



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

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Joint Committee on Finance

Paper #533

Conservation Warden Funding (DNR -- Fish, Wildlife, and Recreation)

[LFB 2003-05 Budget Summary: Page 318, #11 thru 13]

CURRENT LAW

The Department of Natural Resources' responsibilities include the investigation and enforcement of laws relating to fish and wildlife, recreational vehicles, environmental protection and water regulation and zoning. These activities are performed primarily by conservation wardens whose enforcement authority varies depending on the type, location and severity of the violation. Conservation wardens share responsibilities with park superintendents and forest rangers for public conduct on state lands. When requested, wardens assist local police and are authorized to respond when any crime is committed in their presence.

DNR is provided an account within the conservation fund for intradepartmental moneys received from the car, truck, airplane, heavy equipment, information technology, and radio pools for the operation, replacement, maintenance and purchase of vehicles, equipment, radio services, and information technology.

GOVERNOR

Provide \$68,200 annually (\$35,800 from the boat account, \$20,800 from the snowmobile account, \$9,300 from the ATV account of the conservation fund, and \$2,300 from the recycling fund) for additional warden overtime costs. In addition, provide \$39,600 annually (\$20,800 from the boat account, \$12,100 from the snowmobile account, \$5,400 from the ATV account of the conservation fund, and \$1,300 from the recycling fund) for increased operating costs incurred by conservation wardens. Finally, Provide \$17,500 annually (\$9,200 from the boat account, \$5,300 from the snowmobile account, \$2,400 from the ATV account of the conservation fund, and \$600 from the recycling fund) to begin the replacement of the mobile and portable radio system for conservation wardens.

DISCUSSION POINTS

Warden Overtime

1. Under the bill, \$68,200 would be provided annually for warden overtime costs. DNR indicates that the additional overtime funding support would aid conservation wardens in their investigation of accidents, instruction of safety education courses, and public safety and resource protection efforts. Under their current contracts, DNR wardens are provided with up to 420 hours of overtime annually. The additional cost (above base funding) to meet this target is estimated at \$370,000 in 2003-04 and \$390,000 in 2004-05, leaving a shortfall of \$623,600 over the biennium if the full 420 hours of overtime were utilized for every warden. DNR indicates that as the overtime was determined to be a Department priority and for this reason negotiated as part of the wardens' contracts, any funding not provided under the bill for this purpose will likely be reallocated to the budget for conservation warden overtime from station operating budgets, LTE support, and supplies funding.

2. From the perspective that additional overtime hours increase the availability of conservation wardens to engage in safety patrols, field investigations, and to initiate public contacts, it may be appropriate to increase funding for this effort. The Department determined the number of hours of overtime that it was willing to support and included this total in contract negotiations with the wardens, and has identified full funding of this initiative as a priority. To this end, DNR has indicated its intent to allocate funds away from other law enforcement budget areas (such as LTE support, operating budgets, supplies) to meet this need.

3. However, it should be noted that both the ATV and the snowmobile accounts of the conservation fund are expected to end the biennium in deficit under the bill. From this perspective, it may be advisable to not approve funding from these two sources. The Committee could choose to provide only the \$38,100 annually supported by the recycling fund and the boat registration account of the conservation fund (both of which are expected to have sufficient balances to provide the necessary funding).

Warden Operating Costs

4. Under the bill, \$39,600 would be provided annually for warden operation expenditures. Operating costs include in-service and recruit training, rental space, and mileage. Support for additional mileage costs has been cited by DNR as key to enforcement efforts, allowing additional patrol, investigation, and public contact work to continue.

5. This request is also supported by a combination of snowmobile, ATV, boat account, and recycling funds. For the same reasons noted above, the Committee could chose to provide only the \$22,100 annually supported by the recycling fund and the boat registration account of the conservation fund.

Warden Radio Equipment Replacement

6. Under the bill, \$17,500 is provided annually to begin the replacement of the mobile and portable radio system for conservation wardens. However, it should be noted that DNR is provided an account within the conservation fund for intradepartmental moneys received from radio pools for the operation, replacement, maintenance and purchase of vehicles, equipment, radio services, and information technology.

7. The main revenues to DNR's radio pool account are a \$160 per year, per radio fee assessed to bureaus within the Department. Current fees are set by DNR to cover maintenance costs only; bureaus are required to fund purchases of new equipment with biennial budget requests. Prior to 1999, the fee varied from \$260 to \$530 per radio, depending on the type of equipment used. Decreasing the cost per radio reduced revenues by one-half and generated savings of approximately \$229,100 to the various bureaus beginning in 1999, when the change was made. Savings by program due to this change are detailed in the following table.

1998-99 Fee Decrease: Savings by Bureau

<u>Bureau</u>	<u>1997-98 Charges</u>	<u>Number of Radios</u>	<u>1998-99 Savings</u>
Administrative & Field Services	\$14,677	59	\$5,237
Endangered Resources	860	2	540
Fisheries Management & Habitat Protection	3,140	16	580
Forestry	146,428	506	65,468
Law Enforcement	143,830	380	83,030
Facilities & Lands	3,220	12	1,300
Lands Program Management	260	1	100
Parks & Recreation	85,830	266	43,270
Remediation & Redevelopment	2,360	9	920
Southern Forests	21,810	74	9,970
Wildlife Management	42,280	150	18,280
Watershed Management	<u>430</u>	<u>0*</u>	<u>430</u>
Total	\$465,125		\$229,125

*Liquidated radios.

