

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5547-02
Bill No.: HCS for HB 1873
Subject: Animals; Civil Penalties; Department of Conservation
Type: Original
Date: February 2, 2018

Bill Summary: This proposal imposes civil penalties for poaching certain animals.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|--|------------|------------|------------|
| FUND AFFECTED | FY 2019 | FY 2020 | FY 2021 |
| | | | |
| Total Estimated Net Effect on General Revenue | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|--|------------|------------|------------|
| FUND AFFECTED | FY 2019 | FY 2020 | FY 2021 |
| Conservation Commission* | \$0 | \$0 | \$0 |
| State School Moneys* | \$0 | \$0 | \$0 |
| Total Estimated Net Effect on Other State Funds | \$0 | \$0 | \$0 |

*Revenues/Transfers In and Costs/Transfers Out net to zero

Numbers within parentheses: () indicate costs or losses.
 This fiscal note contains 6 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2019 | FY 2020 | FY 2021 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2019 | FY 2020 | FY 2021 |
| | | | |
| | | | |
| Total Estimated Net Effect on FTE | 0 | 0 | 0 |

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|-------------------------------|-------------------------------|-------------------------------|
| FUND AFFECTED | FY 2019 | FY 2020 | FY 2021 |
| Local Government | Greater than \$100,000 | Greater than \$100,000 | Greater than \$100,000 |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri Department of Conservation (MDC)** assume the proposal will have no fiscal impact on their organization.

MDC notes the following violations were issued in CY 2017:

| Type of Animal Poached | Number of Violations | Proposed Restitution |
|-------------------------------|-----------------------------|-----------------------------|
| Wild Turkey | 273 | Between \$375 and \$750 |
| Paddlefish | 42 | Between \$500 and \$1,000 |
| White-tailed Deer | 2,362 | Between \$1,000 and \$2,000 |
| Black Bear | 1 | Between \$2,500 and \$5,000 |
| Elk | 0 | Between \$2,500 and \$5,000 |

Oversight notes from MDC's website that a point system is used to assist staff in identifying serious and repeat offenders of the Wildlife Code. Points are assigned to offenses based on the severity of the violation. When a violation occurs, an MDC agent will issue a ticket. If there is a conviction, the court may assess a fine (which goes to the county) and/or time in jail.

Based upon the number of violations listed above and that restitution may or may not be required, Oversight will reflect a positive "Greater than \$100,000" fiscal impact for revenue associated with poaching fines and restitution.

Officials from the **Department of Natural Resources** and **Department of Agriculture** each assume the proposal will have no fiscal impact on their respective organizations.

Officials at the **Office of the State Courts Administrator** assume the fiscal impact of this proposal is unknown. There may be some impact but there is no way to quantify the impact at this time. Any significant changes will be reflected in future budget requests.

Officials from the **Kirkville R-III School District** assume this proposal could have a slight positive fiscal impact.

ASSUMPTION (continued)

Officials from the **Summersville R-2 School District** assume this proposal will have a positive fiscal impact.

Officials from the **West Plains Schools** assume the proposal will have no fiscal impact on their organization.

In response to a previous version, officials from the **Northeast Nodaway R-5 School District** assumed the proposal would have no fiscal impact on their organization.

| <u>FISCAL IMPACT - State Government</u> | FY 2019 (10 Mo.) | FY 2020 | FY 2021 |
|---|------------------------------------|------------------------------------|------------------------------------|
| CONSERVATION COMMISSION FUND | | | |
| <u>Revenue</u> - MDC - Restitution for poaching | Greater than \$100,000 | Greater than \$100,000 | Greater than \$100,000 |
| <u>Transfer Out</u> - to State School Moneys Fund | Greater than <u>(\$100,000)</u> | Greater than <u>(\$100,000)</u> | Greater than <u>(\$100,000)</u> |
| ESTIMATED NET EFFECT ON CONSERVATION COMMISSION FUND | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| STATE SCHOOL MONEYS FUND | | | |
| <u>Transfer In</u> - from Conservation Commission Fund for restitution for poaching | Greater than \$100,000 | Greater than \$100,000 | Greater than \$100,000 |
| <u>Costs</u> - Distribution to School Districts | Greater than <u>(\$100,000)</u> | Greater than <u>(\$100,000)</u> | Greater than <u>(\$100,000)</u> |
| ESTIMATED NET EFFECT ON STATE SCHOOL MONEYS FUND | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

| <u>FISCAL IMPACT - Local Government</u> | FY 2019 (10 Mo.) | FY 2020 | FY 2021 |
|--|--|--|--|
| SCHOOL DISTRICTS | | | |
| <u>Income</u> - Restitution for poaching (§252.042) | Greater than <u>\$100,000</u> | Greater than <u>\$100,000</u> | Greater than <u>\$100,000</u> |
| ESTIMATED NET EFFECT TO SCHOOL DISTRICTS | Greater than <u>\$100,000</u> | Greater than <u>\$100,000</u> | Greater than <u>\$100,000</u> |

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This bill specifies that any person convicted of chasing, pursuing, taking, transporting, killing, processing, or disposing of certain wildlife in violation of the Missouri Conservation Commission's rules and regulations may be required to pay restitution to the state. The moneys collected will be transferred to the State School Moneys Fund.

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

Missouri Department of Conservation
Department of Natural Resources
Department of Agriculture
Office of the State Courts Administrator
West Plains Schools
Summersville R-2 School District
Northeast Nodaway R-5 School District
Kirksville R-III School District

Ross Strope

A handwritten signature in black ink, appearing to read "Ross Strope", with a stylized flourish at the end.

Acting Director
February 2, 2018