

Fiscal Estimate - 2009 Session

Original Updated Corrected Supplemental

LRB Number 09-3325/1		Introduction Number AB-0439	
Description Powersports vehicle manufacturers, distributors, and dealers and providing a penalty			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect			
<input checked="" type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs			
<input type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs		3. <input type="checkbox"/> Increase Revenue	
<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	
5. Types of Local Government Units Affected			
<input type="checkbox"/> Towns		<input type="checkbox"/> Village <input type="checkbox"/> Cities	
<input type="checkbox"/> Counties		<input type="checkbox"/> Others	
<input type="checkbox"/> School Districts		<input type="checkbox"/> 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 type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	Date
DOJ/ Mark Rinehart (608) 264-9463		Mark Rinehart (608) 264-9463	10/8/2009

Fiscal Estimate Narratives
DOJ 10/8/2009

LRB Number 09-3325/1	Introduction Number AB-0439	Estimate Type Original
Description Powersports vehicle manufacturers, distributors, and dealers and providing a penalty		

Assumptions Used in Arriving at Fiscal Estimate

2009 Assembly Bill 439 creates s. 218.60-63, Wis. Stats, regulating the relationship between powersports vehicle manufacturers and distributors, and powersports vehicle dealers.

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) is directed to enforce various trade practice regulations. Also under current law, the Department of Justice (DOJ) is required to furnish all legal services required by DATCP relating to the enforcement of many of those regulations. In practice, DATCP receives trade practice complaints, investigates the complaints, and attempts to mitigate the complaints. If DATCP's attempt to resolve a complaint is unsuccessful, DATCP refers the complaint to DOJ for prosecution.

AB 439 requires DATCP to investigate violations of s. 218.61. The bill also provides that DATCP, DOJ, or any district attorney may enforce s. 218.61. The Department of Justice assumes that enforcement of most, if not all, violations of s. 218.61 would be handled much like current violations of trade practice regulations as described above. However, DOJ is not aware of any information that accurately indicates how many new cases DATCP will refer to DOJ for prosecution under the provisions of AB 439.

If the number of new referrals to DOJ is significant, the department will require additional resources to handle the increased caseload.

Long-Range Fiscal Implications