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Joint Committee on Finance

Paper #472

Conservation Warden Overtime and Computers (DNR -- Fish, Wildlife, and Recreation)

[LFB 2015-17 Budget Summary: and Page 318, #3 and Page 319, #4]

CURRENT LAW

The Department of Natural Resources responsibilities include the investigation and enforcement of laws relating to fish and wildlife, recreational vehicles, environmental protection, and water regulation and zoning. These activities are performed primarily by conservation wardens whose enforcement authority varies depending on the type, location and severity of the violation. Conservation wardens share responsibilities with park superintendents and forest rangers for public contact on state lands. When requested, wardens assist local police and are authorized to respond when any crime is committed in their presence. Department of Natural Resources conservation wardens and other law enforcement personnel use vehicle-mounted laptop computers in their daily field operations.

GOVERNOR

Provide the following amounts, primarily from the fish and wildlife account of the conservation fund: (a) \$297,500 SEG each year on a one-time basis, for the first two years of a four-year master lease for 225 tablet computers and associated equipment for law enforcement wardens (including all permanent credentialed conservation wardens and deputy warden water guards) and seven tablet computers and associated equipment for property managers who perform law enforcement work on certain flowages, boat access sites, and the Lower Wisconsin State Riverway; and (b) \$138,800 fish and wildlife SEG annually for conservation warden overtime costs as shown in the following table:

| | Law Enforcement Computers <u>Annual Amount</u> | Warden Overtime <u>Annual Amount</u> |
|---------------------------|---|---|
| Conservation Fund | | |
| Fish and Wildlife Account | \$222,800 | \$138,800 |
| Boat Account | 34,300 | 21,900 |
| ATV Account | 14,700 | 9,400 |
| Forestry Account | 4,000 | 0 |
| Water Resources Account | 3,800 | 2,400 |
| Parks Account | 600 | 0 |
| Environmental Fund | <u>17,300</u> | <u>8,400</u> |
| Total | \$297,500 | \$180,900 |

DISCUSSION POINTS

A. Law Enforcement Computers

1. Wardens utilize vehicle-mounted laptop computers which are designed to withstand rugged use on a daily basis. Due to the strenuous use conditions, DNR generally replaces these units after a three- or four-year life-cycle. The Bureau of Law Enforcement is in its fourth year for the current units. The funds provided would cover the first two years of a four-year master lease for the purchase of 232 convertible tablet computers (computers which can be used as a laptop or a tablet). As the computers are generally replaced every four years, an alternative could be to provide funding on an ongoing basis, rather than as one-time funds. This way the funds would be built into the base and the Department would not need to request additional funding each biennia. On the other hand, increased expenditure authority would increase an already existing structural imbalance in the fish and wildlife account (which would fund 75% of this item). Further, as computer technology changes rapidly and computer costs may change over a short time period, providing one-time funding each biennia and then reevaluating future funding needs also has merit.

2. The Department's initial request estimated the cost of the computers, and associated equipment, at approximately \$4,500 per unit, and indicated that the master lease is expected to be a four-year master lease at an interest rate of 6%. DNR now estimates the cost per unit might be closer to \$4,700 but this would vary depending on the model chosen. Given recent market interest rates, an interest rate of perhaps 4% might be expected. The unit price under the master lease would include: a docking station (the electronics tray a computer sits in that is mounted to a center console in a vehicle) and power supply, the convertible tablet computer itself, including touchscreen display, mechanical backlit keyboard, dual battery, integrated global positioning (GPS) capability, removable memory card, upgraded storage, wireless capability, and built in web-cam, as well as a four-year "bumper to bumper" warranty.

3. DNR has 198 authorized credentialed conservation warden positions, of which 14 are currently vacant. The bill would provide funding for 232 computers, which would provide computers for the full 198 authorized positions, 11 limited-term employee deputy water guards (who perform boating enforcement during the warmer months), two computers for troubleshooting and testing, and 14 spare units for use while a computer is being repaired.

In addition to the 225 conservation warden computers, funding would also be provided for seven tablet computers and associated equipment for property managers who perform law enforcement work on certain flowages, boat access sites, and the Lower Wisconsin State Riverway (of which one is currently vacant but expected to be filled prior to fiscal year 2015-16). While the Department indicates they plan to hire a recruit class of 15 wardens, it is likely that a vacancy rate of approximately five percent (10 full time equivalent positions) or more would still occur due to upcoming warden retirements and fish and wildlife account funding restraints. An alternative could be to provide \$261,700, which would support 213 units at a cost of \$4,500 per unit and interest rate of 4%. This would provide funding for computers for the anticipated level of filled warden positions (188), 11 LTE deputy water guards, and seven property management law enforcement staff, as well as provide two computers for troubleshooting and testing, and five spare units for temporary use in the field while a computer is repaired [Alternative A2]. This would represent 19 fewer units than under the bill, but 13 more than the 200 budgeted under the last master lease.

