

1999 ASSEMBLY BILL 291

April 22, 1999 – Introduced by Representatives F. LASEE, HANDRICK, MUSSER, RYBA, SUDER, HOVEN, PETTIS, SERATTI and MONTGOMERY. Referred to Joint committee on Finance.

1 **AN ACT to amend** 20.435 (7) (kg), 20.505 (8) (h), 25.50 (3) (b), 79.015, 79.02 (2)
2 (b), 79.02 (3) and 569.06; and **to create** 20.380 (1) (km), 20.505 (8) (hm), 20.835
3 (1) (k), 79.059 and 569.01 (1m) (d) of the statutes; **relating to:** the distribution
4 of money received from Indian gaming compacts and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the governor may negotiate and enter into Indian gaming compacts. These compacts are governed by the federal Indian Gaming Regulatory Act. Pursuant to the compacts, the state receives money from the Indian tribes and from vendors who contract with the Indian tribes to assist in the gambling operations. These moneys generally reimburse the state for the costs of regulating Indian gaming under the compacts, for certifications and background investigations of Indian gaming vendors and employees of Indian tribes who are engaged in the conduct of gambling and for the costs of gaming services and assistance provided at the request of the Indian tribes. Recently, many of the compacts have been extended and the governor has negotiated the payment of additional moneys by the Indian tribes to the state.

This bill requires the department of administration to disburse 50% of the additional moneys to counties where an Indian casino is located and 30% of the additional moneys to counties that are contiguous to counties where casinos are located. Counties must use the additional moneys to develop and implement economic development initiatives to benefit Wisconsin Indian tribes and regions around casinos, support county programs and services and promote tourism. This

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bill appropriates 10% of these additional moneys to the department of tourism for the purpose of tourism promotion, 5% of the additional moneys to compulsive gambling awareness campaigns and 5% of the additional moneys to general program operations of Indian gaming.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.380 (1) (km) of the statutes is created to read:

2 20.380 (1) (km) *Tourism promotion; Indian gaming revenue.* All moneys
3 transferred from the appropriation account under s. 20.505 (8) (hm) 1. b., for tourism
4 promotion.

5 **SECTION 2.** 20.435 (7) (kg) of the statutes is amended to read:

6 20.435 (7) (kg) *Compulsive gambling awareness campaigns.* The amounts in
7 the schedule for the purpose of awarding grants under s. 46.03 (43). All moneys
8 transferred from ss. 20.505 (8) (g) and, (h) and (hm) 1. c. and 20.566 (8) (q) shall be
9 credited to this appropriation account.

10 **SECTION 3.** 20.505 (8) (h) of the statutes is amended to read:

11 20.505 (8) (h) *General program operations; Indian gaming.* The amounts in the
12 schedule for general program operations under ch. 569. All Indian gaming receipts,
13 as defined in s. 569.01 (1m) (a) to (c), less the amounts appropriated under s. 20.455
14 (2) (gc), shall be credited to this appropriation account. Annually, of the moneys
15 received under this appropriation account, an amount equal to 50% of the amount
16 in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation
17 account under s. 20.435 (7) (kg). All moneys transferred from the appropriation
18 account under s. 20.505 (8) (hm) 1. d. shall be credited to this appropriation account.

19 **SECTION 4.** 20.505 (8) (hm) of the statutes is created to read:

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1 20.505 **(8)** (hm) *Indian gaming receipts.* 1. All moneys received as Indian
2 gaming receipts, as defined in s. 569.01 (1m) (d), for the purpose of annually
3 transferring the following amounts to the following appropriation accounts:

4 a. The amount transferred to s. 20.835 (1) (k) shall be an amount equal to 80%
5 of the moneys received as Indian gaming receipts, as defined in s. 569.01 (1m) (d).

6 b. The amount transferred to s. 20.380 (1) (km) shall be an amount equal to 10%
7 of the moneys received as Indian gaming receipts, as defined in s. 569.01 (1m) (d).

8 c. The amount transferred to s. 20.435 (7) (kg) shall be an amount equal to 5%
9 of the moneys received as Indian gaming receipts, as defined in s. 569.01 (1m) (d).

