



Legislative Fiscal Bureau

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May 13, 2003

Joint Committee on Finance

Paper #532

Limited-Term Employment Special Wardens (DNR -- Fish, Wildlife, and Recreation)

[LFB 2003-05 Budget Summary: Page 317, #10]

CURRENT LAW

The Department of Natural Resources is charged with securing the enforcement of all laws which it is required to administer and bring, or cause to be brought, actions and proceedings in the name of the state for that purpose. The persons appointed by DNR to exercise and perform the powers and duties conferred upon DNR are conservation wardens. DNR wardens have general law enforcement authority on state-owned lands and property under the Department's supervision, management, and control.

GOVERNOR

Provide \$200,000 SEG annually from the fish and wildlife account for LTE special wardens to serve as safety backups to DNR conservation wardens.

DISCUSSION POINTS

1. In 2001-02, DNR conservation wardens recorded 355,500 hours for safety and enforcement work related to fish and game. These activities include enforcement of hunting and fishing regulations, hunter education programs, commercial fish and game activities, treaty enforcement issues, and car-killed deer contracts. In 2001-02, 8,631 citations were issued for violations related to hunting, fishing, and trapping laws.

2. Under 2001 Act 16 (the 2001-03 biennial budget), funding for LTE wardens was increased by \$61,000 annually, split-funded from the fish and wildlife, forestry, parks, ATV, and

boating accounts of the conservation fund. This funding was intended to increase the average number of hours that LTE wardens could be contracted for and the wage that they were paid. DNR allocated available funding to increase average contracting hours per LTE warden from 190 hours to 236 hours, and to increase the hourly pay provided from \$9 to \$10.45 for the 104 LTEs.

3. The Department typically utilizes LTE law enforcement assistance to provide backup for conservation wardens during investigations of potentially dangerous situations, such as night hunting or spear fishing violations. DNR indicates that the increased funding would allow the Department to hire and retain more experienced LTEs for a greater number of hours than currently provided. Currently, the typical LTE warden is a law enforcement officer from a police or sheriff's department from the local community where support is desired. In 2001-02, DNR contracted for approximately 24,500 LTE warden enforcement hours at an average cost of \$10.45 per hour, incurring a total cost of \$256,600 for this assistance.

4. While allocation of funding between the number of LTEs hired and increases in wage rates would be at the discretion of DNR, if the Department maintained funding allotted for LTE warden enforcement hours at \$256,600 (the level provided in 2001-02), the additional \$200,000 provided annually under the bill could allow DNR to increase the hourly rate of pay from \$10.45 to \$14 per hour, and increase the number of LTE special wardens (working an average of 236 hours annually) from approximately 104 to 138.

5. The Department argues that increased LTE warden support is a priority due to the necessity of individual wardens patrolling larger geographical areas, where backup support from fellow wardens is not easily provided.

6. However, given that a substantial fee increase for hunting and fishing licenses is included in the Governor's budget recommendations, along with sizable fish and wildlife account expenditure reductions in order to maintain a positive balance in the account at the end of the biennium, it may be desirable to limit further DNR expenditures from this account. To the extent that additional funding for LTE warden support was desired, funding could be reallocated from existing sources for LTE support. The budget for LTE assistance for law enforcement (including funds for administrative LTE assistance as well as for field enforcement work by LTE special wardens) totaled \$499,300 in 2001-02.

7. It should be noted that while DNR has emphasized the need for LTE warden support for safety reasons, the Department elected to absorb a \$300,000 reduction in law enforcement LTE support in 2003-04 as part of its required expenditure reductions to the fish and wildlife account under the bill. It is not clear which portion of the reduction would be applied to LTE warden support and what part would be absorbed through administrative LTE staff reductions. The Department indicates that this determination would be made on an ongoing basis throughout the fiscal year based on the needs of the Bureau. Under the reduction plan, the budget for LTE assistance for the Bureau of Law Enforcement (including funds for administrative LTE assistance as well as for field enforcement work by LTE special wardens) would be \$364,500 in 2003-04 and \$664,500 in 2004-05, if the recommendation to provide an additional \$200,000 annually is approved.

ALTERNATIVES

1. Approve the Governor's recommendation to provide \$200,000 SEG annually from the fish and wildlife account for LTE special wardens to serve as safety backups to DNR conservation wardens.

2. Delete the provision.

<u>Alternative 2</u>	<u>SEG</u>
2003-05 FUNDING (Change to Bill)	- \$400,000

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