SENATE FISH AND GAME
EXHIBIT NO. 6
DATE 3/3/05
BILL NO. HB 79

6

Senate Fish and Game Committee
Testimony of Paul Sihler on HB 79
March 3, 2005

Mr. Chairman and members of the committee, for the record, my name is Paul Sihler and I am a resident of Helena. While some of you may know me from when I worked for FWP, I left employment with the State nearly 3 years ago and am testifying today as a proponent of HB 79 on my own behalf as a sportsman.

There are many reasons to support the Habitat Montana program, but I'd like to emphasize three in particular:

First, Habitat Montana creates **win-win** solutions. A lot fish and game issues are controversial and emotional, and have zero-sum outcomes where one constituency of people has to lose something in order for another constituency to gain. One might think this would be the situation for a government program that addresses wildlife habitat on private land, but this is NOT the case for Habitat Montana: Everyone comes out a winner. Landowners get cash compensation for keeping their land in agricultural production and forgoing their ability to subdivide and develop their land; hunters ensure that important habitat that sustains Montana's cherished wildlife populations and thus the hunting heritage is conserved into the future; and wildlife benefits because key winter range and other habitats are maintained into the future.

Second, Habitat Montana is a **market solution** that **creates choice for landowners.** You will consider lots of bills this session that are regulatory, that seek to control someone's behavior by establishing a law. Again, this is NOT the case for Habitat Montana, which only works with willing landowners to complete voluntary transactions. No landowner is forced to sell a conservation easement to FWP; they do so because they themselves decide it is in their own best interest. I know there are some opponents to this program, but I'd like to point out that they are free to choose not to participate in it.

Third, the program is **funded strictly by hunter license fees**—there is no general fund money or other tax dollars in the program. Further, there is **no loss of property taxes** as a result of the program. In the limited instances where land has been acquired in fee title, FWP is required by law to make payments to counties in lieu of taxes "in a sum equal to the amount of taxes which would be payable on county assessment of the property were it taxable to a private citizen" (87-1-603). In the case of conservation easements, state law prohibits conservation easements from being classified into a lesser assessed valuation solely as a result of the easement (76-6-208).

Mr. Chairman and members of the Committee, there aren't many programs in state government that have the attributes of creating win-win, market-based solutions and providing choices for landowners, all without costing a dime from the general fund and without impacting property taxes. And Habitat Montana has over a 15 year track record of delivering these results. Without the passage of HB 79, this program sunsets on March 31, 2006. Its future and Montana's wildlife legacy are in your hands – I urge a "Do Pass" for HB 79.

Thank you for your time and consideration,