



Game and Fish



## Senate Energy and Natural Resources Committee Testimony on HB 1538

North Dakota Game and Fish Department

Greg Power, Fisheries Division Chief

March 16, 2023

Chairman Patten and members of the Senate Energy and Natural Resources Committee, my name is Greg Power, Fisheries Division Chief for the North Dakota Game and Fish Department (Department). I am testifying today in opposition of HB 1538.

The Department continues to support the fisheries conservation fee for most tournaments versus an application fee as provided in this bill. The tournament conservation fee has existed for nearly 40 years (since 1984) with strong public support. Fees generated from tournaments have provided some funding assistance for local entities throughout the state which they reinvest into improving their respective local fishing resources. And the mere existence of a conservation fee has resulted in overall goodwill, lessening conflicts between tournament and non-tournament anglers.

Although the Department believes the conservation fee should be retained, we do recognize reducing the fee from its current 10% to 5% may be more acceptable. If consideration is given to finding common ground, and retain but reduce the conservation fee, then the Department believes the conservation fee should only apply to contests that generate more than \$4,000 in entry fees. The reason for this recommendation is less (sometimes far less) than \$200 would be generated in conservation fees for tournaments that have total entry fees less than \$4,000. Establishing this \$200 minimum is sensible as this is in the ballpark of what it costs to administer conservation fees per tournament.

Two other themes shared by supporters of HB 1538 involve youth and non-profit events. Currently, administrative rule requires a minimum of 75% of all entry fees to be paid back to the tournament participants and no more than 15% of the entry fees may be retained by the sponsor. To that end, we strongly support the removal of any Department requirement to provide oversight between the sponsor and the participant regarding monetary payback. For example, if the sponsors of a tournament intend to keep most of the proceeds for a non-profit, then so be it. Likewise, if the sponsor proposes to payback 70% of the proceeds to the participants and keep 30% to cover expenses, then again that should be between the tournament sponsor and the participants. However, the tournament sponsor should be required to be fully transparent by advertising (e.g., brochures, online, on the application, etc.) and following its payback intentions.

With the elimination of any mandated payback between the tournament sponsor and its participants, then no longer would there be a need to include any reference to 'youth' or 'non-profit' events. The tournament sponsors would have the ability to structure the payback of their respective tournaments as they choose.

Lastly, the Department reiterates the need for all fishing events that have 15 or more boats OR 50 or more participants to be permitted. This requirement costs the tournament nothing, but a simple permitting process greatly reduces complaints and conflicts between non-tournament and tournament anglers (especially after traveling great distances to a given lake/boat ramp only to find a non-permitted tournament ongoing). The permitting process greatly improves the communication lines between all, as every permitted tournament can be found on the Department website. This site is widely used (more than 5000 hits annually) by both tournament and non-tournament anglers for planning of their respective fishing outings.

This concludes my testimony. I would be happy to answer any questions the committee may have. Thank you.