnesota has significant problems with various aquatic nuisance species (ANS). As we're all aware, in the last few decades there has been an alarming increase in the transport of aquatic organisms throughout North America that can become highly invasive. The list of these invasive species is long, and the impacts of these invasive species introductions has cost both industry and recreation billions of dollars annually. Fortunately, only five of the dozens of species currently listed in North Dakota as ANS inhabit our waters (this includes zebra mussels in the Red River). Our Department and numerous stakeholders strive to prevent further introductions of ANS into North Dakota. This includes species such as spiny waterflea, which are present in Minnesota, and can be transported in bait water.

Since the bait industry is a known pathway to move these species of concern, we've had a permitting process in place for years (NDCC 20.1-02.13) that provides additional safeguards in reducing the risk of these ANS finding their way into North Dakota. One of the safeguards provided by the current permitting process includes an on-site inspection of the facility that ships live aquatic bait into North Dakota by our ANS coordinator.



These inspections take place every three years and check for ANS that could contaminate bait or their associated water. A wholesale or retail bait vendor possessing an import permit (obtained free of charge from the Department) can import live white suckers from an approved facility.

This permitting process has worked well for the protection of our state's natural resources. To the best of our knowledge, the process of obtaining an import permit has not limited the supply of live white suckers to North Dakota businesses. In 2018, two licensed wholesale bait vendors possessed the proper permit that allowed for the legal import of live white sucker into North Dakota. Further, six retail bait vendors possessed the proper licenses allowing them to sell live white sucker to Red River anglers.

Again, it must be made clear that our current law does allow for the import of live white sucker into North Dakota by licensed bait vendors. However, although not stated, a consequence of the first portion of this bill appears to allow select North Dakota bait vendors forgo the current import permitting process. My Department does not support this change.

Further, North Dakota's Aquatic Nuisance Species Management Plan was revised through a statewide committee, then approved and signed by Governor Burgum last month. This plan helps various agencies and private industries identify and implement measures needed to prevent or slow down the spread of ANS. As written, this bill would be in stark contrast to North Dakota ANS Management Plan and would reduce our ability to protect the state's natural resources from ANS risks inherent to the bait industry.

Lastly, we're perplexed with the intent of the second portion of the bill that reads "an individual licensed to fish in North Dakota may use live white suckers as bait on the Red River of the North". This matter has nothing to do with section 20.1-06-14 as it falls under the authorities of the governors fishing proclamation. Further, anglers currently fishing the Red River may use live white suckers as bait.

For the reasons I listed today, the Game and Fish Department opposes SB 2183. Thank you for your time and I can take any questions you may have.

SB 2183  
1.17.19  
#5  
Pg. 1

**NORTH DAKOTA**  
**SPORTFISHING**  
**CONGRESS**  
P.O. BOX 2472 • BISMARCK, ND 58502

BARNES COUNTY WILDLIFE FED  
PO Box 148  
Valley City, ND 58072

BIS-MAN REEL & REC CLUB  
PO Box 2525  
Bismarck, ND 58502

DAKOTA ANGLERS  
PO Box 1411  
Jamestown, ND 58401

F.M. MUSKIES, INC.  
PO Box 2021  
Fargo, ND 58107

F.M. WALLEYES UNLIMITED, INC.  
PO Box 1017  
Moorhead, MN 56560

FRIENDS OF LAKE SAKAKAWEA  
PO Box 309  
Garrison, ND 58540

GREAT PLANERS TROUT & SALMON  
PO Box 1972  
Bismarck, ND 58502

LAKE REGION ANGLERS ASSN.  
PO Box 456  
Devils Lake, ND 58301

LURE EM FOR LIFE  
PO Box 547  
Bismarck, ND 58502

ND FISHING HALL OF FAME  
PO Box 445  
Garrison, ND 58540

RED RIVER AREA SPORTSMENS  
PO Box 1  
Wahpeton, ND 58074

SOUTHWEST ANGLERS ASSN.  
PO Box 1473  
Dickinson, ND 58601

VOICES FOR LAKE OAHE  
PO Box 482  
Linton, ND 58552

**Testimony of Lance Gaebe, on behalf of**  
**North Dakota Sportfishing Congress**  
**Senate Energy and Natural Resources Committee**

**In opposition to SB 2183**  
**January 17, 2019**

Madam Chair and members of the Energy and Natural Resources Committee, my name is Lance Gaebe and I am appearing before you on behalf of the North Dakota Sportfishing Congress in opposition to Senate Bill 2183.

