

Fiscal Estimate Narratives

DNR 11/10/2015

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| LRB Number | 15-1882/1 | Introduction Number | AB-0471 | Estimate Type | Original |
| Description Wild animal protection surcharges for game fish and a higher wild animal protection surcharge for certain animals of a larger size | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

Under current law (s. 29.983), the statutorily assigned wild animal protection surcharge values for the following animals are: elk - \$2,000; bear - \$175; white-tailed deer - \$43.75. A court may impose the applicable surcharge against a defendant if the court imposes a fine or forfeiture for a Chapter 29 statute violation (or an order issued under that chapter) for the unlawful killing, wounding, catching, taking, trapping, or possession of an elk, bear, or deer (among other species). The bill proposes increased regular surcharges for several species of game fish. Additionally, the bill creates new special surcharges for an elk, bear, or deer if the illegal animal falls within certain "exceptional" size categories; this concept is commonly referred to as a "trophy surcharge."

In FY 2015, wild animal protection surcharges totaled \$32,959 and have averaged \$17,665/year over the past 15 years. Revenue from the surcharges is deposited into the Fish and Wildlife Account of the Conservation Fund. The Department does not track surcharges imposed by species type, nor does it track the size of illegal animals for which the surcharge is imposed under existing law since the surcharge value remains static for animals of all sizes within a species. For these reasons, it is not possible to accurately estimate the revenue impact of the proposed surcharge changes. Assuming the Department were to implement a measurement system similar to the Boone and Crockett Club's established system, by using representative data from reported "trophy" animals submitted to that club in recent years, the following could be projected based upon as little as a 2% rate of illegal harvest:

- A. Average number of bear annually submitted to Boone & Crockett record book 20 inches or more: 50
 1. Total annual number of such bear harvested illegally (at 2% rate): 1
 2. Total surcharge value of those illegal bear under existing law: \$175
 3. Total proposed surcharge value under the bill: \$2,000
 4. Net estimated increase in surcharge revenue: \$1,825
- B. Average number of deer annually submitted to Boone & Crockett record book measuring 170 inches or more: 90
 1. Total annual number of such deer harvested illegally (at 2 % rate): 2
 2. Total surcharge value of those illegal deer under existing law: \$87.50
 3. Total proposed surcharge value under the bill: \$20,000
 4. Net estimated increase in surcharge revenue: \$19,912.50
- C. Since elk are currently protected in Wisconsin, a representative surcharge estimate cannot be developed.

While the bill's proposed surcharges, if imposed by courts, have the potential to increase revenues, the competing deterrent effect that would reduce illegal harvest, in combination with the unknown number of illegal animals currently seized that fall within the "trophy" ranges, make the overall fiscal impact indeterminate.

Additional indeterminate costs may be incurred by the establishment of a measurement system, which may also include staff training costs. Further, it is unclear to what extent any costs will be incurred to measure illegal animals, and to also subsequently defend those measurements at court hearings.

Long-Range Fiscal Implications