10 d. The amount transferred to s. 20.505 (8) (h) shall be an amount equal to 5%
11 of the moneys received as Indian gaming receipts, as defined in s. 569.01 (1m) (d).

12 2. No money may be encumbered from the appropriation under this paragraph
13 after the fiscal year ending in 2004.

14 **SECTION 5.** 20.835 (1) (k) of the statutes is created to read:

15 20.835 **(1)** (k) *County gaming payments account.* All moneys transferred from
16 the appropriation account under s. 20.505 (8) (hm) 1. a., to make the payments to
17 counties under s. 79.059.

18 **SECTION 6.** 25.50 (3) (b) of the statutes is amended to read:

19 25.50 **(3)** (b) On the dates specified and to the extent to which they are
20 available, subject to s. 16.53 (10), funds payable to local governments under ss. 79.03,
21 79.04, 79.05, 79.058, 79.059, 79.06, 79.08 and 79.10 shall be considered local funds
22 and, pursuant to the instructions of local officials, may be paid into the separate
23 accounts of all local governments established in the local government
24 pooled-investment fund and, pursuant to the instructions of local officials, to the
25 extent to which they are available, be disbursed or invested.

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1 **SECTION 7.** 79.015 of the statutes is amended to read:

2 **79.015 Statement of estimated payments.** The department of revenue, on
3 or before September 15 of each year, shall provide to each municipality and county
4 a statement of estimated payments to be made in the next calendar year to the
5 municipality or county under ss. 79.03, 79.04, 79.05, 79.058, 79.059 and 79.06.

6 **SECTION 8.** 79.02 (2) (b) of the statutes is amended to read:

7 **79.02 (2) (b)** Subject to s. 66.77 (4), payments in July shall equal 15% of the
8 municipality's or county's estimated payments under ss. 79.03, 79.04, 79.058, 79.059
9 and 79.06 and 100% of the municipality's estimated payments under s. 79.05.

10 **SECTION 9.** 79.02 (3) of the statutes is amended to read:

11 **79.02 (3)** Subject to s. 66.77 (4), payments to each municipality and county in
12 November shall equal that municipality's or county's entitlement to shared revenues
13 under ss. 79.03, 79.04, 79.05, 79.058, 79.059 and 79.06 for the current year, minus
14 the amount distributed to the municipality or county in July.

15 **SECTION 10.** 79.059 of the statutes is created to read:

16 **79.059 County gaming payments. (1) DEFINITION.** In this section, "casino"
17 means a casino or bingo hall owned by a federally recognized American Indian tribe
18 or band in this state.

19 **(2) DISTRIBUTION TO COUNTIES.** (a) The department of administration shall, in
20 each fiscal year, pay each county where a casino is located an amount equal to 50%
21 of the amount that the tribe that owns the casino paid to the state, in that fiscal year,
22 as part of an Indian gaming compact under s. 569.01 (1m) (d).

23 (b) The department of administration shall, in each fiscal year, pay each county
24 that is contiguous to a county where a casino is located an amount equal to 30% of

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1 the amount that the tribe that owns the casino paid to the state, in that fiscal year,
2 as part of an Indian gaming compact under s. 569.01 (1m) (d).

3 (c) Each county where a casino is located, that is also contiguous to a county
4 where a casino is located, shall receive payments under pars. (a) and (b).

5 (d) Each county that receives a distribution payment under this section shall
6 use the distribution payment for the purposes of developing and implementing
7 economic development initiatives to benefit Wisconsin Indian tribes and regions
8 around casinos, supporting county programs and services and promoting tourism.

9 (e) This section does not apply after the fiscal year ending in 2004.

10 **SECTION 11.** 569.01 (1m) (d) of the statutes is created to read:

11 569.01 (1m) (d) Moneys received by the state from Indian tribes pursuant to
12 an Indian gaming compact, except moneys received as direct reimbursements to the
13 department of justice.

14 **SECTION 12.** 569.06 of the statutes is amended to read:

15 **569.06 Indian gaming receipts.** Indian gaming receipts shall be credited to
16 the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm) as
17 specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm).

18

(END)