

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5239-01  
Bill No.: HB 1688  
Subject: Agriculture and Animals; Veterinarians  
Type: Original  
Date: February 17, 2012

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Bill Summary: This proposal creates liability for any organization or entity that reintroduces any species of animal into this state for damages caused by such animal species.

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>       |                |                |                |
|---|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>                                      | <b>FY 2013</b> | <b>FY 2014</b> | <b>FY 2015</b> |
|   |                |                |                |
|   |                |                |                |
| <b>Total Estimated Net Effect on General Revenue Fund</b> | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>              |   |   |   |
|---|---|---|---|
| <b>FUND AFFECTED</b>  | <b>FY 2013</b>                          | <b>FY 2014</b>                          | <b>FY 2015</b>                          |
| Conservation Commission                                       | (Unknown greater than \$100,000)        | (Unknown greater than \$100,000)        | (Unknown greater than \$100,000)        |
|   |   |   |   |
| <b>Total Estimated Net Effect on <u>Other</u> State Funds</b> | <b>(Unknown greater than \$100,000)</b> | <b>(Unknown greater than \$100,000)</b> | <b>(Unknown greater than \$100,000)</b> |

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

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                  |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2013    | FY 2014    | FY 2015    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated Net Effect on <u>All</u> Federal Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b> |          |          |          |
|---|----------|----------|----------|
| FUND AFFECTED   | FY 2013  | FY 2014  | FY 2015  |
|   |          |          |          |
|   |          |          |          |
| <b>Total Estimated Net Effect on FTE</b>                  | <b>0</b> | <b>0</b> | <b>0</b> |

☒ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |            |            |            |
|--|------------|------------|------------|
| FUND AFFECTED                              | FY 2013    | FY 2014    | FY 2015    |
| <b>Local Government</b>                    | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Officials at the **Department of Conservation (MDC)** assumes this proposal creates liability for any organization or entity that reintroduces any species of animal into this state for damages caused by such animal species.

MDC states the department works to restore and reintroduce animal species as part of its normal mission. The following is a list of active and past restoration and reintroduction programs implemented by MDC in Missouri.

**Table 1: Active and Past Restoration/ Reintroduction Programs**

| <b><u>Active</u></b>    | <b><u>Past</u></b>     |
|-------------------------|------------------------|
| Ruffed Grouse           | White-Tailed Deer      |
| Brown Trout             | Wild Turkey            |
| Walleye                 | Ring-Necked Pheasant   |
| Paddlefish              | Canada Goose           |
| Lake Sturgeon           | Wood Duck              |
| Pallid Sturgeon         | Eastern Collard Lizard |
| Muskie                  | Osprey                 |
| Rainbow Trout           | River Otter            |
| Stripped Bass           | Trumpeter Swan         |
| Hellbender              | Peregrine Falcon       |
| Elk                     | Bobwhite Quail         |
| Greater Prairie Chicken |                        |
| Alligator Gar           |                        |

Source: Department of Conservation

ASSUMPTION (Continued)

MDC assumes an unknown fiscal impact greater than \$100,000 as the proposed legislation creates an unlimited liability for all wildlife restoration efforts.

Officials at the **Missouri State Highway Patrol** reported the following traffic crashes where deer-vehicle strikes occurred by calendar year.

CY 2010 - 3,420  
CY 2009 - 3,676  
CY 2008 - 3,603

**Oversight** assumes if the average claim for a traffic crash involving a white tailed deer were \$5,000 then MDC had the potential to be liable up to the following amounts over the same calendar year period related to vehicle crashes involving only white tailed deer if this proposal had been law.

CY 2010 - \$17,100,000  
CY 2009 - \$18,380,000  
CY 2008 - \$18,015,000

**Oversight** assumes an unknown fiscal impact greater than \$100,000 on the Conservation Commission Fund for liability costs related to any reintroduced or restored animal species that causes damage including, but not limited to, crops and pasture, fencing and other private property, motor vehicles, and losses as a result of harassment or disease spread.

Officials at the **Department of Agriculture, Department of Insurance, Financial Institutions and Professional Registration, Office of State Courts Administrator, Department of Transportation, and Department of Natural Resources** each assume there is no fiscal impact from this proposed legislation.

| <u>FISCAL IMPACT - State Government</u>  | FY 2013<br>(10 Mo.)                                    | FY 2014  | FY 2015  |
|--|--|--|--|
| <b>CONSERVATION COMMISSION<br/>FUND</b>  |  |  |  |
| <u>Cost - Liability for damage caused by<br/>any reintroduced animal species</u> | <u>(Unknown<br/>greater than<br/>\$100,000)</u>        | <u>(Unknown<br/>greater than<br/>\$100,000)</u>        | <u>(Unknown<br/>greater than<br/>\$100,000)</u>        |
| <b>ESTIMATED NET EFFECT ON<br/>CONSERVATION COMMISSION<br/>FUND</b>              | <b><u>(Unknown<br/>greater than<br/>\$100,000)</u></b> | <b><u>(Unknown<br/>greater than<br/>\$100,000)</u></b> | <b><u>(Unknown<br/>greater than<br/>\$100,000)</u></b> |
| <u>FISCAL IMPACT - Local Government</u>  | FY 2013<br>(10 Mo.)                                    | FY 2014  | FY 2015  |
|  | <u>\$0</u>   | <u>\$0</u>   | <u>\$0</u>   |

#### FISCAL IMPACT - Small Business

Direct fiscal impact to small businesses would be expected as a result of this proposal if the business is involved in the restoration and reintroduction of animal species programs in Missouri.

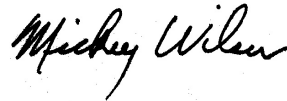
#### FISCAL DESCRIPTION

This bill specifies that any organization or entity that reintroduces any species of animal into Missouri must be financially responsible for any damage caused by the animal including, but not limited to, crops and pasture, fencing and other private property, motor vehicles, and losses as a result of harassment or disease spread from the reintroduced animal.

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 Natural Resources  
Office of State Courts Administrator  
Department of Insurance, Financial Institutions and Professional Registration  
Department of Agriculture  
Missouri State Highway Patrol  
Department of Transportation

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Director  
February 17, 2012