

March 16, 2023

Senator Patten and Senate Energy and Natural Resources Committee Members,

Dear Chairman Patten,

What is a Tournament Angler?

There's a question I had never given any thought to asking until the North Dakota House hearing held February 3, 2023. What is a tournament angler? Not sure if it was because I already knew the answer or the fact that I really had never given it any thought. Either way, a survey was brought up during the opposition testimony for House Bill 1538 dealing with the inconsistent and harmful "conservation fees" being charged to North Dakota fishing tournaments. Here is an excerpt from the Hearing:

"In a 2021 survey of all licensed resident anglers, 92% of the non tournament anglers in the state and 68% of the tournament anglers themselves supported the current 10% minimum fee over a reduction in the fee," Fisheries Division Chief, Gregory Power.

Until Mr. Power made this statement I realized I have never really thought about the question "What is a tournament angler?" More importantly for this discussion, I realized I had never even thought about making the distinction. But now that the question is out there, I have spent the last month doing some research and here are some of the interesting numbers that I've found. Much of this research has been done with images of spreadsheets provided by the North Dakota Game and Fish, so I've rounded down in most instances to be fair.

Looking at the data from the 2022 fishing tournament reports, around 50% of participants fished open water and the other 50% fished ice events. This is based on the actual anglers that showed up for the events. The reason I make the distinction is that over 19,000 people purchased tickets for one event that never showed up to fish. Are they tournament anglers? They paid the entry fee and the event sponsor paid the conservation fee for these people.

Another interesting observation is that roughly 40% of events that were held in 2022 had 50 participants or less. Many of these events are local leagues and clubs, employee outings, family reunions and 1 national ice fishing circuit that had 18 participants.

Of the top 5 events accounting for 401+ participants in North Dakota, in 2022, only the Governor's Cup is held on open water. That means that 4 of the 5 biggest tournaments in North Dakota are all ice fishing tournaments. I may be wrong but if I had to answer a trivia question I would say that the Governor's Cup is the longest running tournament in North Dakota.

When it comes to the "conservation fee" or permit fee to hold a fishing tournament, there are some interesting things to look at as well. Around 10% of tournaments in North Dakota in 2022 had 101-150 participants. These events included a military service, 120 kids learning how to fish, sport clubs, the American Legion, a couple city chamber events and a Casino Cup Event. For these events with the same amount of participants fishing there is just over a \$6,000 difference in permit fees.

Over the last ten years, a rough average of 19% of fishing tournament conservation fees were paid by North Dakota Fire Departments and EMS. In 2022, that number was \$19,924. That's over \$120,000 in the last 10 years that didn't stay in the local community to pay for the desperately needed equipment for our first responders.

This leads back to the question at hand “What is a tournament angler?” Is it only the 16,000+ people that showed up to an event in 2022? Is it the 35,000+ people that paid for an entry in an event, of which 19,000+ people most likely bought a ticket thinking they were supporting a good cause and had no intention of ever fishing??

I’ve been working in and around the fishing industry for over a decade now and I know only a handful of people who make their entire income solely in the fishing industry. None of them make their full income from fishing tournaments. The reality is tournament anglers are just that, anglers that fish tournaments. Not just the big events with jerseys and wrapped boats, but the angler who takes the time to support good causes, teach some kids how to fish or compete with their buddies on a weeknight. Tournament anglers come from every walk of life and every vocation. So when it’s all said and done, the more pressing question is “what is a non-tournament angler?”

Now getting back to the 2021 survey I started with. Only 7,000 people were sent the survey and of that number only 1,273 people responded. In 2021 there were, according to the ND Game & Fish website, 84,140 (54,077 individual, 14,609 married, 15,225 senior, and 229 disabled) fishing licenses sold in North Dakota. That means the 1,273 people who actually responded to that survey are 1.5% of license sales and 1.3% of licensed anglers when you consider married licenses in 2021. Maybe it’s just me, but that’s a pretty bad sample size to pit two groups of people against each other.

House Bill 1538 passed the ND House with a vote of 90-2-2 because it’s not about a “10% conservation fee”. It’s about letting parents and kids learn to fish together in a student angling activity. It’s about sport clubs being able to raise money for conservation and education without having to pay a tax. It’s about charities being able to raise money without having to give 85% of those monies away. It’s about keeping money local and not trying to force communities on the water to pay up to \$45,000+ to bring in an event like the National Walleye Tour with a full field for economic benefit to their residents.

