

HOUSE BILL NO. 1538

Introduced by

Representative Porter

1 A BILL for an Act to amend and reenact subsection 20 of section 20.1-02-05 of the North
2 Dakota Century Code, relating to the powers of the director of the game and fish department;
3 and to create and enact a new section to chapter 20.1-02 of the North Dakota Century Code,
4 relating to fishing contests.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 20 of section 20.1-02-05 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 20. ~~Adopt rules and issue~~Issue permits for conducting fishing contests involving public
9 waters of the state in accordance with section 2 of this Act. ~~The director by rule shall~~
10 ~~define the term "fishing contest" and shall set criteria for which a fishing contest permit~~
11 ~~is required.~~ The director may deny permits. ~~No~~A person may not conduct a fishing
12 contest on public waters without first receiving a permit issued by the director.

13 **SECTION 2.** A new section to chapter 20.1-02 of the North Dakota Century Code is created
14 and enacted as follows:

15 **Fishing contests.**

16 1. A "fishing contest" means an event at which a prize or cash is given to a contestant for
17 catching fish from waters open to the public. The term includes high-value tag
18 contests, fishing tournaments, biggest fish contests, contests providing a prize for the
19 largest number or weight of fish, and fishing leagues and tournaments comprised of
20 multiple fishing events which have a cumulative fee of fifty dollars or more per event.

21 The term does not include:

22 a. A fishing event for which an entry or participation fee of less than fifty dollars is
23 charged.

- 1 b. A fishing event with fewer than fifty participants and fewer than ~~fifteen~~twenty-five
2 boats.
- 3 c. An individual big fish promotion ~~sponsored by in individual resident or business~~
4 for which an entry or participation fee is not charged.
- 5 d. An organized youth fishing event if participants are under the age of nineteen or
6 enrolled in a high school.
- 7 e. An online contest not held on a single body of water.
- 8 2. ~~A minimum of seventy-five percent of any entry or participation fee paid by the~~
9 ~~contestants must be returned to the contestants as cash or cash equivalent~~
10 ~~merchandise.~~ A fishing contest may not include a conservation fee. ~~A tournament~~
11 ~~applicant may retain a maximum of fifteen percent of the gross proceeds from entry or~~
12 ~~participation fees.~~ A nonprofit veterans organization, charitable organization,
13 educational organization, religious organization, fraternal organization, civic and
14 service organization, and public-spirited organization, as those organizations are
15 defined in chapter 53-06.1, may retain one hundred percent of the proceeds of a
16 fishing contest. A membership fee for a club or organization may not be classified as
17 an entry fee or proceeds.
- 18 3. An organization desiring to hold a fishing contest shall submit an application to the
19 director at least thirty days before the start of the contest. A permit application fee may
20 not exceed ~~two hundred fifty~~two thousand five hundred dollars for an event held on a
21 single body of water. A permit application fee may not exceed seventy-five dollars for a
22 nonprofit organization listed in subsection 2 or a youth event held on a single body of
23 water.
- 24 4. The director may deny or revoke a permit if:
- 25 a. The director believes the fishing contest does not or will not comply with the rules
26 of the department or could be harmful to the fishing resource;
- 27 b. An agency with jurisdiction deems the public use facilities such as a boat ramp,
28 parking area, campground, or related facilities are inadequate to support the
29 contest; or
- 30 c. The committee or sponsors have failed to submit timely reports.

- 1 5. A permittee shall submit a report to the director within thirty days after completion of
2 the fishing contest. The report must include the number of contest participants, the
3 quantity and species of fish taken in the contest, the gross and net proceeds for the
4 tournament, and the percentage of the entry fees awarded to the participants as
5 prizes. Failure to submit this report is justification for denial of future fishing contest
6 permits.
- 7 6. The director may adopt rules to administer this section.