The members and member organizations of the Congress believe that one of the biggest threats presently facing North Dakota's fishing resource is the introduction and spread of aquatic nuisance species (ANS), such as zebra mussels, Asian carp, and Eurasian watermilfoil. ANS cost the United States billions of dollars annually, impact recreation, and harm our natural resources. Proliferation of any of these, or a host of other invasive or nuisance species could lead to a collapse of our remarkable fishery.

The Sportfishing Congress supports the authority in NDCC 20.1-06-14 for the Game and Fish Department to license live bait wholesalers and their related operations to help reduce the risk of the introduction of ANS into North Dakota waters. This statutory provision that a person may not possess, purchase, transport, or sell minnows or other live without an appropriate license is in place to help protect our delicate aquatic resource.

In fact, to become more proactive in the defense against ANS, the Sportfishing Congress members believe that increased funding is needed, and that the Game and Fish Department be provided with additional tools and resources. The state has adopted regulation and an ANS Management plan, however we feel that more needs to be done to reduce this risk.

The Sportfishing Congress advocates implementing a mid-scale ANS outreach, inspection and monitoring program at the Game and Fish Department. We are proposing in Senate Bill 2293, to fund, with sportsmen's dollars, additional resources to address ANS. The objective is to establish three permanent wash stations at high traffic locations (Devils Lake, Sakakawea, and Bismarck) with seasonal technicians would greatly improve the ability to prevent the introduction and spread of ANS and comply with current regulations.

The effort would not be as extensive or expensive as neighboring states, several of which conduct mandatory inspections.

The first step in implementing additional protections against introduction of ANS, is to defeat proposals to loosen restriction on the importation of bait into North Dakota. For this reason, we ask that SB 2183 be defeated.

# North Dakota Wildlife Federation

Ensuring abundant wildlife, wildlife habitat, and access to wildlife recreational opportunities

SB 2183

1.17.19

# 6

Pg. 1



## **TESTIMONY OF JOHN BRADLEY NORTH DAKOTA WILDLIFE FEDERATION SENATE BILL 2183 SENATE ENERGY AND NATURAL RESOURCE COMMITTEE JANUARY 17, 2019**

Chairman Unruh and members of the Senate Energy and Natural Resource Committee:

For the record, I am John Bradley, Executive Director of the North Dakota Wildlife Federation. I'm here today representing our 1,500 members in 15 affiliated wildlife and sportsmen's clubs across North Dakota that make up the North Dakota Wildlife Federation.

We stand with the Game and Fish Department in opposition to Senate Bill 2183. SB 2183 proposes that a live bait wholesaler or vendor may transport into the state and sell live white suckers for use as bait on the Red River of the North, and an individual licensed to fish in North Dakota may use live white suckers as bait on the Red River of the North. This bill has unintended consequences, chiefly the introduction of Aquatic Nuisance Species (ANS) as well as the potential for white suckers to be introduced into other water bodies outside of the Red River and Bois de Sioux.

Aquatic nuisance species, whether they are animals such as the zebra mussel or plants such as curly-leaf pondweed or eurasian milfoil, threaten our lakes, rivers, and streams as well as our fishing, boating, swimming, and other water-based recreation. In states where they have become established, ANS have proven expensive to combat and difficult or impossible to control or eradicate. A number of them are already in our waters, but others found in nearby states have yet to arrive.

Prevention is the best approach to ANS, because they are difficult or nearly impossible to remove once established. However, prevention requires that everyone take appropriate



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SB 2183

1.17.19

#6

pg. 2

steps to ensure full compliance. Game and Fish has focused a lot of their resources on teaching ANS prevention methods to boaters and anglers and anyone else using our waters. To reinforce these educational efforts, they have carefully designed regulations that further minimize the likelihood of transporting ANS and water into and within the state. This bill would open the door for ANS to enter our waterways. We urge a Do Not Pass vote.

Thank you for the opportunity to speak this afternoon and I will stand for any questions the Committee may have.

SB 2183  
1.17.19  
#7

## NDLA, S NAT - Johnson, Marne

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**From:** Unruh, Jessica K.  
**Sent:** Thursday, January 17, 2019 2:34 PM  
**To:** NDLA, S NAT - Johnson, Marne  
**Subject:** FW: SB2183 DO NOT PASS

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**From:** jeff and wendy <jnwher@bis.midco.net>  
**Sent:** Monday, January 14, 2019 6:32 PM  
**To:** Unruh, Jessica K. <jkunruh@nd.gov>  
**Subject:** SB2183 DO NOT PASS

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## Energy and Natural Resources

### Senate Standing Committee

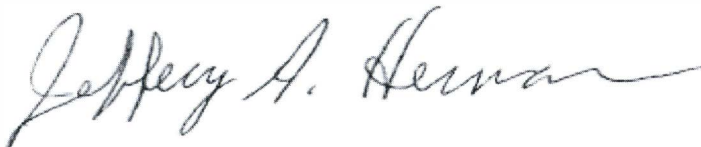
Senator Jessica Unruh:

Chairman Unruh, I want to bring to your attention a DO NOT PASS on SB2183.

