Fiscal Estimate - 2005 Session

Original Updated	Corrected Sup	plemental				
LRB Number 05-2506/4	Introduction Number AB-40					
Subject DNR enforcement of trespass violations and o	ther enforcement authority					
Fiscal Effect						
Appropriations Re Decrease Existing De	rease Existing venues crease Existing venues Increase Costs - May to absorb within ager Yes Decrease Costs					
Local: No Local Government Costs Indeterminate 1. Increase Costs Permissive Mandatory 2. Decrease Costs Permissive Mandatory Permissive Mandatory Permissive Mandatory Permissive Mandatory Permissive Mandatory Permissive Mandatory Districts 5. Types of Local Government Units Affected Towns Village Counties Others School Districts Districts						
Fund Sources Affected Affected Ch. 20 Appropriations GPR FED PRO PRS SEG SEGS 20.370(3)(mu)						
Agency/Prepared By	Authorized Signature	Date				
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794 5/23/2005					

Fiscal Estimate Narratives DNR 5/24/2005

LRB Number	05-2506/4	Introduction Number	AB-409	Estimate Type	Original	
Subject						
DNR enforcement of trespass violations and other enforcement authority						

Assumptions Used in Arriving at Fiscal Estimate

Bill Summary: The bill expands the current authority of DNR wardens, relating to enforcement of fish and game laws, recreational vehicle laws, and other conservation laws, to include violations of the land trespass law when the trespass is committed by a person engaged in these natural resource activities. The bill also requires a court to impose a surcharge for a trespass violation that is committed by a person engaged in these activities. The surcharge imposed equals 35 percent of the amount of the forfeiture for the trespass violation. Under the bill, the surcharge is deposited into the Conservation Fund.

Fiscal Estimate: The Department estimates implementation of the bill will result in \$193,200 in additional annual costs, and the equivalent of 1.8 FTE in warden staff time. In addition, the bill would increase revenue by an estimated \$8,100 annually. More detail follows.

The Department contacted county sheriff departments for information on the number of trespass complaints they received in 2004, the number of those complaints related to hunting or fishing (when known), and how many arrests were made. Based on the information received back from 21 counties, there were 324 fish and wildlife-related trespass complaints received in 2004. Of these complaints, 78 (24%) resulted in citations. Since the 21 counties are 29% of the 72 Wisconsin counties, it is estimated that the state will have approximately 1,100 trespass complaints (324 / 29%) and 270 citations (78 / 29%). For comparison purposes, Minnesota DNR wardens issued 250 citations for trespass in 2004, which would equate to approximately 1,288 complaints (assuming the same 24% ratio).

It is assumed Wisconsin wardens would receive about 1,100 trespass complaints annually and issue about 250 citations. It is also assumed that from start to finish, 3 hours would be required to respond, investigate, and process each trespass complaint, and each complaint would require about 30 miles of travel.

- 1,100 complaints X 3 hrs = 3,300 hrs = 1.8 FTE (Salary/fringe/overtime = \$100,000/FTE) = \$180,000
- 1,100 complaints X 30 miles = 33,000 miles X .35/mile = \$11,500 in travel costs

Of all complaints received by the Bureau of Law Enforcement, 20.8% are received via the DNR Hotline. Based on 1,100 anticipated total complaints, it is assumed about 231 will come in as Hotline calls. It is assumed it would take 1/2 hr. per call to collect the information, type up the complaint, contact a warden, relay the information and update final hotline disposition for a total of 115.5 hrs. The Hotline is typically operated by an LTE at about \$15/hr or ~ \$1,700.

The 2005 State Uniform Bond Schedule establishes a base forfeiture for land trespass violations of \$100 in s. 943.13, Wis. Stats. This bill requires that a court shall impose a surcharge equal to 35 percent of the amount of the forfeiture for a trespass violation. Assuming, from page 1, that 250 citations are issued for hunting and fishing related trespass violations and that there was a 93% conviction rate (based on other hunting & fishing violation conviction rates), there would be approximately 232 convictions with \$35 per conviction going into the Conservation Fund or ~\$8,100.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

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