

Senate Bill 90
March 22, 2011
Presented by Joe Maurier
House Fish, Wildlife & Parks Committee

Mr. Chairman and committee members, I am Joe Maurier, Director of Montana Department of Fish, Wildlife & Parks (FWP). I am here in opposition of Senate Bill 90.

SB90 establishes a requirement that \$1 from the sale of each deer or antelope license sold in Montana be placed into a special account and then only used to pay for processing of donated game animals. This processed meat would then be distributed to charitable nonprofit organizations to help feed the hungry. The intent is noble, the need is real; however, the approach represents a diversion of funds with significant consequences.

Like the vast majority of states, Montana funds its fish and wildlife management activities using its hunting and fishing license revenues, combined with significant federal funding collected on behalf of the states through an excise tax imposed on the manufacturer of hunting and fishing equipment. This unique "user pays/user benefits" system has been in place for over 70 years, since passage of the historic Pittman-Robertson Act in 1937, and was created in order to provide for sustained fish and wildlife management across the nation in perpetuity.

The federal funding (over \$23 million to FWP in 2010) is allocated to the states by the US Fish and Wildlife Service (USFWS); however, in order to receive these funds, state game and fish agencies must remain in control of both funding sources at all times, and consent to only use these funds for functions required to manage fish and wildlife resources. Should a state fail to comply with either of these requirements, the USFWS will suspend any further federal funding until the adverse condition (known as a "diversion") has been corrected. In a January 7, 2011 letter to FWP, the USFWS confirmed that passage of SB90 "would be treated as a diversion of license fees", and so would render FWP ineligible to receive further federal funding.

While the intent of this bill is certainly laudable, its passage would require FWP to use license revenue for a purpose that is not required to manage the wildlife resources of the state. FWP currently utilizes numerous traditional management tools (season length, price of license, surplus tags, etc.) to achieve population objectives for deer and antelope across the state, and the vast majority of our hunting districts have population numbers that are either at or reasonably close to our objectives.

For the reasons described, I recommend the committee vote "do not pass" on the bill as amended.