



Legislative Fiscal Bureau

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May 10, 2007

Joint Committee on Finance

Paper #569

Local ATV Enforcement Aids (DNR -- Fish, Wildlife, and Recreation)

Bill Agency

[LFB 2007-09 Budget Summary: Page 414, #15 (part)]

CURRENT LAW

Funding from the ATV account of the conservation fund is provided for aids to counties for the costs of local ATV law enforcement patrols. Counties may receive up to 100% of eligible costs, but aid payments are prorated if claims exceed the appropriation level.

GOVERNOR

Provide \$300,000 annually from the ATV account of the conservation fund for county enforcement aids.

DISCUSSION POINTS

1. Table 1 provides an estimated condition statement for the ATV account under SB 40. Under the bill, the account would be expected to have a balance of approximately \$1.1 million on June 30, 2009.

TABLE 1

Estimated ATV Account Condition Statement Under SB 40

	<u>2006-07</u>	<u>2007-08</u>	<u>2008-09</u>
Opening Balance	\$5,381,300	\$5,870,800	\$4,905,600
Revenue	<u>6,159,700</u>	<u>6,284,800</u>	<u>6,418,000</u>
Total Available	\$11,541,000	\$12,155,600	\$11,323,600
Budgeted Expenditures	\$5,630,200	\$7,219,500	\$6,851,900
Compensation Reserves	<u>40,000</u>	<u>30,500</u>	<u>61,000</u>
Total Expenditures	\$5,670,200	\$7,250,000	\$6,912,900
Cash Balance	\$5,870,800	\$4,905,600	\$4,410,700
Encumbrances/Continuing Balances	<u>3,270,000</u>	<u>3,270,000</u>	<u>3,270,000</u>
Available Balance	\$2,600,800	\$1,635,600	\$1,140,700

2. Under the bill, ATV county enforcement aids would increase from \$200,000 to \$500,000 annually. These aids were increased from \$100,000 to \$200,000 in 2004-05. The following table shows eligible local ATV enforcement costs and DNR payments. By rule, counties must submit claims by June 1, for costs incurred during the May 1 to April 30 period immediately preceding the date of submittal. In June, 2006, 43 counties were eligible for reimbursements totaling \$349,300 for enforcement costs incurred through April 30, 2006 (counties received enforcement aids prorated at 57%). Reimbursement payments were made in fiscal year 2006-07.

TABLE 2

County ATV Enforcement Aids

	<u>Eligible</u>	<u>Paid</u>	<u>Proration</u>
2002-03	\$117,700	\$70,000	59%
2003-04	149,600	100,000	67
2004-05	195,800	195,800	100
2005-06	298,500	200,000	67
2006-07	349,300	200,000	57

3. The Department argues that counties would like to engage in increased enforcement patrols and hire additional law enforcement officers, but have been unable to do so due to funding constraints. Therefore, the Department believes that if additional funding were to become available, counties would increase their enforcement efforts. However, it is uncertain how quickly counties would increase their enforcement efforts. An alternative could provide \$420,000 in 2007-08 and

\$500,000 in 2008-09 to allow for more gradual increases in enforcement costs.

4. Although no specific reimbursement level is specified in statute, DNR, by rule, currently pays up to 100% of eligible county ATV enforcement costs. This is consistent with the statutory county snowmobile enforcement aids program. However, municipalities are reimbursed up to 75% for local boating enforcement patrols. Payments are prorated under all three programs if the appropriated amount is less than eligible reimbursement requests. It could be argued that it is appropriate for the local enforcement authority to bear a portion of the cost of local recreational vehicle enforcement activities. Therefore, the Committee could consider specifying that DNR pay no more than 75% of eligible county ATV enforcement costs. Under this alternative, providing \$315,000 in 2007-08 and \$400,000 in 2008-09 would be adequate to fund the program based on 75% state reimbursement and an annual increase in local patrol costs of 20 to 25%. Further, this would provide for a substantial increase to the percentage of costs provided for the last two years.

ALTERNATIVES TO BILL

1. Adopt the Governor's recommendation to provide \$300,000 SEG annually from the ATV account to increase county ATV enforcement aids.

ALT 1	Change to Bill Funding	Change to Base Funding
SEG	\$0	\$600,000

2. Adopt the Governor's recommendation, except delete \$80,000 in 2007-08 for county enforcement aids.

ALT 2	Change to Bill Funding	Change to Base Funding
SEG	-\$80,000	\$520,000

3. Modify the Governor's recommendation by deleting \$185,000 in 2007-08 and \$100,000 in 2008-09 for county ATV enforcement aids. (Sufficient to fund 75% of local costs based on a 20 to 25% annual increase in costs.)

ALT 3	Change to Bill Funding	Change to Base Funding
SEG	-\$285,000	\$315,000

4. Adopt Alternative 3. In addition, specify that ATV county enforcement aids be for

up to 75% of eligible costs.

ALT 4	Change to Bill Funding	Change to Base Funding
SEG	-\$285,000	\$315,000

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