

- SUBJECT:** New stamps for migratory and upland game bird hunting
- COMMITTEE:** Culture, Recreation, and Tourism — committee substitute recommended
- VOTE:** 5 ayes — Hilderbran, Dukes, Dunnam, Gallego, Phillips
0 nays
2 absent — Kuempel, Baxter
- WITNESSES:** For — Terry W. Austin, National Audubon Society; Kirby Brown, Texas Wildlife Association; Chip Martin, Quail Unlimited and Dove Sportsman Society; David Schuessler, Ducks Unlimited, Inc.; James B. Wynn, Texas State Chapter of National Wild Turkey Federation and National Wild Turkey Federation

Against — None

On — (*Registered, but did not testify:* Vernon Bevill, Texas Parks and Wildlife Department)
- BACKGROUND:** Texas hunters must buy stamps issued by Texas Parks and Wildlife Department (TPWD) for turkey, white-winged dove, and waterfowl hunting. Waterfowl include wild ducks of all species, wild geese and wild brant of all species, and wild coot.

A turkey stamp costs \$5, and white-winged dove and waterfowl stamps each cost \$7. Those purchasing a waterfowl stamp also must purchase federal migratory bird hunting authorization for \$15. A valid Texas hunting license, which for most state residents costs \$23, also is required.

The revenue from these stamps is funneled into dedicated accounts. Proceeds from the sale of white-winged dove stamps, for example, are dedicated to be spent only on buying white-winged dove habitat, conducting research, and other projects related to the doves.
- DIGEST:** CSHB 2940 would eliminate the white-winged dove stamp, the turkey stamp, and the waterfowl stamp. It would introduce a migratory game bird stamp and an upland game bird stamp that hunters would be required to

possess and display upon request, in addition to a hunting license, in order to hunt these birds. These stamps would be valid only during the yearly period for which the stamp was issued. Hunting these birds without the appropriate stamp would be a class C Parks and Wildlife Code misdemeanor.

The definition of a migratory game bird would include wild ducks, wild geese and wild brant of all species, wild coot, wild rail, wild gallinules, wild plovers, Wilson's snipe or jack snipe, woodcock, mourning doves, white-winged doves, white-fronted doves, red-billed pigeons, band-tailed pigeons, shore birds of all varieties, sandhill cranes, and any additional species designated by the Parks and Wildlife Commission.

The definition of an upland game bird would include wild turkeys, wild ducks and geese of all varieties, wild brant, wild grouse, wild prairie chickens, wild pheasants of all varieties, wild partridge, wild bobwhite quail, wild scaled quail, wild Mearn's quail, wild Gambel's quail, wild red-billed pigeons, wild band-tailed pigeons, wild mourning doves, wild white-winged doves, wild white-fronted doves, wild snipe of all varieties, wild shore birds of all varieties, chachalacas, wild plover of all varieties, and wild sandhill cranes.

Net proceeds of both stamps would be used to support migratory and upland game bird management, research, and acquisition and for the lease or development of habitats. Proceeds also could be awarded as grants to appropriate government and nonprofit organizations that support migratory and upland game bird habitats.

Proceeds from both of these stamps would include the stamp fee, any fees that resulted from issuing stamps as part of a combination hunting license, revenue generated from the sale of collector's edition stamps, and revenue, including royalty payments, from the use of the stamp image on merchandise. Each stamp would cost \$7 or a greater amount set by the commission. Net proceeds that were not used in a fiscal year would remain in the game, fish, and water safety account.

TPWD could negotiate a reciprocal agreement with a neighboring state that had a similar migratory bird stamp requirement and fee, which would allow a stamp issued in one state to be valid in the other. Remaining balances in the game, fish, and water safety account that had accrued from the issuance of white-winged dove, turkey, and waterfowl stamps would

continue until 2010 to be used in supporting research and conservation of doves, turkeys, and waterfowl.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2006.

**SUPPORTERS
SAY:**

CSHB 2940 would give more flexibility to TPWD to address game management and conservation issues quickly and appropriately by establishing two stamps that each would encompass many kinds of birds. For example, if the department identified a threat to the quail population, it immediately could focus upland game bird stamp funds in efforts to protect the bird, rather than waiting months or years to petition the Legislature for the creation of a special quail stamp. The structure proposed under the bill would provide for flexibility and foresight while providing an estimated gain in revenue to TPWD of nearly \$2 million per fiscal year.

The wise stewardship of game resources requires money. Polls have shown that at least 80 percent of bird hunters would be willing to pay for state programs that enhance and protect the hunting experience. Some bird populations, such as wild quail, no longer exist in states that have been unable to fund the protection of habitat and other conservation programs. Texans have wonderful hunting opportunities here and by no means the highest hunting fees in the nation, so a fee of \$7 per stamp, or more if deemed necessary by the commission, would not be unreasonable. It would be appropriate to ask hunters to pay more to preserve the natural environment that makes possible their recreational activities. Some hunters, in fact, would save money under this new stamp structure, such as duck and white-winged dove hunters, who would need to buy only one stamp instead of two.

There is no need to continue to dedicate an entire stamp to white-winged doves. When the stamp was created in the 1970s, white-wings had a limited range and their habitat was disappearing rapidly. But today, these birds thrive in Texas. It now would make more sense to apply white-winged dove stamp money toward the needs of other imperiled bird populations, such as mourning doves.

OPPONENTS
SAY:

This bill would require hunters to purchase stamps in order to hunt birds that require no stamp today, such as quail, partridge, and pheasant. Other sources of state revenue should fund TPWD programs. Hunters pay taxes and should not be double-taxed through required hunting stamp fees. At the very least, the commission should be limited to charging \$7 per stamp, as the Senate version would stipulate.

TPWD should not use bird stamp funds for wildlife management programs that may be harmful to other elements of nature. For example, some states fund the trapping of foxes and raccoons so that more duck eggs can hatch, giving hunters more birds to kill. Other states push for clear-cutting of trees to produce habitat for ruffed grouse. These actions are unnecessarily harsh. The balance of nature's ecosystems ensures the survival of most species. Excessive sport hunting jeopardizes nature's balance.

NOTES:

The Senate companion, SB 1192, by Estes, was reported favorably, as substituted, by the Senate Natural Resources Subcommittee on Agriculture and Coastal Resources on April 18 and has been placed on the Senate Local and Uncontested Calendar for April 28.

The LBB estimates in the fiscal note that this bill would generate a net gain in stamp fee revenue of nearly \$2 million per fiscal year, beginning in fiscal 2006. Other revenue from stamp-related merchandise is estimated at \$17,841 per fiscal year.

Game bird definitions in the committee substitute include more bird varieties than in the original bill. The original would have transferred stamp funds to general revenue, while the substitute would dedicate these funds to the game, fish, and water safety account. The substitute also would apply leftover white-winged dove stamp revenue to the protection of doves in general. The original would have specified that no more than one-third of stamp funds could be used on salaries of TPWD employees. Both bills include an immediate effect provision, but the original would have taken effect September 1, 2005, if it did not receive the required two-thirds vote, while the substitute would take effect September 1, 2006.