

### Fiscal Estimate - 2003 Session

Original     
  Updated     
  Corrected     
  Supplemental

**LRB Number**    **03-1044/1**     
 **Introduction Number**    **AB-153**

**Subject**

Create separate penalty for illegally killing trophy deer, and lower penalty for killing regular deer to a \$500 forfeiture

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 Indeterminate  
      Increase Existing Appropriations     
  Increase Existing Revenues     
  Increase Costs - May be possible to absorb within agency's budget  
      Decrease Existing Appropriations     
  Decrease Existing Revenues     
   
  Yes       No  
      Create New Appropriations     
   
  Decrease Costs

**Local:**

No Local Government Costs  
 Indeterminate

1.  Increase Costs     
 3.  Increase Revenue  
      Permissive  Mandatory     
  Permissive  Mandatory  
 2.  Decrease Costs     
 4.  Decrease Revenue  
      Permissive  Mandatory     
  Permissive  Mandatory

5. Types of Local Government Units Affected  
 Towns       Village       Cities  
 Counties       Others  
 School Districts       WTCS Districts

**Fund Sources Affected**     
  GPR     FED     PRO     PRS     SEG     SEGS

**Affected Ch. 20 Appropriations**

<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794	10/28/2003

## Fiscal Estimate Narratives

DNR 10/29/2003

LRB Number 03-1044/1	Introduction Number AB-153	Estimate Type Original
<b>Subject</b>		
Create separate penalty for illegally killing trophy deer, and lower penalty for killing regular deer to a \$500 forfeiture		

### Assumptions Used in Arriving at Fiscal Estimate

**BILL SUMMARY:** Currently, the penalty for hunting a wild whitetail deer without a license, with the aid of artificial light or with the aid of an aircraft, is a fine of \$1,000 to \$2,000 or imprisonment for not more than six months or both, plus the revocation of any license issued by the Department of Natural Resources (DNR). Additionally, DNR must deny the issuance of any new license to the person for three years. Of the current fine, the State School Fund receives \$1,000. Currently the courts are required to impose a natural resources assessment equal to 75% of the amount of the fine or forfeiture. Under the current \$1,000 minimum penalty, \$750 is generated for the Conservation Fund.

This bill provides that these penalties only apply to the hunting of any wild whitetail trophy deer, which is a deer with antlers having a score of 100 or more using the scoring method established by DNR by rule. The bill requires DNR to promulgate rules establishing a method for scoring deer antlers based on the method of scoring deer antlers that is used by the Boone and Crockett Club, which is based on the length, spread, and number of points on the antlers. In addition, the bill provides different penalties for the hunting of deer other than a trophy deer without a license, with the aid of artificial light or with the aid of an aircraft. The penalty is a forfeiture of not more than \$500 plus the possible revocation of any current license issued by DNR and denial of issuance of any new DNR license to the person for one year. The transfers to the State School Fund and the natural resource assessment of 75% still apply.

**FISCAL ESTIMATE:** It is estimated that about 40 of the approx. 160 cases statewide for these violations would fit the parameters of scoring over 100 points. For purposes of this fiscal estimate the maximum generated revenues will be assumed because the actual fine or forfeiture amount is not possible to predict.

**Lost Revenue from Resource Assessments:** For the 40 trophy deer, the fines and assessments would be the same. Under current law the 120 non-trophy deer would have generated a natural resource assessment of a maximum of  $\$2,000 \times 75\% \times 120 = \$180,000$ . Under AB153, assume 120 cases annually will be a forfeiture of \$500 maximum. Because AB153 decriminalizes penalties other than trophy deer, the largest amount of the \$500 to be used for the natural assessment is \$250 (1/2 the bond amount for civil violations - information according to DNR Legal Services staff). Then, the maximum of natural resource assessment dollars would be  $\$250 \times 75\% \times 120 = \$22,500$ .

The maximum lost revenue to the Conservation Fund from the natural resource assessments is \$157,500.

There would also be additional costs to the department to prepare the rule changes related to scoring. Assume 100 hours to change rules, at warden salary of \$30.00 + fringe + supplies = \$3,000 + \$1,700 + \$300 = \$5,000. In addition, it may be necessary to train the staff on the methods of scoring the antlers of trophy deer. Assume one warden in each region (5) will take the 4.5 days (36 hours) training to learn the methods. Warden salary of \$30 + fringe + supplies = 5 wardens X \$30 X 36 hours = ~\$1,000 salary + \$600 fringe + \$1,400 supplies = \$3,000. The alternative to training would be to have it professional scored which is free, however there would be some travel costs associated with getting the deer to the professional to be scored.

#### State School Fund:

The State School Fund would continue to receive the \$1,000 related to the trophy deer. It is assumed that the State School Fund will continue to receive the penalties associated with the 120 non-trophy deer which is now the maximum of \$500. Under current law, the School Fund would receive a maximum of \$120,000 associated with these deer. With AB153, the School Fund would receive a maximum of  $120 \times \$500 = \$60,000$ . There will be a maximum revenue loss of \$60,000 to the School Fund.

### **Long-Range Fiscal Implications**

There would be unknown long term fiscal impacts as it would be hard to predict the deterrent effect change of deer violations with going to a lower penalty

## Fiscal Estimate Worksheet - 2003 Session

Detailed Estimate of Annual Fiscal Effect

Original
  Updated
  Corrected
  Supplemental

<b>LRB Number</b> <b>03-1044/1</b>		<b>Introduction Number</b> <b>AB-153</b>	
<b>Subject</b>			
Create separate penalty for illegally killing trophy deer, and lower penalty for killing regular deer to a \$500 forfeiture			
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>			
\$8,000 for rule changes and warden training for scoring			
<b>II. Annualized Costs:</b>		<b>Annualized Fiscal Impact on funds from:</b>	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
	State Operations - Salaries and Fringes	\$	
	(FTE Position Changes)		
	State Operations - Other Costs		
	Local Assistance		
	Aids to Individuals or Organizations		
	<b>TOTAL State Costs by Category</b>	<b>\$</b>	<b>\$</b>
<b>B. State Costs by Source of Funds</b>			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S		
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S		-217,500
	<b>TOTAL State Revenues</b>	<b>\$</b>	<b>-\$217,500</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>			
		<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS		\$	\$
NET CHANGE IN REVENUE		\$-217,500	\$
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>	
DNR/ Joe Polasek (608) 266-2794		Joe Polasek (608) 266-2794	
		<b>Date</b>	
		10/28/2003	