8. The bill would allow DNR to begin the replacement of law enforcement radio equipment. Total costs to replace both mobile and portable radio units for 200 wardens are estimated at approximately \$381,600. These costs, plus interest, were requested by DNR to be spread across a four-year master lease from 2003 through 2007. As DNR did not receive full funding of its request (\$95,400 annually), the Department indicates that they would not be pursuing a master lease for the entire purchase at this time. Rather, DNR anticipates using the \$17,500

available annually under the bill to replace approximately eight mobile (vehicle mounted) and portable (hand-held) radio combinations each year.

9. While the pool accounts are all contained within a single appropriation, DNR tracks three pools separately: (a) a vehicle and heavy equipment pool; (b) an airplane pool; and (c) a radio pool. Under 1997 Act 27, DNR received the authority to use funds from the pool account for information technology expenditures. The Department used \$1.4 million of vehicle pool funds for this purpose. At the same time, DNR determined that because changing technology made it difficult to estimate radio replacement costs (and therefore, assess a suitable chargeback rate), that the radio pool would only provide maintenance and support. Subsequent purchases of radio equipment would need to be made through a biennial budget request. As a result of this change in DNR policy, rates charged per radio to support the pool were reduced. The Department directed bureaus to use these "radio charge savings" to assist in funding the information technology purchases. In total, \$229,100 that would have otherwise been paid into the radio pool was used for information technology purchases in 1998-99. Beginning in 1999-00, savings from the radio pool charges were available for general expenditure by the bureaus.

10. Previous to DNR's decision to reduce chargeback rates to bureaus, radio equipment replacement was funded from the pool. The decision to discontinue this practice, and to use funds paid for radio replacement for information technology purchases or to effectively increase available bureau budgets could be viewed as counter to the legislative intent that established the pool program to include radio replacement. If the funding in the bill is not provided, the Department could again charge suitable chargeback rates to support the purchase of radio equipment from the pool account.

11. As noted above, both the ATV and the snowmobile accounts of the conservation fund are expected to end the biennium in deficit under the bill. From this perspective, it may be advisable to not approve funding for this initiative from these sources. The Committee could choose to provide only the portions of the request supported by the recycling fund and the boat registration account of the conservation fund (both of which are expected to have sufficient balances to provide the necessary funding). If \$9,800 annually were provided, four or five mobile/portable radio combination units could be purchased each year.

ALTERNATIVES

A. Warden Overtime

1. Approve the Governor's recommendation to provide \$68,200 annually (\$35,800 from the boat account, \$20,800 from the snowmobile account, \$9,300 from the ATV account of the conservation fund, and \$2,300 from the recycling fund) for additional warden overtime costs.

2. Provide \$38,100 annually (\$35,800 from the boat account, and \$2,300 from the recycling fund) for additional warden overtime costs.

<u>Alternative A2</u>	<u>SEG</u>
2003-05 FUNDING (Change to Bill)	- \$60,200

3. Delete the provision.

<u>Alternative A3</u>	<u>SEG</u>
2003-05 FUNDING (Change to Bill)	- \$136,400

B. Warden Operating Costs

1. Approve the Governor's recommendation to provide \$39,600 annually (\$20,800 from the boat account, \$12,100 from the snowmobile account, \$5,400 from the ATV account of the conservation fund, and \$1,300 from the recycling fund) for increased operating costs incurred by conservation wardens.

2. Provide \$22,100 annually (\$20,800 from the boat account and \$1,300 from the recycling fund) for increased operating costs incurred by conservation wardens.

<u>Alternative B2</u>	<u>SEG</u>
2003-05 FUNDING (Change to Bill)	- \$35,000

3. Delete the provision.

<u>Alternative B3</u>	<u>SEG</u>
2003-05 FUNDING (Change to Bill)	- \$79,200

C. Warden Radio Equipment Replacement

1. Approve the Governor's recommendation to provide \$17,500 annually (\$9,200 from the boat account, \$5,300 from the snowmobile account, \$2,400 from the ATV account of the conservation fund, and \$600 from the recycling fund) to begin the replacement of the mobile and portable radio system for conservation wardens.

2. Provide \$9,800 annually (\$9,200 from the boat account and \$600 from the recycling fund) to begin the replacement of the mobile and portable radio system for conservation wardens.

<u>Alternative C2</u>	<u>SEG</u>
2003-05 FUNDING (Change to Bill)	- \$15,400

3. Delete the provision (DNR could charge suitable rates to support purchase of equipment from the pool accounts).

<u>Alternative C3</u>	<u>SEG</u>
2003-05 FUNDING (Change to Bill)	- \$35,000

Prepared by: Rebecca Hotynski