

1999 DRAFTING REQUEST

Bill

Received: **11/11/98**

Received By: **kahlepj**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-7329**

By/Representing: **Justus**

This file may be shown to any legislator: **NO**

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Econ. Development - tourism**
Econ. Development - misc.

Extra Copies: **RAC**

Topic:

DOA:.....Justus - Using Indian gaming revenue for tourism marketing and economic development (Indian gaming initiative)

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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16-1-98-99 King 1/28 J/KM 1/28

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1/28/99
16

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Kmg

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15 1/25

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Handwritten notes:
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FE Sent For: *13-11-23 Kmg* *Km 11/24* *25* *Km 11/24*

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FE Sent For:

12-11-19
Kmg

11/20/98 P.

~~11/20/98~~
JK
<END>

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Handwritten signatures and dates:
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SENDS
11/18

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1?	kahlepj	1/11-11-16 mg	Km 11/16	25 Km 1/16			

FE Sent For:

<END>

CORRESPONDENCE MEMORANDUM

**STATE OF WISCONSIN
Department of Administration**

Date: November 9, 1998

To: Steve Miller
Chief, Legislative Reference Bureau

From: Sarah Justus *SJ*
State Budget Office

Subject: Drafting Request; Tourism Marketing-Gaming Revenue

Indian Gaming Initiative

Beginning in FY 01, appropriate \$2,500,000 from the appropriation under 20.505 (8) (h) to a new PR tourism marketing appropriation. This funding would be used to assist businesses located in the same county as a casino operated by a Native American tribe. Assistance could include a grant under the Joint Effort Marketing program under s. 41.17, or a grant to a person (including a business, community or organization) located within the same county as the casino, or direct tourism marketing expenditures in the same region as a casino. Grants under a new program should require a 25% match from the grantee. Also, require a grant of \$750,000 in FY01 from the new PR appropriation to Brown County for economic development.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820/P1

PJK.....

mt & Kandy

DOA:.....Justus - using Indian gaming revenue for tourism marketing and economic development

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

*SOON
(Fri. the 3rd)
D-vote*

*do not
for cut*

- 1 AN ACT *x*; relating to: various tourism marketing expenditures from Indian
- 2 gaming revenue and making an appropriation.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT
ECONOMIC DEVELOPMENT

Under current law, Indian gaming receipts are deposited in an appropriation to the department of administration (DOA). The bill requires an annual transfer of \$2,500,000 from that appropriation to an appropriation to the department of tourism for a number of purposes, including making a grant to Brown County for economic development; making grants to persons located in the same counties as casinos that are operated by American Indian tribes or bands for expanding business and job opportunities; making tourism marketing expenditures to promote tourism in areas of the state in which are located casinos that are operated by American Indian tribes or bands; and providing matching funds to nonprofit organizations for the joint effort marketing of tourism in the state in which are located casinos that are operated by American Indian tribes or bands.

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) (b) (title) of the statutes is amended to read:

2 20.380 (1) (b) (title) *Tourism marketing; general purpose revenue.*

History: 1995 a. 27 ss. 515b to 515m, 752 to 772, 1070, 1071, 1075, 1076, 1081n, 1084; 1995 a. 216, 225; 1997 a. 27.

***NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

3 SECTION 2. 20.380 (1) (kg) of the statutes is created to read:

4 20.380 (1) (kg) *Tourism marketing and economic development; gaming revenue.*

5 All moneys transferred from the appropriation account under s. 20.505 (8) (h) for all
6 of the following purposes:

7 1. Tourism marketing expenditures to promote tourism in an area of the state
8 in which is located a casino that is operated by an American Indian tribe or band.

9 2. Providing matching funds under s. 41.17 for the joint effort marketing of
10 tourism in an area ^{of the state} in which is located a casino that is operated by an American
11 Indian tribe or band.

12 3. Making grants under s. 41.20.

13 4. Making the grant under 1999 Wisconsin Act (this act), section 9149 ().

***NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

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

15 20.505 (8) (h) *General program operations; Indian gaming.* The amounts in the
16 schedule for general program operations under ch. 569. All Indian gaming receipts,
17 as defined in s. 569.01 (1m), less the amounts appropriated under s. 20.455 (2) (gc),
18 shall be credited to this appropriation account. Annually, of the moneys received

auto ref PA

1 under this appropriation account, an amount equal to 50% of the amount in the
 2 schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation account
 3 under s. 20.435 (7) (kg). Annually, of the moneys received under this appropriation
 4 account, \$2,500,000 shall be transferred to the appropriation account under s. 20.380
 5 (1) (kg).

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283.

