

Fiscal Estimate Narratives

DNR 2/7/2014

LRB Number	13-2993/2	Introduction Number	AB-0703	Estimate Type	Original
Description Possession of certain wild animals and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

The bill establishes a prohibition of the possession of bear species other than black bears, nonnative big cats, apes, and crocodile species. The bill also provides exceptions which allow the ownership of individuals of those species by people who possessed them on the date of the bill's enactment (e.g., zoos, circuses, and wildlife sanctuaries). Under the bill, enforcement of the prohibition, and registration of owners who would be grandfathered and could continue to possess individual animals would be by the local municipality.

Local Fiscal Impact

There would be a fiscal impact for local municipalities who would have to register current owners of the regulated species because they would be allowed to continued possession of those individual animals, unless the municipality also prohibits their possession by local ordinance adopted under s. 169.43, Stats. New expenditures could be anticipated by local municipalities for the enforcement of the state prohibition of possessing members of those species not prohibited by local ordinance. It could be expected that many, or most, local governments are not prepared to take dangerous exotic animals held in violation of this new state law into custody. Municipalities may need to invest in cages or other materials needed to take custody of illegally possessed animals or at least investigate ways to share or gain access to materials and training that would be needed. The Department does not have an estimate of the number of big cats, apes, and crocodiles that are possessed by individuals, since it does not currently, and has not regulated these species in the past. Based on occasional complaints or news reports about the presence of these animals in private possession, it can only be assumed that they are present at some level.

Because of uncertainty about the number of animals possessed, it is not possible to estimate the value of local staff time, training, or material resources that could be needed for local municipalities to take on these new responsibilities. Therefore, the fiscal impact on local municipalities is indeterminate.

State Fiscal Impact

No new expenditures would be required of the Department under this proposal because enforcement authority and registration would be conducted by local units of government. The department's regulatory authority over captive live bear species other than black bears (all non-native bear species) is eliminated under the proposal. The Department currently licenses all bears under its authority to regulate harmful wild animals under Ch. 169 Stats. The Department currently has 12 facilities licensed to possess both non-native bear and black bears. Future inspections and relicensing of several of these facilities may no longer be required; however, any workload savings may be mostly off-set by the loss of license revenue from those facilities.

As written, the Department may experience some additional workload investigating the illegal purchase and sale of bears or bear carcasses that are not black bears. The number of such investigations is indeterminate, but could be significant considering all the zoos, circuses, the Circus World Museum, wildlife sanctuaries or research facilities that had been allowed to purchase captive bears of any species in the past. The purchase or sale of any bear in violation of s. 29.539, Stats., is a criminal violation punishable by fine of not less than \$1,000 nor more than \$2,000 or imprisonment for not more than 6 months or both. In addition, the court shall order the revocation of all hunting and sport fishing approvals issued to the person under this chapter and shall prohibit the issuance of any new hunting or sport fishing approvals under this chapter to the person for 5 years.

In summary, the Department expects that the cost saving from no longer having to inspect facilities that are used to house captive bears that are not black bears and to issue licenses to individuals or business that possess non-native captive bears, would likely be off-set by any loss of revenue from facilities which no longer need a license to possess captive bear under ch. 169, Stats. and the increased costs incurred to

investigate suspected unlawful purchase or sale of captive non-native bears in this state.

Long-Range Fiscal Implications