

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.

24 b. A fishing event with fewer than fifty participants and fewer than fifteen boats.

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

- 1 tournament, and the percentage of the entry fees awarded to the participants as
- 2 prizes. Failure to submit this report is justification for denial of future fishing contest
- 3 permits.
- 4 6. The director may adopt rules to administer this section.