

Fiscal Estimate Narratives

DNR 11/18/2013

LRB Number	13-2586/1	Introduction Number	AB-0497	Estimate Type	Original
Description Higher wild animal protection surcharge for certain animals of a larger size					

Assumptions Used in Arriving at Fiscal Estimate

Under current law (s. 29.983), the statutorily assigned wild animal protection surcharge values for the following animals are as follows: elk - \$2,000; bear - \$175; white-tailed deer - \$43.75. A court may impose the applicable surcharge against a defendant if the court imposes a fine or forfeiture for a Chapter 29 statute violation (or an order issued under that chapter) for the unlawful killing, wounding, catching, taking, trapping, or possession of an elk, bear, or deer (among other species).

The bill proposes special increased surcharges for an elk, bear, or deer if the illegal animal falls within certain "exceptional" size categories; this concept is commonly referred to as a "trophy surcharge." Currently, the Department does not track the size of illegal animals for which the surcharge is imposed under existing law, because the surcharge value remains static for animals of all sizes within a species. Therefore, it is not possible to accurately estimate the revenue impact of the proposed surcharge.

In FY 2013, wild animal protection surcharges totaled \$34,209 and have averaged \$14,400/year over the past 15 years. Revenue from the surcharges is deposited into the Fish and Wildlife Account of the Conservation Fund.

Assuming the Department were to implement a measurement system similar to the Boone and Crockett Club's established system, by using representative data from reported "trophy" animals submitted to that club in recent years, the following could be projected based upon as little as a 2% rate of illegal harvest:

- A. Average number of bear annually submitted to Boone & Crockett record book 20 inches or more: 50
1. Total annual number of such bear harvested illegally (at 2% rate): 1
 2. Total surcharge value of those illegal bear under existing law: \$175
 3. Total surcharge value of those illegal bear under the bill: \$2,000

B. Average number of deer annually submitted to Boone & Crockett record book measuring 170 inches or more: 90

1. Total annual number of such deer harvested illegally (at 2 % rate): 2
2. Total surcharge value of those illegal deer under existing law: \$87.50
3. Total surcharge value of those illegal deer under the bill: \$20,000

C. Since elk are currently protected in Wisconsin, a representative surcharge estimate cannot be developed.

While the bill's proposed surcharges, if imposed by courts, have the potential to create increased revenues, the competing effect to deter illegal harvesting in combination with the unknown number of illegal animals currently seized that fall within the "trophy" ranges make the overall fiscal impact indeterminate. Additional indeterminate costs may be incurred by the establishment of a measurement system, which may also include staff training costs. Further, it is unclear to what extent any costs will be incurred to measure illegal animals, and to also subsequently defend those measurements at a court hearing.

Long-Range Fiscal Implications