

HOUSE JOINT RESOLUTION 667

By Lollar

A RESOLUTION relative to the certification of Permanent Senior Citizens Hunting and Fishing Licenses for purposes of federal funding.

WHEREAS, the Tennessee Wildlife Resources Agency (TWRA) receives a substantial amount of federal funding each year from the Wildlife Restoration and Sport Fish Restoration Programs, both of which are administered by the U.S. Fish and Wildlife Service (USFWS); and

WHEREAS, these programs are based on a federal excise tax on hunting and fishing equipment; funds are apportioned to the states based on a formula that factors the size of the state and the number of hunting and fishing license holders in the state; and

WHEREAS, for decades, this funding has been a cornerstone in Tennessee's deer, wild turkey, trout, and bass management; in fiscal year 2012-2013 these two federal programs combined to provide over \$16,000,000 to Tennessee for fish and wildlife related programs; and

WHEREAS, changes to USFWS regulations have caused Tennessee to lose a substantial amount of funding from the Wildlife Restoration and Sport Fish Restoration Programs; and

WHEREAS, these changes are related to the manner in which the USFWS allows Tennessee to count its hunting and fishing license holders; more specifically, the USFWS no longer permits Tennessee to count its Permanent Senior Citizen License holders for the purposes of apportionment; and

WHEREAS, in 1990, the General Assembly amended Tennessee Code Annotated, Section 70-2-201 to create a Permanent Senior Citizens Hunting and Fishing License; and

WHEREAS, under this statute, Tennessee residents age sixty-five or older may purchase a permanent hunting and fishing license with a one-time payment of \$10.00; and

WHEREAS, prior to 1990, Tennessee residents sixty-five years of age or older were not charged for a basic hunting and fishing license; the General Assembly made this statutory change for the expressed purpose of meeting eligibility requirements for receiving federal funds; and

WHEREAS, from 1990 through 2010, the USFWS allowed Tennessee to count Permanent Senior Citizens license holders in its annual license certification, however, since Tennessee's 2011 license certification, USFWS has not allowed the inclusion of the Permanent Senior Citizen licenses; and

WHEREAS, the stated reason for not allowing such inclusion was that the cost of the Permanent Senior Citizens license was not "in close approximation to the net revenue received for a single-year license providing similar privileges;" this change in policy was based on changes in federal regulations that took effect in September 2011; and

WHEREAS, Tennessee sold senior citizen licenses prior to 2011 with the expectation that such licenses would be included in its annual certification; and

WHEREAS, there are currently over 177,000 Permanent Senior Citizens License holders in the state; thus the loss of federal funding associated with these license holders is substantial and will significantly impact TWRA; and

WHEREAS, TWRA has exhausted every avenue of administrative appeal of such regulations, to no avail; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that this General Assembly strongly urges the United States Fish and Wildlife Service to permit Tennessee to count Permanent Senior Citizens license holders in its annual license certification as the state did prior to the 2011 certification, or at the very least allow Tennessee to count Permanent Senior Citizens licenses sold prior to the change in regulations (September 2011) in future certifications.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the United States Fish and Wildlife Service and to each member of Tennessee's Congressional delegation.