The next step for House Bill 1538 is the North Dakota Senate Energy and Natural Resources Committee.

You see, the current system is meant to restrict “tournament anglers” but the reality is, it’s hurting Main Street North Dakota. The same people who fish a tournament or support those who do.

Respectfully,

Jeremy Olson

TESTIMONY OF

**Mike Jensen, Outdoor Promotions Manager Tourism and Marketing Division
North Dakota Department of Commerce**

Chairman Patten and members of the Senate Energy and Natural Resources Committee, my name is Mike Jensen. I am the Outdoor Promotions Manager for the Tourism & Marketing Division of the North Dakota Department of Commerce.

I am to provide background information that may be helpful for HB 1538 that addresses fishing tournament fees.

Tourism Background of Conservation Fee

- In 1984 North Dakota Game and Fish Department began charging fishing contests 10% of tournament entry fees as a conservation fee. This fee has been a part of the application to hold a tournament in North Dakota for the past 39 years.
- In the late 1990's when fishing was very good, the state was being overlooked as a host location for major national tournaments because the conservation fee was deemed too costly for tournament organizers.
- In 2000 the conservation fee was capped at \$5,000 to allow the state to be considered by larger national tournaments and gain the media attention we deserved local tourism organizations worked to attract national fishing contests.
- For the past 20 years, the conservation fee was tolerated, but has been burdensome for destination marketing organizations and the communities that would host these tournaments. In certain instances, the \$5,000 sponsorship would be paid to the tournament organizers, then they would pay the conservation sponsorship media coverage.
- In 2020 the Game & Fish Department removed the cap via an administrative rule hearing and the new rule went into effect in October of that year. This doubled or tripled the conservation fee into the \$10,000-20,000 range for the largest tournaments, including the ones that created national media attention for North Dakota.

Tourism Involvement

In the fall of 2020, the Tourism & Marketing division began receiving comments and concerns from resident tournament anglers and complaints from nonresident traveling anglers claiming state policy was increasingly negative toward them.

- We were sent press releases calling for travel bans from angling organizations like the National Walleye Federation.
- National tournaments circuits removed North Dakota from consideration and canceled North Dakota events from their insurance policies.
- We were asked by traveling anglers why our tournament fee is so far out of alignment with any other state's tournament fees.
- We received messages from the National Professional Anglers Association saying that their members were viewing the state as greedy and unwelcoming.

Working with Game & Fish to Solve the Problem

The negative response to the fee change led our agency and a group of tourism stakeholders to engage in discussions and meetings with the North Dakota Game & Fish Department to see what could be done to address the fee change. It is unfortunate this did not happen prior to the rules change. This began two years of meetings and discussions to attempt to resolve the issue and bring an alternate fee structure to an administrative rules hearing. All the options the tourism working group brought to NDGF were rejected.

Because no solution was found, a mediation session between the tourism group and anglers that support the 10% fee with no cap was organized and sponsored by former Game & Fish Department Director Terry Steinwand. The outcome of mediation proposed a \$7,500 maximum (cap) on the existing 10% conservation fee. North Dakota Game & Fish decided to take no action and left the uncapped 10% conservation fee in place. This has limited our opportunity to host certain tournaments.

Tourism Impacts of the Fee Change

- There have been no large national tournaments in the state since 2019. Prior to the rule change the state hosted six National Walleye Tour (NWT) tournaments and seven Masters Walleye Circuit (MWC) tournaments between 2010 and 2019.
- North Dakota fisheries have not received the media coverage or added impressions that come with large national tournaments, especially the ones with television shows and media outlets.
- Simultaneously, fishing license sales dropped last year with 6,391 fewer nonresident licenses sold by the end of the open water season. There were 12,898 total fewer fishing licenses sold (including resident, nonresident, and combination) by the end of October, a drop of 6.7%.
- Tourism and hospitality businesses have lost business because of the lack of national tournaments.

