

2009 HOUSE NATURAL RESOURCES

HB 1248

## 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1248

House Natural Resources Committee

Check here for Conference Committee

Hearing Date: 1-22-09

Recorder Job Number: 7607

Committee Clerk Signature

*Nancy L. Gerhardt*

Minutes:

Chairman Porter – Open the hearing for HB #1248. Rep. Shirley Meyer

Rep. Meyer – The intent of this bill will allow fishing from shore to be increased from 2 poles to 4 poles.

Chairman Porter – Any questions for Rep. Meyer? Further testimony in support of HB 1248?

Glen Scott – Supports increasing the limit to 4 poles.

Chairman Porter - Under current law the poles have to be how close to each other?

Mr. Scott – It is 10' apart, so if you had 4 poles you would take up 40' of space.

Chairman Porter – Any other testimony in support of HB 1248?

Larry Jigletto – I would like to support this also.

Chairman Porter – Any questions? Further testimony in support of HB 1248? Any opposition to HB 1248?

Greg Power – Chief of Fisheries – In answer to your question regarding spacing of poles. You have to be within 150' of your line. There is no spacing. Technically 75' either side of your outside line. **See Attachment #1.**

Chairman Porter – Any questions for Chief Power?

Rep. Hunskor – Are there significant bodies of water where the shore line fishing is limited?

Chief Power – There really is. A lot of our lakes has limited access. One of the problems is the weeds along the shore. Another is that at many lakes the only place to fish is off the boat ramps. Even on Lake Sakakawea there is only 20 approved access areas on the entire lake.

Chairman Porter – Further questions. Rep. Hofstad

Rep. Hofstad – At Devils Lake there is a lot of access. What kind of regulations does other states have?

Chief Power – There is very few states that allow two lines, none allow more than 2.

Chairman Porter – Further questions? Further testimony in opposition to HB 1248?

Duaine Ash – **See Attachment #2.**

Chairman Porter – Any further testimony in opposition to HB1248? Close hearing on HB 1248.

# 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1248

House Natural Resources Committee

Check here for Conference Committee

Hearing Date: 1-23-09 Vote

Recorder Job Number: 7665

Committee Clerk Signature

*Nancy L. Gerhardt*

Minutes:

Chairman Porter – Reopen the hear on HB 1248. Motion from Rep. Nottestad with a 2<sup>nd</sup> from Rep. DeKray for a Do Not Pass on HB 1248. Discussion Seeing none. We'll call the roll.

Yes 11 No 1 Absent 1 Carrier Rep. Nottestad



**REPORT OF STANDING COMMITTEE (410)**  
January 23, 2009 3:04 p.m.

**Module No: HR-14-0879**  
**Carrier: Nottestad**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1248: Natural Resources Committee (Rep. Porter, Chairman) recommends DO NOT PASS (11 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1248 was placed on the Eleventh order on the calendar.**

2009 TESTIMONY

HB 1248

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## TESTIMONY RELATED TO HB1248: USE OF FOUR LINES WHILE SHORE FISHING

House Natural Resources Committee  
January 22, 2009

The Game and Fish Department has the responsibility to manage and regulate approximately 300 fisheries throughout North Dakota. Our biggest concern with HB 1248 is that allowing four lines for shore fishing would tie up large areas of limited shore access. It may be hard for some to believe but shore fishing access is often inadequate in many lakes across the state. There are often only a couple shore spots where fishing can occur and allowing four lines would tie up areas that are already in short supply. Further, four lines would create tremendous crowding problems on the hundreds of fishing piers and docks that have been created or installed at many lakes across the state. Due to limited shore access, the Department will continue to prioritize gaining more access for shore anglers – piers, easements, etc. However, the use of four lines would greatly compromise past efforts and future intentions.

Another concern is the potential for overharvest of fish in select waters at select times that could lead to an eventual reduction in limits, etc. There could be a few smaller water bodies that could actually experience some over-harvest. Also, if we allowed four lines for shore anglers where will it end? Why not go to 5 or 6 lines?