6 **SECTION 4. 41.20 of the statutes is created to read:**

7 **41.20 Grants for persons affected by gaming.** From the appropriation
 8 under s. 20.380 (1) (kg), the department may make a grant to a person located in this
 9 state in a county in which is located a casino that is operated by an American Indian
 10 tribe or band if all of the following apply:

11 (1) The person uses the grant proceeds for a project to expand business and job
 12 opportunities in the county or area.

13 (2) The person submits to the department a detailed plan for the use of the
 14 grant proceeds and the secretary approves the plan.

15 (3) The person contributes, from funds not provided by the state, not less than
 16 25% of the cost of the project.

17 (4) The person enters into an agreement with the department that specifies the
 18 conditions for the use of the grant proceeds, including reporting and auditing
 19 requirements.

20 (5) The person agrees in writing to submit to the department, within 6 months
 21 after spending the full amount of the grant, a report detailing how the grant proceeds
 22 were used.

23 **SECTION 9149. Nonstatutory provisions; tourism.**

auto ref A

1

(1) GRANT TO BROWN COUNTY. From the appropriation under section 20.380 (1)

2

(kg) of the statutes, as created by this act, the department of tourism shall make a

3

grant of \$750,000 in fiscal year 2001-02 to Brown County for economic development

4

if all of the following apply:

5

(a) Brown County submits to the department a detailed plan for the use of the

6

grant proceeds and the secretary approves the plan.

7

(b) Brown County enters into an agreement with the department that specifies

8

the conditions for the use of the grant proceeds, including reporting and auditing

9

requirements.

10

(c) Brown County agrees in writing to submit to the department, within 6

11

months after spending the full amount of the grant, a report detailing how the grant

12

proceeds were used.

13

SECTION 9449. Effective dates; tourism.

14

(1) TOURISM MARKETING AND ECONOMIC DEVELOPMENT USES FOR GAMING RECEIPTS.

15

The treatment of sections 20.380 (1) (b) (title) and (kg), 20.505 (8) (h) and 41.20 of

16

the statutes and SECTION 9149 () take effect on July 1, 2001.

(END)

17

of this act

D-note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/2dn

PJK.....

CMH & King

PI

1. Do you want s. 20.380 (1) (kg) to be a continuing appropriation, as drafted?
2. You will notice that I used my usual language for grant/loan criteria for both the grants under s. 41.20 and the grant to Brown County. Okay?
3. I just want to point out to you that it is possible that a Wisconsin court would find the grant to Brown County to be a "private or local law", which under art. IV, sec. 18 of the Wisconsin constitution must be enacted as single-subject legislation and not as part of the budget bill. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. 4, sec. 18, unless: 1) the general subject matter of the provision relates to a state^o of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest".

Response

Pamela J. Kahler
Senior Legislative Attorney
266-2682

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/P1dn
PJK:cmh&kmg:km

November 16, 1998

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Pamela J. Kahler
Senior Legislative Attorney
266-2682

TO: PJK

FROM: KMG

RE: LRB-0820

1. p. 2, l. 5: "(hm)" for "(h)"; and based on my conversation with RAC this morning, you also need to create a subd. under 20.505 (8) (hm). You probably also need to delete the treatment of 20.505 (8) (h).

***** *Please return to NEW EDITOR* *****

[New Editor will return to KMG]



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820
PJK:cmh&kmg:km

r.m. is run

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FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

5000
(11-17)
D-note

do not get cut

WFO:
Check
auto
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COMMERCE AND ECONOMIC DEVELOPMENT**

ECONOMIC DEVELOPMENT

Under current law, Indian gaming receipts are deposited in an appropriation to the department of administration (DOA). The bill requires an annual transfer of \$2,500,000 from that appropriation to an appropriation to the department of tourism for a number of purposes, including making a grant to Brown County for economic development; making grants to persons located in the same counties as casinos that are operated by American Indian tribes or bands for expanding business and job opportunities; making tourism marketing expenditures to promote tourism in areas of the state in which are located casinos that are operated by American Indian tribes or bands; and providing matching funds to nonprofit organizations for the joint effort marketing of tourism in the state in areas in which are located casinos that are operated by American Indian tribes or bands.

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:

SECTION 1. 20.380 (1) (b) (title) of the statutes is amended to read:

20.380 (1) (b) (title) *Tourism marketing; general purpose revenue.*

****NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

SECTION 2. 20.380 (1) (kg) of the statutes is created to read:

20.380 (1) (kg) *Tourism marketing and economic development; gaming revenue.*

5 All moneys transferred from the appropriation account under s. 20.505 (8) ^{hm} for all of the following purposes:

1. Tourism marketing expenditures to promote tourism in an area of the state in which is located a casino that is operated by an American Indian tribe or band.

