

February 16, 2012

The Honorable Larry Powell, Chairperson
House Committee on Agriculture and Natural Resources
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Powell:

SUBJECT: Fiscal Note for HB 2709 by House Committee on Agriculture

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2709 is respectfully submitted to your committee.

HB 2709 would require the Kansas Department of Wildlife, Parks and Tourism to file a civil action for restitution for unlawfully taken white-tailed deer of a certain size.

Estimated State Fiscal Effect				
	FY 2012 SGF	FY 2012 All Funds	FY 2013 SGF	FY 2013 All Funds
Revenue	--	--	--	--
Expenditure	--	--	--	\$275,500
FTE Pos.	--	--	--	--

According to the Kansas Department of Wildlife, Parks and Tourism, in calendar year 2011 the Department had 304 criminal wildlife cases involving deer. The cost to the agency to file 300 civil cases would be approximately \$275,500 annually. This estimate includes \$30,000 in district court filing fees for 300 civil cases (\$100 per case X 300 cases); \$148,000 for two attorneys who would travel and file cases statewide (two attorneys X \$74,000 each for salaries and benefits); \$20,000 for startup costs to equip the attorneys with computers, office space, office furniture, and other necessities; \$37,500 for annual travel for the attorneys (\$125 per day X 150 cases per year); and \$40,000 for two vehicles, gas, and maintenance. While the agency assumes that there would be some revenue resulting from the civil cases, it is unable to estimate an amount and states that it appears from the bill that all of the revenue would go to the State

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General Fund. The agency indicates that its lack of control over civil restitution funds could result in diversion and potentially jeopardize federal funding for the Department. Any fiscal effect associated with HB 2709 is not reflected in *The FY 2013 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Chris Tymeson, KDWPT