

Pennsylvania Fish & Boat Commission Report

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A Serious Breach of Trust Between the Federal Budget and Pennsylvania's Anglers and Boaters!

Many Pennsylvania anglers and boaters do not realize that an excise tax is collected by the federal government on boating fuel, fishing tackle, and equipment purchases.

Nearly a million dollars worth of contributions are made by Pennsylvania's anglers and boaters each year. Among other things, these dollars are used to conserve aquatic resources, offer public access to waterways, and provide boating safety education. They will be withheld from the Pennsylvania Fish and Boat Commission by the federal government in 2013 if Congress fails to pass a budget before the end of the 2012 year. So by the time you read this, the PFBC could be losing almost a million dollars a year of the money that you spent that was intended to come back to Pennsylvania to support fishing and boating programs.

We believe that the federal government would breach trust with America's anglers and boaters by sequestering their contributions from the Sport Fish Restoration and Boating Safety Trust Funds (SFRB-STF). As I write this column, there are a number of theories floating around in Washington D.C. about how to deal with this fiscal cliff. Some believe that it really isn't cliff but a gradual slope so it isn't that critical to solve it by the end of 2012. Who will notice a tax increase in your first pay check in January? Is it really that necessary to fix this problem before the Bush tax cuts expire? If Congress and the current administration don't fix it, you will see that tax increase in January and

they will begin diverting funds from not only the SFRB-STF but also the Wildlife Restoration Trust Fund, established by the Pittman-Robertson Act.

This is like someone at the bank who has access to your account information withdrawing 7.6% of the money out of your savings account without your permission to show that they can cover the bad checks that they have written. They promise to return the money sometime in the future, but in the meantime, you will have to find other ways to pay your bills.

Congress passed the Budget Control Act in 2011 and mandated automatic federal spending cuts, known as sequestration, to reduce the federal deficit by \$1.2 trillion over the next 10 years. Unless a spending plan is enacted, those cuts will trigger on January 2, 2013, and will impact nearly all taxpayer-funded federal government agencies and programs. Indeed, sequestration of these trust funds does not accomplish what Congress intended, that is, reduce spending and the federal deficit. The excise tax dollars will continue to reside in the trust fund accounts and will not address the budget deficit. The sequestration of the funds coming out of the trust funds does nothing more than accumulate funds in an account and is an unintended consequence of the Budget Control Act of 2011.

The SFRB-STF will suffer a 7.6 percent cut which equates to a loss of approximately \$43 million to all state fish and wildlife agencies in 2013. However, unlike other pro-

grams at risk of sequestration, the Trust Funds are not taxpayer dollars derived through federal income taxes.

The Trust Funds are raised through excise taxes levied on fishing tackle and equipment and motorboat fuel that anglers and boaters pay and that industry conveys quarterly to the federal government. Those revenues, combined with their purchases of fishing licenses and boat registrations, largely determine how much funding is allocated annually to state agencies like the Fish and Boat Commission.

The projected financial impact of losing 7.6 percent of Pennsylvania's portion of the Trust Funds in 2013 – \$859,000 – or the value of 37,841 resident fishing licenses.



John with a nice small mouth bass caught in late September fishing the Susquehanna River. Photo by Joe Raymond.

However, as your Director, I think the greater violation is the breach in trust between the anglers, boaters, and businesses who pay the tax and the federal government that plans to withhold the funds from the states.

State Boating Law Administrators, again including Pennsylvania, also will experience a 7.6 percent cut to their federal allocation, which will reduce funding available for boating safety activities, boating education, access, and boat registration and titling. Currently, there is no substitute funding mechanism to offset the loss of the Sport Fish Restoration or Boating Safety Trust Funds.

The Trust Funds are the lifeblood of the Pennsylvania Fish and Boat Commission's day-to-day efforts to restore and manage fisheries and their habitats; open and maintain recreational access for all; and keep the public safe by providing boating safety education. They account for about 25% or \$11.3 million dollars of our total budget. If budget sequestration takes effect, our agency will have to make tough decisions now and down the road. Potentially, we may have to reduce

services like fish stocking, access area maintenance, boating education and safety, and other programs that Pennsylvania's anglers and boaters care about deeply.

The Sport Fish Restoration Program was established in 1950 to restore fish populations, and the Boating Safety Trust Fund followed in 1984. These programs have a proven track record of entrusting state agencies as the recipients of the nation's users-pay, public-benefits funding system for fish and wildlife conservation.

Over the last 62 years, sportsmen and women have always been willing to pay a little extra for the excise-taxable gear, knowing that their purchases would directly support conservation along with fishing, boating, and other wildlife-related activities. Sequestering the Trust Funds will not reduce the federal deficit, and in fact, could hurt the country's finances by curbing the \$145-billion dollar economic driver that is wildlife-related recreation, enjoyed by 90 million people each year.

In 1985, Congress passed the Gramm-Rudman-Hollings Act, which provided that the excise tax

revenues going into the Trust Funds were exempt from budget sequestrations. However, it did not specify that the money distributed from the Trust Funds account to state fish and wildlife agencies was exempt from sequestration withholding. This loophole is the problem.

Members of Congress can close this gap by amending the "Exemption" provision found in the 1985 Act to include appropriations from such trust funds. This act of Congress would be the most long-lasting solution.

For more information about the potential effects of budget sequestration on fish and wildlife conservation, public safety, and the economy, go to www.fishwildlife.org.

To ask your member of Congress, Senators Casey and Toomey, and other Pennsylvania legislators to prevent sequestration of your money by voting to exempt the Sport Fish Restoration Program and Boating Safety Trust Fund and keep the trust with America's sportsmen and women, contact the U.S. Capitol switchboard at 202-224-3121 or visit www.house.gov or www.senate.gov. **PFBC**

Senators Toomey and Brown Introduce Bill to Protect Ohio River Basin from Asian Carp

WASHINGTON, D.C. – U.S. Senators Pat Toomey (R-Pa.) and Sherrod Brown (D-Ohio) recently introduced a bipartisan bill to help prevent the invasion of Asian carp into the Ohio River basin.

Although several federal agencies have been combating Asian carp, none have been designated as the lead agency to coordinate the federal response with state and local partners in the Ohio and Upper Mississippi River basins.

The Strategic Response to Asian Carp Invasion Act would allow the federal government to build a more effective partnership with state and local entities fighting to end the spread of Asian carp. Southwestern Pennsylvania's iconic three rivers – the Allegheny, Monongahela and Ohio – are vital for both commerce and recreation.

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PETA's Message Smells Fishy

Under a new twist to gain attention, PETA recently released a program explaining "9 Ways Fish are Just Like You." The list starts off with the fact that people and fish both have faces. No explanation is given of why this is significant. After that point the remaining eight ways of similarity quickly fall far apart and into the absurd, such as the spiny fin along some fishes' backs look like a Mohawk haircut on some humans. Duh! The other similarities include far-fetched ideas such as fish tend gardens, fish can tell time, and that humans and sharks are related.

Then comes the real PETA message: the group notes that fish feel pain and next it urges everyone to stop fishing. This is topped with a final plea urging everyone to go vegan, ask others to join you in a vegan lifestyle, and to avoid eating fish.

PETA obviously failed to reveal a plausible connection between people and fish. We, however, know how fish and people are connected. The links are: a frying pan, a dinner plate, and a fork! Go fishing! **USSA**

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