

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

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

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input checked="" type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

Local:

<input checked="" type="checkbox"/> No Local Government Costs		
<input type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5. Types of Local Government Units Affected
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Towns Village Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.370(3)(mu)	

Agency/Prepared By DNR/ Joe Polasek (608) 266-2794	Authorized Signature Joe Polasek (608) 266-2794	Date 5/23/2005
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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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Subject			
DNR enforcement of trespass violations and other enforcement authority			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes	\$180,000		
(FTE Position Changes)	(1.8 FTE)		
State Operations - Other Costs	13,200		
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category	\$193,200		\$
B. State Costs by Source of Funds			
GPR			
FED			
PRO/PRS			
SEG/SEG-S	193,200		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)			
	Increased Rev	Decreased Rev	
GPR Taxes	\$	\$	
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S	8,120		
TOTAL State Revenues	\$8,120	\$	
NET ANNUALIZED FISCAL IMPACT			
	<u>State</u>	<u>Local</u>	
NET CHANGE IN COSTS	\$193,200	\$	
NET CHANGE IN REVENUE	\$8,120	\$	
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		Date	
		5/23/2005	