Tourism Support of Tournament Anglers

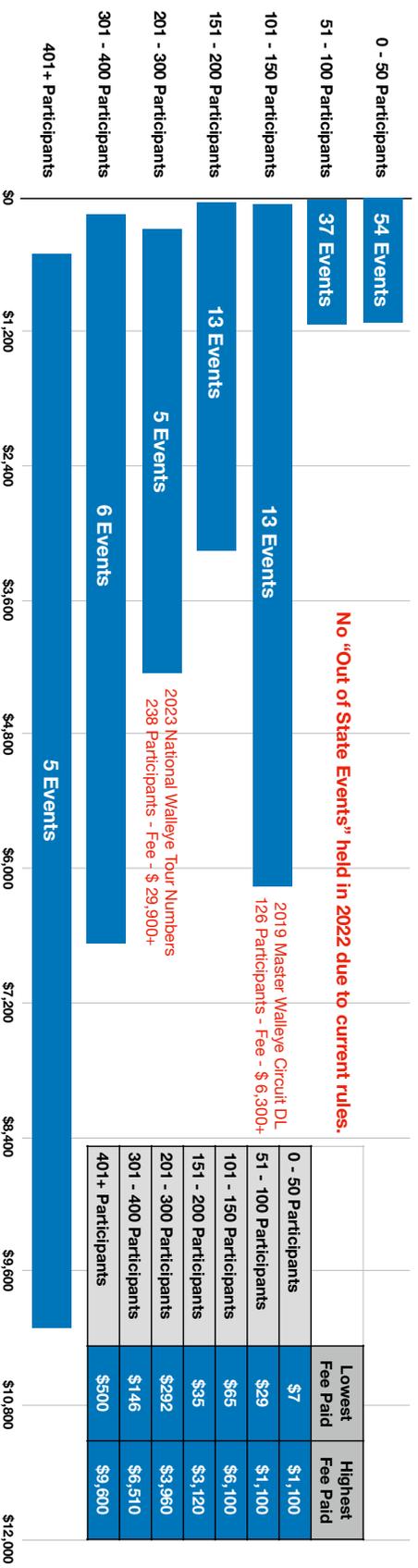
We have great tournament anglers from North Dakota who have been advocates for us. They have carried our story and messaging across the country, they have been public spokespeople that promote responsible fishing practices, they often promote anti-poaching efforts like report all poachers and our ANS messaging (clean, drain, dry, every surface, every time.) Tourism supports all anglers, both individual and tournament. The majority of tourism information requests come from non-tournament individual anglers.

We believe the current rule has impacted the state's ability to attract new anglers and has hurt our state's image as a premier fishing destination. Hosting national tournaments is a promotion tool our communities can no longer afford.

I would also like to address the idea that Commerce/Tourism should pay these fees for our communities. This is not possible with our limited budget as we would then need to subsidize other promotion programs for communities across the state working in various niches for promotion.

Thank you.

Discrepancies in Tournament Fees by Event Size 2022



Answering the questions of:

“You Have to Pay to Play” & “It’s Only Fair”

In North Dakota between 6-11% of boaters are asked to pay the “Conservation Fee” for all 73,000+ registered boaters.

In North Dakota roughly 17% of anglers are asked to pay the “Conservation Fee” for all 98,000+ licensed anglers.

In North Dakota 7 Fire & 1 EMS organization paid 21% of all the “Conservation Fee” in 2022.

