

House Bill 234
April 10, 2015
Presented by Jeff Hagener
Senate Finance and Claims Committee

Mr. Chairman and committee members, I am Jeff Hagener, Director of the Department of Fish, Wildlife and Parks (FWP). I appear today in opposition to House Bill 234 for several reasons.

This request for an additional \$700k over the biennium is outside the Executive Budget request and as a result, we cannot support it.

The proposal results in a further reduction in license dollars available for other FWP programs. This at a time when, via HB 140, a license fee increase is being requested to address an anticipated agency funding shortfall of \$5.7 million beginning in 2017.

We also need to make the committee aware that HB 2 currently includes \$112,000 per year for public shooting ranges. It would be our preference to have dollars remain in HB 2 rather than be addressed in HB 234. The sponsor indicated in House Appropriations that the money from HB 234 would replace what is already in HB 2. However, there has been no coordination with HB 2 to make that happen.

Federal regulations state that state fish and wildlife agencies may become ineligible to receive federal funding from the USFWS if they lose control of their ability to direct the use and expenditure of hunting and fishing license revenue. Once license funds are expended under this "loss of control" condition, the state is considered in "diversion" with regard to its use of license funds. The penalty for diversion is severe; all Federal Aid in Sport Fish and Wildlife Restoration funding will be withheld from the state until such time as the diversion has been corrected. Montana was eligible for \$27m in FY 2014. I have attached letters from the U.S. Fish and Wildlife Service Regional Denver office and the Washington DC Headquarters Office regarding this proposed legislation which confirms they view this legislation as a diversion with regard to the state's use of license funds.

FWP has administered a public Shooting Range Grants Program since 1990. In that 25-year period, 200 projects have been administered at 82 public shooting range facilities in Montana. Federal Pittman-Robertson and state license dollars totaling over \$3.6 million have been expended. When the 50 percent match requirement is included, a total of over \$7 million has been spent on public shooting range improvements in Montana.

FWP has received requests for grant assistance that have averaged \$157,000 per year in the 25 years we have administered the program. In that same time period, the average dollar amount made available for grants has been \$146,000. Ninety three percent of the dollars requested by applications have been funded.

This is a competitive grants program, and we do not believe that it is unreasonable that a very small percentage of applicants have not received all the funding they have requested. We work with each applicant to ensure that public dollars are spent appropriately and that funding goes only to proposals that meet the criteria established in statute. We take this fiduciary responsibility seriously. In any competitive grant program, not all applications meet criteria, and some rank higher than others. In the case of unsuccessful applicants, we work with them to improve the chances of success of their next application.

At a time when agencies are being asked to reduce budgets, when FWP is facing a serious funding issue and has already made budget cuts in order to continue our current operations, we cannot support an additional \$700k biennial addition to agency expenditures and lose eligibility for \$27 million in critical Federal Funds. We urge a do not pass on HB 234.