

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-1426/1	Introduction Number AB-0039
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Description
 a higher wild animal protection surcharge for the unlawful taking of deer

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<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
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Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <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 0 <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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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	

Agency/Prepared By DNR/ Paul Neumann (608) 266-0818	Authorized Signature Paul Neumann (608) 266-0818	Date 2/26/2019
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Fiscal Estimate Narratives

DNR 2/26/2019

LRB Number	19-1426/1	Introduction Number	AB-0039	Estimate Type	Original
Description a higher wild animal protection surcharge for the unlawful taking of deer					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a court may impose a wild animal protection surcharge against a defendant if the court imposes a fine or forfeiture for a violation of Chapter 29 or an order/rule related to the unlawful killing, wounding, catching, taking, trapping, or possession of a white-tailed deer (among other species). The current statutorily assigned surcharge for white-tailed deer is \$43.75.

The bill proposes to modify the wild animal protection surcharge assigned to white-tailed deer from a universally fixed value (\$43.75) to a flexible value range that is assignable at the court's discretion, subject to established minimum and maximum values (\$43.75-\$5,000).

Revenue from the wild animal protection surcharge is deposited into the Fish and Wildlife Account of the Conservation Fund, however, the Department does not presently index surcharge deposits by species type. Additionally, the Department cannot estimate the manner in which sentencing courts will elect to utilize this proposal's available upward departure, since each court's discretion will likely vary significantly based upon the size/quality of the unlawfully harvested animal, the circumstances of the case, and the prevailing community values incorporated into the local justice system. Therefore, the Department cannot estimate the revenue impact of this proposal's surcharge modifications with significant statistical confidence.

While the bill's proposed flexible surcharge system, if imposed by courts at amounts greater than the current surcharge value, has the potential to increase revenues, the competing deterrent effect that would likely reduce illegal harvest (and therefore reduce corresponding surcharge revenue) makes the overall fiscal impact indeterminate.

Long-Range Fiscal Implications