

Fiscal Estimate Narratives

DNR 2/18/2008

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|---|-----------|---------------------|---------|---------------|----------|
| LRB Number | 07-3413/1 | Introduction Number | AB-0722 | Estimate Type | Original |
| Description Relating to: prohibiting certain persons from obtaining and using licenses that authorize hunting with a firearm and providing a penalty. | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

Bill Summary: This bill prohibits any person who is prohibited from possessing a firearm (felons, certain persons with injunctions or restraining orders, etc.) from obtaining a hunting license that authorizes hunting with a firearm. The bill defines "hunting license" as a license issued under chapter 29 of the Wisconsin Statutes that authorizes hunting with a firearm. The licenses authorized in this chapter would include the small game, turkey, fur-bearing animal, deer, bear and elk hunting licenses, as well as the sports and patrons combination hunting licenses. Under this bill the Department will be required to notify each person applying for any of these hunting licenses that they may not obtain the license if they are prohibited from possessing a firearm. The prohibition would apply even if the person only plans to use the license to hunt with a bow and arrow or crossbow, which is otherwise legal under each of these licenses, except for the deer hunting license which is the only license the DNR issues that only allows hunting with a firearm and not bow and arrow. The bill creates a forfeiture of not less than \$1,000 nor more than \$2,000 for violations of the bill, and violators will be prohibited from holding any hunting, fishing, or trapping approvals for a period of 5 years from the date of the court's order.

Fiscal Estimate:

Assumptions: The number of investigations that DNR wardens would be involved with each year will depend on the number of complaints the Department receives from the public about individuals suspected of purchasing a hunting license who are also suspected of being prohibited from possessing a firearm. Considerable time will likely be required to complete each of these follow-up investigations to confirm if each suspect was the person who purchased the license, and that it was purchased during a period when they were not allowed to possess a firearm. If the Department were to receive complaints about just 0.05 % (1 out of every 2,000) of hunters who purchase a hunting license on the basis that they are suspected of being prohibited from possessing a firearm, this would mean that DNR wardens may need to investigate up to 350 such complaints each year (~700,000 hunters x 0.05%).

For the DNR, there will be three areas of fiscal impact:

1.) Lost Revenue - \$5,800 Fish and Wildlife Account SEG dollars

Annually, the Department sells approximately 150,500 turkey hunting licenses, 4,500 Class A bear licenses, and 136,700 individual small game licenses. The percentage of individuals who hunt these species with a bow or air gun (for small game) only because they are not allowed to possess a firearm is not known. Assuming that 1 out of 1,000 (.10%) hunters are prohibited from possessing firearms, and that those persons do not purchase the following licenses then under this bill, the Department could expect to see a reduction of approximately 292 licenses sold and approximately \$5,800 as shown below. These are licenses that would be needed to legally hunt for certain species with a bow and arrow or air gun.

151 Turkey licenses and Stamps X \$20.25 = \$ 3,058

137 Small game license X \$18 = \$ 2,466

5 Class A bear licenses X \$49 = \$ 245

292 Total = \$5,800 Potential loss of revenue

2.) Costs to DNR's Bureau of Customer Service and Licensing (CS)

The CS bureau will incur new costs to update the Automated License Issuance System (ALIS) and to provide information which gives notice to those who are not allowed to possess a firearm. The customer signature receipt language would need to be modified at an estimated one-time cost of \$2,500 to reprint receipts. Additionally, as new license paper stock is ordered, the language printed on the backside of all license documents would be edited to include the new requirements.

3.) Cost to DNR's Bureau of Law Enforcement (LE)

The LE Bureau will likely see an increase in workload required to complete follow-up and enforcement

actions on all potential violations. Assuming that the Department received a complaint about just 0.05 % (1 out of every 2,000) of all hunters who purchase a hunting license because they are suspected of being prohibited from possessing a firearm, the Department would need to investigate up to 350 such complaints each year (~700,000 hunters X 0.05%). The Department assumes each complaint investigation will take approximately 4 hrs to complete, resulting in an increased workload of 1,400 hrs [350 complaints x 4 hrs] or approximately 0.75 FTE [1,400 / 1,820 hrs]. Salary & fringe related costs associated with 0.75 FTE are approximately \$61,500 [0.75 FTE X 2080hrs X \$25/hr X 1.5775 warden fringe rate].

Additional State Revenues:

Since the bill creates a forfeiture of not less than \$1,000 nor more than \$2,000 for violations of the bill, there may be some additional state forfeiture-related revenue, particularly in the first year of the program. If, for example, 100 of the 350 estimated total number of annual complaints resulted in court assessed forfeitures of \$1,000 each, the additional revenue to the common school fund may be approximately \$100,000 [$\$1,000 \times 100$]; the additional revenue to a Department of Justice (DOJ) penalty surcharge appropriation may be approximately \$26,000 [$\$1,000 \times 0.26 \times 100$]; the additional revenue to the Conservation Fund may be approximately \$75,500 from the natural resources surcharge (75% of the amount of the surcharge) and the wildlife violator surcharge (\$5 per violator) [$(\$1,000 \times 0.75 \times 100) + (100 \times \$5)$].

The Department assumes that in future years, the number of forfeitures related to this provision would significantly lessen. For purposes of this estimate, the Department assumes that following the first year of implementation, this bill would result in 25 court assessed forfeitures, resulting in \$50,400 in total annual revenue: \$25,000 to the common school fund, \$6,500 to a DOJ penalty surcharge appropriation, and approximately \$18,900 to the Conservation Fund related to natural resource and wildlife violator surcharges.

Long-Range Fiscal Implications

None.

Fiscal Estimate Worksheet - 2007 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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| LRB Number 07-3413/1 | | Introduction Number AB-0722 | |
| Description Relating to: prohibiting certain persons from obtaining and using licenses that authorize hunting with a firearm and providing a penalty. | | | |
| I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): Costs related to reprinting of customer receipts \$2,500. One-time revenues of up to \$201,500 related to forfeitures and surcharges. | | | |
| II. Annualized Costs: | | Annualized Fiscal Impact on funds from: | |
| | | Increased Costs | Decreased Costs |
| A. State Costs by Category | | | |
| | State Operations - Salaries and Fringes | \$61,500 | \$ |
| | (FTE Position Changes) | (0.8 FTE) | |
| | State Operations - Other Costs | | |
| | Local Assistance | | |
| | Aids to Individuals or Organizations | | |
| | TOTAL State Costs by Category | \$61,500 | \$ |
| B. State Costs by Source of Funds | | | |
| | GPR | | |
| | FED | | |
| | PRO/PRS | | |
| | SEG/SEG-S | 61,500 | |
| III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.) | | | |
| | | Increased Rev | Decreased Rev |
| | GPR Taxes | \$ | \$ |
| | GPR Earned | | |
| | FED | | |
| | PRO/PRS | 6,500 | |
| | SEG/SEG-S | 43,900 | -5,800 |
| | TOTAL State Revenues | \$50,400 | \$-5,800 |
| NET ANNUALIZED FISCAL IMPACT | | | |
| | | State | Local |
| | NET CHANGE IN COSTS | \$61,500 | \$ |
| | NET CHANGE IN REVENUE | \$44,600 | \$ |
| Agency/Prepared By | | Authorized Signature | Date |
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