

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 1434-01
BILL NO.: HB 549
SUBJECT: Department of Conservation; Deer Restitution; Hunting Permits
TYPE: Original
DATE: February 6, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Conservation Commission Fund	\$182,500 to \$912,500	\$219,000 to \$1,095,000	\$219,000 to \$1,095,000
Total Estimated Net Effect on <u>All</u> State Funds	\$182,500 to \$912,500	\$219,000 to \$1,095,000	\$219,000 to \$1,095,000

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue** and **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of Administration - Division of Budget and Planning** assume the proposed legislation would have no fiscal impact on their agency. Officials noted that there could be impact on total state revenue.

Officials from the **Department of Conservation** (MDC) assume this proposed legislation would credit restitution monies for illegal deer to the commission fund. The impact to the commission could be positive after the expense of scoring antlers. The amount of impact is unknown.

In response to HB 1342 from the 2000 session, MDC indicated that the number of convictions in FY99 for illegal taking of deer was 195. MDC did not provide information as to whether the convictions related to antlerless or antlered deer, nor could they provide information as to the score of the antlers. **Oversight** assumes the number of convictions (195) would remain consistent. Oversight arbitrarily assumes 75% of the total convictions would be antlered deer. This equates to 146 convictions. Therefore, Oversight used this figure and the restitution amounts indicated in the proposal to estimate the fiscal impact for FY's 2002 through 2004.

Oversight notes that this restitution assessed, in addition to already imposed penalties, could encourage compliance. Therefore, the fiscal impact could result in less revenue generated than what is reflected in our fiscal note estimate.

<u>FISCAL IMPACT - State Government</u>	FY 2002	FY 2003	FY 2004
	(10 Mo.)		
CONSERVATION COMMISSION FUND			
<u>Income - Department of Conservation</u>			
Restitution Assessed	<u>\$182,500 to</u> <u>\$912,500</u>	<u>\$219,000 to</u> <u>\$1,095,000</u>	<u>\$219,000 to</u> <u>\$1,095,000</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002	FY 2003	FY 2004
	(10 Mo.)		

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

In addition to the existing misdemeanor charge, this proposal requires anyone illegally taking, killing, possessing or disposing of an antlered deer to remit to the credit of the conservation commission an amount ranging from \$1,500 to \$7,500, depending on the deer's certified Boone & Crockett score. The commission may allocate up to 25% of the funds for grants to promote anti-poaching activities.

Additionally, this proposal states that if any person fails to appear at a hearing or fails to pay a fine imposed for any violation of section 252.040, the court shall notify the commission of such person's actions for the commission's consideration of the suspension, revocation, or denial of such person's permit or privilege to pursue, take, kill, possess or dispose of wildlife.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Conservation
Department of Revenue
Office of Administration - Division of Budget and Planning
Office of State Courts Administrator



Jeanne Jarrett, CPA
Director

February 6, 2001