2. Providing matching funds under s. 41.17 for the joint effort marketing of tourism in an area of the state in which is located a casino that is operated by an American Indian tribe or band.

3. Making grants under s. 41.20.

4. Making the grant under 1999 Wisconsin Act (this act), section 9149 (1).

****NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

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

20.505 (8) (h) *General program operations; Indian gaming.* The amounts in the schedule for general program operations under ch 569. All Indian gaming receipts, as defined in s. 569.01 (1m), less the amounts appropriated under s. 20.455 (2) (gc), shall be credited to this appropriation account. Annually, of the moneys received under this appropriation account, an amount equal to 50% of the amount in the

1 ~~schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation account~~
 2 ~~under s. 20.435 (7) (kg). Annually, of the moneys received under this appropriation~~
 3 ~~account, \$2,500,000 shall be transferred to the appropriation account under s. 20.380~~
 4 ~~(1) (kg).~~

Insert 3-4

5 SECTION 4. 41.20 of the statutes is created to read:

6 **41.20 Grants for persons affected by gaming.** From the appropriation
 7 under s. 20.380 (1) (kg), the department may make a grant to a person located in this
 8 state in a county in which is located a casino that is operated by an American Indian
 9 tribe or band if all of the following apply:

10 (1) The person uses the grant proceeds for a project to expand business and job
 11 opportunities in the county or area.

12 (2) The person submits to the department a detailed plan for the use of the
 13 grant proceeds and the secretary approves the plan.

14 (3) The person contributes, from funds not provided by the state, not less than
 15 25% of the cost of the project.

16 (4) The person enters into an agreement with the department that specifies the
 17 conditions for the use of the grant proceeds, including reporting and auditing
 18 requirements.

19 (5) The person agrees in writing to submit to the department, within 6 months
 20 after spending the full amount of the grant, a report detailing how the grant proceeds
 21 were used.

22 **SECTION 9149. Nonstatutory provisions; tourism.**

23 (1) GRANT TO BROWN COUNTY. From the appropriation under section 20.380 (1)
 24 (kg) of the statutes, as created by this act, the department of tourism shall make a

1 grant of \$750,000 in fiscal year 2001-02 to Brown County for economic development
2 if all of the following apply:

3 (a) Brown County submits to the department a detailed plan for the use of the
4 grant proceeds and the secretary approves the plan.

5 (b) Brown County enters into an agreement with the department that specifies
6 the conditions for the use of the grant proceeds, including reporting and auditing
7 requirements.

8 (c) Brown County agrees in writing to submit to the department, within 6
9 months after spending the full amount of the grant, a report detailing how the grant
10 proceeds were used.

11 **SECTION 9449. Effective dates; tourism.**

12 (1) TOURISM MARKETING AND ECONOMIC DEVELOPMENT USES FOR GAMING RECEIPTS.

13 The treatment of sections 20.380 (1) (b) (title) and (kg), 20.505 (8) ^{(hm) 6.} and 41.20 of
14 the statutes and SECTION 9149 (1) take effect on July 1, 2001.

15

(END)

A.P. of this act

D-note

This redraft conforms the appropriation
transfer to the format that we are using
for the "Indian gaming initiative".

PJK

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0820/lins
PJK:cmh&kmg:km

INSERT 3-4 ✓

****NOTE: The creation of s. 20.380 (1) (kg) is based on the creation of s. 20.505 (8) (hm) in LRB 99-0757. If LRB 99-0757 is not included in the budget bill, this paragraph will have to be redrafted.

SECTION 1. 20.505 (8) (hm) 6. of the statutes is created to read:

20.505 (8) (hm) 6. The amount transferred to s. 20.380 (1) (kg) shall be \$2,500,000.

****NOTE: The creation of s. 20.505 (8) (hm) 6. is based on the creation of s. 20.505 (8) (hm) in LRB 99-0757. If LRB 99-0757 is not included in the budget bill, this subdivision will have to be redrafted.

(END OF INSERT 3-4)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820/1
PJK:cmh&kmg:jf

DOA:.....Justus - Using Indian gaming revenue for tourism marketing and economic development (Indian gaming initiative)

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

SOON
(11-19)
D-note

W.P.O.
check
auto refs

don't
get cut

1 AN ACT ~~relating to~~; relating to: various tourism marketing expenditures from Indian
2 gaming revenue and making an appropriation.

