

CHAPTER 30-03-05 FISHING CONTESTS

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30-03-05-01. Fishing contest defined. A fishing contest is any event where prizes or cash are given for catching fish from waters open to public use. These events include high value tag contests, fishing tournaments, fishing leagues, biggest fish contests, and contests giving prizes for the largest number or weight of fish. Also included are fishing leagues and tournaments that involve multiple fishing events and have a cumulative fee equal to or exceeding five dollars. Entry fees must be collected and listed separately from other activities. Fishing contests do not include the following:

1. Individual big fish promotions sponsored by resident, local businesses not charging any entry or participation fee. If any local, resident business desires to sponsor a high value (prizes exceeding one thousand dollars cash or merchandise) individual fishing contest, the game and fish director shall designate the species of game fish to be included and the contest may be limited to only those species in select waters.
2. Any local fishing tournament charging an entry or participation fee of less than five dollars per angler, unless there are more than forty-nine participating individuals or fourteen participating boats.

History: Effective March 1, 1984; amended effective May 1, 1994; April 1, 2009.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(20)

30-03-05-02. Organizations eligible. Only nonprofit veterans, charitable, education, religious, and fraternal organizations, civic and service clubs, and public-spirited organizations, as those organizations are defined in North Dakota Century Code chapter 53-06.1 will be issued permits to hold fishing contests. Exemptions to this requirement may be granted by the game and fish director, if, in the opinion of the director, the contest is not detrimental to the fishery resource or to the public, or both.

History: Effective March 1, 1984; amended effective May 1, 1994.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(20)

30-03-05-03. Use of proceeds. A minimum of seventy-five percent of any entry or participation fee paid by the contestants for fishing activities must be returned to the contestants as cash or merchandise (must be cash equivalent and cannot include donated merchandise when an entry fee is required). Payback procedures must be stated in the tournament rules and regulations. A minimum of ten percent of the gross proceeds from entry or participation fees, to a maximum of five thousand dollars, is required to be paid as a conservation fee. Contests with no entry fee, but still subject to regulations as defined in subsection 2 of section 30-03-05-01, are required to submit a five thousand dollar conservation fee unless there is no cash payout associated with the contest, i.e., all prizes are donated merchandise. The conservation fees must be expended on fishery conservation projects or for providing public access to fishing areas and the intended project must be identified on the permit application form. Moneys for fishery conservation or public access projects must be allocated within ninety days after the completion of the tournament. The fishery conservation projects and public access projects must be approved by the game and fish director.

In the absence of an outside sponsor, the tournament committee may retain a maximum of fifteen percent of the gross proceeds from entry or participation fees for expenses incurred in putting on the contest.

History: Effective March 1, 1984; amended effective May 1, 1994; January 1, 2000.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(20)

30-03-05-04. Application. Any organization desiring to hold a fishing contest must submit an application for a permit to the game and fish director at least thirty days prior to the start of the contest. Information on the application must include the name of the sponsor, location of the waters where the contest is to be held, the dates of the contest, the number of participants expected for the contest, the amount of the entry fee, identification of the intended fishery conservation or public access project, a copy of the tournament regulations, and the name of a person or persons responsible for organizing and conducting the fishing contest.

History: Effective March 1, 1984; amended effective May 1, 1994; April 1, 2009.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(20)

30-03-05-05. Fishing contest rules and regulations.

1. In a boat tournament, the committee or sponsors shall provide boat launching and loading assistance to tournament participants and must provide all participants with contacts and telephone numbers in case of an emergency.
2. The North Dakota game and fish department may add further tournament regulation restrictions if deemed necessary.

3. Fishing contests for all game and nongame fish, with the exception of paddlefish, pallid and shovelnose sturgeon, zander, and grass carp (white amur) are allowable.

History: Effective March 1, 1984; amended effective May 1, 1994; January 1, 2000; April 1, 2009; October 1, 2010.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(20)

30-03-05-06. Reasons for denying permits. Permits may not be issued or may be revoked if the game and fish director believes the fishing contest does not or will not comply with game and fish rules or regulations, or could be harmful to the fishing resource, or that public use facilities such as boat ramps, parking areas, campgrounds, and related facilities are inadequate to support the contest, or the committee or sponsors have failed to submit timely reports.

History: Effective March 1, 1984; amended effective May 1, 1994; April 1, 2009.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(20)

30-03-05-07. Post-contest report required. Within thirty days after completion of the fishing contest, the permittee shall submit a report to the game and fish director. The report must include the number of contest participants, the quantity (number and total weight) and species of fish taken in the contest, the gross and net proceeds for the tournament, the percentage of the entry fees paid back to the participants as prizes, and suggested conservation projects for departmental approval. Failure to submit this report is justification for denial of future fishing contest permits. Moneys for fishing conservation or public access projects must be allocated within ninety days after the completion of the tournament.

History: Effective March 1, 1984; amended effective May 1, 1994.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(20)

30-03-05-08. Penalty. Any fishing contest applicant that violates any section of this chapter is guilty of a noncriminal offense and shall pay a two hundred fifty dollar fee.

History: Effective October 1, 2010.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(22)