



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #563

Wildlife Violator Compact (DNR -- Fish, Wildlife, and Recreation)

[LFB 2009-11 Budget Summary: Page 463, #5]

CURRENT LAW

2005 Wisconsin Act 282 authorized Wisconsin to enter the wildlife violator compact, which creates a multi-state approach to suspending the hunting and fishing privileges of a conservation law violator. The compact, which includes 22 other states, provides that if a person's licensing privileges are revoked in one state, they are revoked in all states. Participation in the compact allows Wisconsin to track violators who have had their hunting, fishing, or trapping privileges revoked or suspended in other states.

GOVERNOR

Provide \$39,400 in 2009-10 and \$52,300 in 2010-11 from the fish and wildlife account of the conservation fund with 1.0 permanent position to support Wisconsin's participation in a wildlife violator compact with other states. In addition, increase the wildlife violator surcharge from \$5 to \$20.

DISCUSSION POINTS

1. The 2007-09 budget provided \$42,700 annually with a 0.75 project position to administer the wildlife violator compact and \$61,600 in one-time funding in 2007-08 for costs associated with integrating wildlife violator citation data into the DNR Automated License Issuance System (ALIS). DNR indicates that the citation data has not yet been integrated into the ALIS system; however when the data becomes available within the ALIS system, DNR will be charged a monthly fee of \$2,500 by the ALIS contract operator. DNR encumbered \$30,000 of the one-time funding provided in 2007-08 to cover the first year of monthly fees. Additional fees would be paid

from law enforcement program operations funding.

2. While Act 20 provided a 0.75 three-year project position to oversee the compact, the Department argues that a permanent position is needed to provide the expertise and long-term commitment necessary to manage the program. The person works with Wisconsin and participating states' databases, and a permanent position is better able to build up extensive knowledge of the technology involved in administering the compact. Additionally, a permanent staff person would be able to develop on-going working relationships with other participating states.

3. The three-quarter time project position authorized under Act 20 is scheduled to end on June 30, 2010. However, DNR deleted the associated funding and the 0.75 project position in 2009-10 and 2010-11 under standard budget adjustments. The bill would provide 1.0 permanent position and \$39,400 in 2009-10 and \$52,300 in 2010-11 (for a net increase of .25 position and \$800 in 2009-10 and \$13,700 in 2010-11). The project position is currently vacant. The DNR law enforcement staff person currently administering the compact is funded through a previously vacant permanent position. Given the hiring freeze, it is unlikely that DNR would hire someone to fill the project position or that the Department would hire enough additional law enforcement staff that a permanent position would be needed for the wildlife violator compact administrator in the foreseeable future. Therefore, the permanent position and associated funding created under the bill could be deleted (Alternative A2). If the Governor's recommendation were deleted, the project position would continue to be authorized through June 30, 2010, but no associated funding would be provided.

4. In addition, the bill would increase the wildlife violator surcharge from \$5 to \$20. 2005 Act 282 created the \$5 wildlife violator compact surcharge to be imposed in conjunction with any fine or forfeiture for a violation of hunting and fishing laws. The surcharge is collected by the court and paid to the county treasurer who remits it to the Secretary of Administration for deposit in the fish and wildlife account of the conservation fund. The \$20 surcharge would first apply to violations committed on the effective date of the bill. The surcharge currently brings in revenues of approximately \$22,000 annually. The increased surcharge could result in increased revenues of approximately \$66,000 annually to the fish and wildlife account. However, there is often a period between when a violation occurs, a forfeiture is imposed, and the surcharge is collected and remitted to DNR. It could be argued that if the wildlife violator compact position is eliminated, the increased surcharge may not be necessary (Alternative B2). However, whether the position is eliminated or not, the Department would still use fish and wildlife account funds for administration of the compact (from existing appropriations). In addition, the increased surcharge revenue could lessen the expected revenue shortfall in the fish and wildlife account (Alternative B1).

ALTERNATIVES

A. Wildlife Violator Compact Administrator

1. Adopt the Governor's recommendation to provide \$39,400 fish and wildlife SEG in

2009-10 and \$52,300 in 2010-11 with 1.0 permanent position to administer the wildlife violator compact.

2. Delete provision. (The permanent wildlife violator position and associated funding would be eliminated. However, the wildlife violator 0.75 project position would remain authorized for 2009-10 but with no additional funding).

ALT A2	Change to Bill	
	Funding	Positions
SEG	-\$91,700	- 1.00

B. Wildlife Violator Surcharge

1. Adopt the Governor's recommendation to increase the wildlife violator surcharge from \$5 to \$20.

2. Maintain current law (the surcharge would remain at \$5).

ALT B2	Change to Bill	
	Revenue	
SEG	-\$66,000	

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