HB 1538 - Fishing Permits Fees By State

State	Permit fee	Permit App	Notes
Alabama	\$0	Online	
Alaska	NA		No Regulations
Arizona	NA		No Regulations
Arkansas	\$0 - \$75		
California	\$100		
Colorado	\$30		
Connecticut	\$0		
Delaware	\$0	Online	
Florida	\$0	Online	
Georgia	\$0	Online	
Hawaii	NA		By County/Land Management Agency - Waived for non profits
Idaho	\$23.50 - \$29.50		
Illinois	Pending		
Indiana	\$0	Online	
Iowa	\$25		
Kansas	Up to \$200		
Kentucky	\$25 - \$150	Online	
Louisiana	NA		By County/Land Management Agency
Maine	\$12 - \$52		Discount for Catch Record Release events
Maryland	\$0		
Massachusetts			
Michigan	\$0	Online	
Minnesota	Up to \$250		
Mississippi	NA		No Regulations
Missouri	\$0	Online	Land Use By County/Land Management Agency
Montana	\$3/ if 30+ boats		
Nebraska	\$0		
Nevada	\$25		
New Hampshire	\$10 - \$49		Discount for Catch Record Release events
New Jersey	\$5		Discount for Catch Record Release events
New Mexico	NA		
New York	NA		Land Use By County/Land Management Agency
North Carolina	\$0	Online	
North Dakota	\$0 - \$45,000+		Master Walleye Circuit - \$ 6,300+ NWT - \$29,900+
Ohio	\$0	Online	Following Michigan's Process
Oklahoma	\$0 - \$75		By Land Management Agency
Oregon	\$122		Walleye & Bass are free
Pennsylvania	\$0		
Rhode Island			
South Carolina	\$0		
South Dakota	\$0		
Tennessee	\$0	Online	Following Michigan's Process
Texas	NA		By County
Utah	\$20 - \$250		
Vermont	\$50		Waived for youth
Virginia	NA		By County
Washington	\$75 - \$300		By Land Management Agency
West Virginia	\$0		
Wisconsin	\$25	Online	
Wyoming	\$0		

HB 1538 Numbers to Consider	Estimated conservation fees collected by year	Amount of conservation dollars per administrative dollars spent	Fire/EMS conservation fees per year	Percentage of conservation fees paid by Fire/EMS	Amount of dollars required to be paid out/not allowed to be kept	Devils Lake Fire conservation fees per year	Percentage of conservation fees paid by Devils Lake Fire	Devils Lake Fire amount of dollars required to be paid out/not allowed to be kept
2003	\$40,500.00	\$1.01						
2004	\$50,000.00	\$1.25						
2005	\$49,000.00	\$1.23						
2006	\$81,000.00	\$2.03						
2007	\$42,500.00	\$1.06						
2008	\$49,000.00	\$1.23						
2009	\$60,000.00	\$1.50						
2010	\$56,000.00	\$1.40						
2011	\$46,000.00	\$1.15						
2012	\$51,500.00	\$1.29						
2013	\$67,000.00	\$1.68	\$7,280.00	11%	\$54,600.00	\$7,200.00	11%	\$54,000.00
2014	\$53,500.00	\$1.34	\$7,580.00	14%	\$56,850.00	\$7,500.00	14%	\$56,250.00
2015	\$84,250.00	\$2.11	\$7,958.20	9%	\$59,686.50	\$7,200.00	9%	\$54,000.00
2016	\$84,000.00	\$2.10	\$9,814.90	12%	\$73,611.75	\$8,000.00	10%	\$60,000.00
2017	\$91,000.00	\$2.28	\$10,061.40	11%	\$75,460.50	\$8,000.00	9%	\$60,000.00
2018	\$89,500.00	\$2.24	\$16,561.50	19%	\$124,211.25	\$9,000.00	10%	\$67,500.00
2019	\$133,000.00	\$3.33	\$15,915.10	12%	\$119,363.25	\$5,000.00	4%	\$67,500.00
2020	\$63,500.00	\$1.59	\$9,569.90	15%	\$71,774.25	\$5,000.00	8%	\$67,500.00
2021	\$98,000.00	\$2.45	\$17,892.80	18%	\$134,196.00	\$9,000.00	9%	\$67,500.00
2022	\$94,500.00	\$2.36	\$19,924.20	21%	\$149,431.50	\$9,600.00	10%	\$72,000.00
	Average	Average	Total	Average	Total	Total	Average	Total
Total or Average	\$69,187.50	\$1.73	\$122,558.00	14%	\$919,185.00	\$75,500.00	9%	\$626,250.00

Currently 75% of funds are required to be paid out. This is true even if prizes could be donated. An organizer is only allowed to retain 15%.

The Red Numbers Indicate Money Required To Be Payout And Not Put Towards Mission of Organization.

Data taken from NDGF provided information. Conservations fees collected are estimates based on provided charts. Annual administrative cost of estimated \$40,000 per year stated by Fisheries Director.

Best 10 Year Average	Worst 10 Year Average	Last 10 Year Average
\$88,575	\$49,800	\$85,825
20 Year Total		
\$1,383,750		

Permitted Fishing Tournaments and Conservation Project Monies Trends