As written, this would allow bait vendors to import live white suckers from Minnesota – and elsewhere – without an import permit. As you may know, the NDGF ANS coordinator inspects MN wholesalers who wish to sell live white suckers (or leeches) to North Dakota to ensure the sources of water, etc. are clean of ANS. If anyone is concerned about diluting the safeguards we have in place regarding biota (ANS) transfer, this is a bill they should voice their input.

PS: I am a born North Dakotan, raised and worked here my whole life North Dakotan, never moved out of state North Dakota who has supported North Dakota and North Dakotans my entire life!!!

Best Regards,



Jeffery A. Herman  
533 Meadow Lane  
Bismarck, ND 58504-5364  
701.221.9571 home  
701.400.5089 cell

SB2183  
1.17.19  
#8

**NDLA, S NAT - Johnson, Marne**

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**From:** Unruh, Jessica K.  
**Sent:** Thursday, January 17, 2019 2:31 PM  
**To:** NDLA, S NAT - Johnson, Marne  
**Subject:** FW: SB2183

**From:** Greg Gerou <gjgerou@wah.midco.net>  
**Sent:** Tuesday, January 15, 2019 9:12 PM  
**To:** Unruh, Jessica K. <jkunruh@nd.gov>  
**Cc:** Luick, Larry E. <lluick@nd.gov>; Mitskog, Alisa <amitskog@nd.gov>; Schreiber-Beck, Cynthia <cschreiberbeck@nd.gov>  
**Subject:** SB2183

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Senator Unruh,

As a sportsperson that lives on the Red River, I urge you and the members of the Energy and Natural Resources to **DO NOT PASS SB2283.**

The potential for Aquatic Nuisance Species to be transported into North Dakota under this bill

will diminish many of the safeguards we currently have in place to keep ANS from spreading.

We need to be diligent in controlling and eliminating ANS any way possible

Thank you



*Greg Gerou*

RRASC President

[gjgerou@wah.midco.net](mailto:gjgerou@wah.midco.net)

Cell: 701-640-0188

Wahpeton, ND.



SB 2183  
1.17.19  
#9  
Pg.1

**NORTH DAKOTA**  
**SPORTFISHING**  
**CONGRESS**

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P.O. BOX 2472 • BISMARCK, ND 58502

BARNES COUNTY WILDLIFE FED  
PO Box 148  
Valley City, ND 58072

January 16, 2019

BIS-MAN REEL & REC CLUB  
PO Box 2525  
Bismarck, ND 58502

Senator Merrill Piepkorn

DAKOTA ANGLERS  
PO Box 1411  
Jamestown, ND 58401

Dear Honorable Piepkorn:

F.M. MUSKIES, INC.  
PO Box 2021  
Fargo, ND 58107

My name is Richard Brueckner and I am President of the North Dakota Sportfishing Congress. The Congress is made up of sport fishing clubs across North Dakota. Our member clubs and their membership oppose Senate Bill 2183.

F.M. WALLEYES UNLIMITED, INC.  
PO Box 1017  
Moorhead, MN 56560

It is vital that the State protect and safeguard our waters and lands against biota (ANS) transfer. SB2183 would remove our current safeguards and place over 400 fisheries managed resources at grave risk to biota (ANS) transfer.

FRIENDS OF LAKE SAKAKAWEA  
PO Box 309  
Garrison, ND 58540

The North Dakota Sportfishing Congress there for ask that you oppose SB2183 with a DO NOT PASS vote.

GREAT PLANERS TROUT & SALMON  
PO Box 1972  
Bismarck, ND 58502

LAKE REGION ANGLERS ASSN.  
PO Box 456  
Devils Lake, ND 58301

Cordially

LURE EM FOR LIFE  
PO Box 547  
Bismarck, ND 58502

Richard Brueckner

President

ND FISHING HALL OF FAME  
PO Box 445  
Garrison, ND 58540

North Dakota Sportfishing Congress

RED RIVER AREA SPORTSMENS  
PO Box 1  
Wahpeton, ND 58074

SOUTHWEST ANGLERS ASSN.  
PO Box 1473  
Dickinson, ND 58601

VOICES FOR LAKE OAHE  
PO Box 482  
Linton, ND 58552