B. Warden Overtime

1. According to the Department, overtime for wardens has historically provided the equivalent of 36 full time equivalent (FTE) worth of work (approximately 74,900 hours of overtime) annually. However, the amount of funding has covered less than the full 74,900 hours over the last several years (approximately 74,000 hours in fiscal year 2011-12, 72,600 in fiscal year 2012-13, and 72,500 in fiscal year 2013-14). Actual warden overtime costs exceeded available funding by approximately \$19,200 in fiscal year 2011-12, \$10,100 in fiscal year 2012-13, and \$378,200 in fiscal year 2013-14. While actual costs exceeded available funding by less in fiscal years 2011-12 and 2012-13 than in fiscal year 2013-14, this was largely due to a higher vacancy rate among wardens (over 10% in fiscal year 2011-12 and approximately 8% in fiscal year 2012-13 compared to a vacancy rate of 5.3% in fiscal year 2013-14). The Department indicates they have had to reduce expenditures in other areas in order to cover warden overtime costs such as reducing deputy limited-term employee (LTE) wardens, reducing fleet mileage, or maintaining vacancies. The additional funding provided under the bill would be expected to support approximately 74,800 hours of overtime.

2. The Department indicates that reducing other operations in order to cover warden overtime costs reduces the Department's ability to provide public safety and resource protection at the level expected by the public. For example, reducing deputy LTE wardens may result in reduced backup during hunting seasons, and reducing fleet mileage may result in fewer warden safety patrols conducted. On the other hand, providing increased expenditure authority could exacerbate the existing structural imbalance in the fish and wildlife account. As actual warden overtime hours vary from year to year, an alternative could be to provide \$104,000 in funding which would cover approximately 72,500 hours, or 34.8 FTE worth of overtime [Alternative B.2]. This would provide a level of funding consistent with the level covered in fiscal years 2012-13 and 2013-14.

Fish and Wildlife Account

1. The fish and wildlife account of the conservation fund would fund three quarters or more of the two items. Given the continuing structural imbalance in the fish and wildlife account (fiscal year 2013-14 revenues of \$74.3 million were \$3.3 million lower than authorized

expenditures of \$77.6 million), the Department will need to continue to limit expenditures to maintain a positive account balance. If the proposed expenditure authority is not provided, DNR indicates that the Department will still make the payments on the master lease for conservation warden tablet computers and would be unlikely to be able to significantly reduce warden overtime expenditures. Since fish and wildlife account revenues are insufficient to fund existing expenditure levels, in order to provide for the warden computers and overtime, the Department will need to further reduce other base-level expenditures. An alternative could be to eliminate one or both of the items with increased fish and wildlife expenditures [Alternatives A.3. and B.3.] in order to avoid increasing the structural imbalance. DNR would fund the computers and overtime within the overall restraints of existing budget authority.

ALTERNATIVES

A. Law Enforcement Computers

1. Adopt the Governor's recommendation to provide \$297,500 each year to support the first two-years of a master lease for the purchase of 232 law enforcement computers. Specify that the funds be provided as:

- a. One-time
- b. Ongoing

2. Provide \$261,700 (a reduction of \$35,800 each year) to support a master lease for the purchase of 213 law enforcement computers. Specify that the funds be provided as:

| ALT A2 | Change to Bill |
|---------------|-----------------------|
| SEG | - \$71,600 |

- a. One-time
- b. Ongoing

3. Delete provision (-\$297,500 each year).

| ALT A3 | Change to Bill |
|---------------|-----------------------|
| SEG | - \$595,000 |

B. Warden Overtime

1. Adopt the Governor's recommendation to provide \$180,900 annually for warden overtime.

| ALT B2 | Change to Bill |
|---------------|-----------------------|
| SEG | - \$153,800 |

2. Provide \$104,000 annually for warden overtime costs (a reduction of \$76,900 annually).

3. Delete provision (-\$180,900 annually).

| ALT B3 | Change to Bill |
|---------------|-----------------------|
| SEG | - \$361,800 |

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