

House Bill 142
January 17, 2013
Presented by Jeff Hagener
House Fish, Wildlife & Parks Committee

Mr. Chairperson and committee members, I am Jeff Hagener, Director of the Montana Department of Fish, Wildlife and Parks (FWP). I am here in support of House Bill 142.

The federal Dingell-Johnson Act established a nationwide excise tax on the sale of fishing rods, reels, lines and other tackle. The resulting funds are then made available to states that have adopted "Assent Legislation" language into state law, confirming that funds received will only be expended for fisheries management purposes. These funds help pay for virtually every component of the department's fisheries program including our field biologists, hatcheries, the fishing access site program, fish health program, and the aquatic invasive species program.

HB 37 was a 1,439-page bill proposed by the Code Commissioner during the 2009 Legislative Session. Upon passage, the bill required that all language in the Montana Code Annotated (MCA) be edited so as to be gender neutral and consistent with current bill drafting standards. Unfortunately, implementation of HB37 resulted in the inadvertent deletion of an entire quotation from the Dingle-Johnson Act contained in MCA 87-1-701. This quotation, a key component in Montana's Assent Legislation, is required in order for the state to maintain its eligibility to receive up to \$9 million of federal funding for fisheries management each year.

HB 142 restores the deleted quotation to MCA 87-1-701, insuring the agency's ongoing eligibility to receive critical fisheries management funding from the U.S. Fish & Wildlife Service. If the appropriate passage is not restored to MCA 87-1-701 during the 2013 Legislative Session, then Montana will not be eligible to receive this funding until such time as the quotation is restored, even though Montana anglers will continue to pay the federal excise tax on their angling purchases.