One of the most important tenants that make fishing in North Dakota unique from other states is that we strive to make fishing regulations simple, trying to minimize the number of exceptions. North Dakota has one of the largest percentage of residents who fish and time and time again we hear 'keep it simple' when it comes to fishing. In our assessment, allowing four lines statewide would result in considerable 'crowding' problems. The fix for this social discontent could only be addressed by reducing the number of lines back to two for those troubled waters – which means this would be a legislative topic again two years from now. In the end, we end up with a suite of exceptions that would only confuse anglers.

Chairman Porter and Members of the Committee, on a personal note I can relate to the intentions of this bill. Until last year I never owned a boat and thus spent countless time fishing from shore. Many times I have sat in a lawn chair wishing I could put out more lines to increase my chance to get a bite. However, as the Chief of Fisheries I recognize liberalizing the number of lines would greatly complicate matters and cause a lot of social dissatisfaction. For more than 50 years virtually all the angler regulations has occurred in accordance with the governors fishing proclamation and for that entire time the regulation has remained the same – two lines per open water angler. The history of two lines for open water fishing has worked well both for the angler and the respective fish populations.

Attached you'll find some additional information that may add some insight into the matter. For the reasons I listed today and given the fact HB 1248 would create unnecessary complications to an outdoor recreation that needs to remain simple and straightforward, the Game and Fish Department opposes HB 1248.

# **Additional background information concerning use of multiple fishing lines for shore fishing**

## **Comparisons with neighboring states/provinces - what do they allow?**

- North Dakota allows two lines
- Minnesota allows one line
- South Dakota allows two lines
- Montana allows two lines
- Manitoba allows one line
- Saskatchewan allows one line

## **How does shore fishing compare to ice-fishing?**

- Four lines were allowed for ice-fishing at select waters 1992 and statewide 1996. When it comes to ice-fishing, there are seldom if ever crowding issues when one considers that most all ice fishing occurs in 8-10" diameter holes. Four lines would tie up 32-40" of virtually unlimited lakes surface! In contrast, four lines shore fishing would tie up 100-150 feet of limited shoreline. Further, ice fishing only constitutes a maximum of 20% of the annual fishing pressure thus effort and harvest is generally minimal, even with four lines.

## **What has been the demand for four lines?**

- At numerous fisheries meetings held across the state over the years or the 16 advisory board meetings held annually, there have been no requests/demand for four lines for shore fishing.
- According to a statewide angler questionnaire sent to 5000 resident anglers in 2008, 98% of the respondents indicated our fishing regulations are easy to understand and 77% stated they prefer simple and statewide regulations. Further, a similar survey in 1998 resulted in 78% of the populace stating they had an excellent or good opinion of ND fishing regulations and only 2% had a poor opinion.
- Lastly, the Department received four pages worth of unsolicited comments (bullets) regarding management of North Dakota fisheries in 2008. Identical to previous year's comments, there were no requests for additional lines.

## **How does shore access and fishing fit into the Departments planning process?**

- Department planning includes four fisheries programs. An identified issue in all fisheries programs that reduces North Dakota's fishing potential is "inadequate shore access opportunities limit the quantity and quality of fishing use on many lakes and reservoirs".

#2

## North Dakota Sportfishing Congress Testimony

Jan 22, 2009

### House Bill 1248

Mr. Chairman and members of the committee:

My name is Duaine Ash and I am speaking on behalf of the North Dakota Sportfishing Congress, an organization of fishing clubs from around our great state of North Dakota. Our organization represents fifteen fishing clubs and several hundred individual members.

We polled our clubs and membership and the response was a 100% against the bill. I would like to share some of the responses with you:

Delayed mortality of fish. Lines not well attended could/would lead to deeper hooked fish and poor release survival rates.

Fights. Allowing four lines would be disastrous on Devils Lake. Especially, when the White Bass are biting. It would more than likely cause fights if not worse. There is no reason for 4 lines.

Regulations. "Let the Game & Fish regulate or manage the regulations and not the legislature." Another comment, "I think we set a dangerous precedent when law makers begin delving into game management." Another comment, "let the Game & Fish do what they do best, manage."

I have attended NDG&F Advisory meetings for the past several years and not once has the topic of increasing the number of lines for shore fishing been discussed. Allowing two lines has worked well in the past see no reason to increase the numbers now.

Allowing four lines would limit the number of elderly or handicapped to fish on piers and docks. Maybe even two lines to would be too many in this area.

We request that you do not pass this bill. Thank you.