

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-4266/1	Introduction Number SB-654
Description The hunting or possession of deer that are albino or that have entirely white coats and providing a penalty	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:	
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
Affected Ch. 20 Appropriations	
Agency/Prepared By	Authorized Signature
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794
	Date
	3/17/2006

Fiscal Estimate Narratives

DNR 3/20/2006

LRB Number	05-4266/1	Introduction Number	SB-654	Estimate Type	Original
Description The hunting or possession of deer that are albino or that have entirely white coats and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Bill Summary:

This bill establishes by statute the prohibition of hunting or possession of albino or white deer. Under the bill, the penalty for hunting such a deer or possessing or transporting its carcass is a forfeiture of not less than \$1,000 and not more than \$2,000. With all required court costs and surcharges, the new actual minimum penalty will be \$2,123 and the maximum will be \$4,143. In addition, the violator is prohibited from having a hunting license or other hunting approval for a period of not less than three years and not more than five years.

This prohibition is currently established by DNR rule. The bill summary states that current DNR rules establish a penalty for hunting a deer with a white coat as a forfeiture of not more than \$100. However, the current maximum penalty established under s. 29.971(3), Wis. Stats., for illegally killing, hunting, transporting or possessing of game, which includes an albino or white deer, is a forfeiture of not more than \$1,000, which with all statutorily required court costs and surcharges equals a \$2,123 maximum penalty. In addition, current law has criminal penalties in place for hunting of any deer out of season or without a license; this is found in s. 29.971 (11), Wis. Stats., and has a fine minimum of \$1,000 but not more than \$2,000 with 6 months imprisonment or both. In addition, under the current authority of s. 29.971(12), Wis. Stats., the court may revoke or suspend any or all privileges and approvals granted for hunting, fishing, or trapping for a period of up to 3 years.

Most violations of state laws do not result in the imposition of the maximum penalty, but rather a predetermined uniform bond set by the State Court Judicial Conference Committee annually. The current 2006 Uniform Conservation bond schedule establishes the penalty for unlawful killing or possession of a protected wild animal at a \$75 forfeiture, which with associated costs equals a bond of \$273.75.

Fiscal effect:

The current bond schedule also includes language relating to violations not currently in the schedule; this language states that 50% of the maximum be assigned. DNR assumes that law enforcement wardens would assign a penalty of \$1,000 (50% of maximum \$2,000 stated in bill) plus the added court costs and surcharges, until the Uniform Conservation schedule is updated by the State Court Judicial Conference Committee.

It is not possible to determine the amount of revenue that will be collected annually by this bill. DNR wardens may only arrest 1 or 2 individuals in a given year for shooting an albino or white deer, but this does not occur every year. After the Judicial Conference Committee establishes the new bond for the uniform bond schedule for this violation as a result of this bill, then the appropriate forfeiture amount will be deposited in the general school fund. An amount equivalent to 75% of the forfeiture will be deposited in the Conservation Fund.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

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Description The hunting or possession of deer that are albino or that have entirely white coats and providing a penalty			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$	
	(FTE Position Changes)		
	State Operations - Other Costs		
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		State	Local
NET CHANGE IN COSTS		\$	\$
NET CHANGE IN REVENUE		\$	\$
Agency/Prepared By		Authorized Signature	Date
DNR/ Joe Polasek (608) 266-2794		Joe Polasek (608) 266-2794	3/17/2006