Analysis by the Legislative Reference Bureau

COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Under current law, Indian gaming receipts are deposited in an appropriation to the department of administration (DOA). The bill requires an annual transfer of \$2,500,000 from that appropriation to an appropriation to the department of tourism for a number of purposes, including making a grant to Brown County for economic development; ~~making grants to persons located in the same counties as casinos that are operated by American Indian tribes or bands for expanding business and job opportunities;~~ making tourism marketing expenditures to promote tourism in areas of the state in which are located casinos that are operated by American Indian tribes or bands; and providing ~~the same~~ funds to nonprofit organizations for the joint effort marketing of tourism in the state in which are located casinos that are operated by American Indian tribes or bands.

1
Insert A-1

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) (b) (title) of the statutes is amended to read:

2 20.380 (1) (b) (title) *Tourism marketing; general purpose revenue.*

 ****NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

3 **SECTION 2.** 20.380 (1) (kg) of the statutes is created to read:

4 20.380 (1) (kg) *Tourism marketing and economic development; gaming revenue.*

5 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6.
6 for all of the following purposes:

7 1. Tourism marketing expenditures to promote tourism in an area of the state
8 in which is located a casino that is operated by an American Indian tribe or band.

9 2. Providing ~~41.17~~ funds under s. 41.17 for the joint effort marketing of
10 tourism in an area of the state in which is located a casino that is operated by an
11 American Indian tribe or band.

12 ~~3. Making grants under s. 41.20.~~

13 3. Making the grant under 1999 Wisconsin Act (this act), section 9149 (1). A.R.

 ****NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

 ****NOTE: The creation of s. 20.380 (1) (kg) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill, this paragraph will have to be redrafted.

14 **SECTION 3.** 20.505 (8) (hm) 6. of the statutes is created to read:

15 20.505 (8) (hm) 6. The amount transferred to s. 20.380 (1) (kg) shall be
16 \$2,500,000.

 ****NOTE: The creation of s. 20.505 (8) (hm) 6. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill, this subdivision will have to be redrafted.

Insert 3-1 →

1 **SECTION 4.** 41.20 of the statutes is created to read:

2 **41.20 Grants for persons affected by gaming.** From the appropriation
3 under s. 20.380 (1) (kg), the department may make a grant to a person located in this
4 state in a county in which is located a casino that is operated by an American Indian
5 tribe or band if all of the following apply:

6 (1) The person uses the grant proceeds for a project to expand business and job
7 opportunities in the county or area.

8 (2) The person submits to the department a detailed plan for the use of the
9 grant proceeds and the secretary approves the plan.

10 (3) The person contributes, from funds not provided by the state, not less than
11 25% of the cost of the project.

12 (4) The person enters into an agreement with the department that specifies the
13 conditions for the use of the grant proceeds, including reporting and auditing
14 requirements.

15 (5) The person agrees in writing to submit to the department, within 6 months
16 after spending the full amount of the grant, a report detailing how the grant proceeds
17 were used.

18 **SECTION 9149. Nonstatutory provisions; tourism.**

19 (1) GRANT TO BROWN COUNTY. From the appropriation under section 20.380 (1)
20 (kg) of the statutes, as created by this act, the department of tourism shall make a
21 grant of \$750,000 in fiscal year 2001-02 to Brown County for economic development
22 if all of the following apply:

23 (a) Brown County submits to the department a detailed plan for the use of the
24 grant proceeds and the secretary approves the plan.

1 (b) Brown County enters into an agreement with the department that specifies
2 the conditions for the use of the grant proceeds, including reporting and auditing
3 requirements.

4 (c) Brown County agrees in writing to submit to the department, within 6
5 months after spending the full amount of the grant, a report detailing how the grant
6 proceeds were used.

7 **SECTION 9449. Effective dates; tourism.**

8 (1) TOURISM MARKETING AND ECONOMIC DEVELOPMENT USES FOR GAMING RECEIPTS.

9 (9) The treatment of sections 20.380 (1) (b) (title) and (kg), 20.505 (8) (hm) 6. and ~~41.17~~
10 of the statutes and SECTION 9149 (1) of this act take effect on July 1, 2001.

11 (END)

41.17 (4)(c)
and (cm)

D-note

**1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/lins
PJK:cmh&kmg:km

INSERT A-1

w0 41 In addition, under current law the department of tourism may contribute up to 50% of the cost of a project by a nonprofit organization for the joint effort marketing of tourism in the state. The bill provides that for a joint effort marketing project in an area in which a casino is located the department of tourism may contribute up to 75% of the cost of the project.

(END OF INSERT A-1)

INSERT 3-1 ✓

SECTION 1. 41.17 (4) (c) of the statutes is amended to read:

41.17 (4) (c) ~~Funds~~ Except as provided in par. (cm), funds released in any given project may not exceed 50% of the total project costs, less that portion of the amounts recovered by the applicant through the sale of advertising or other promotional considerations in connection with the project which exceeds 50% of the total project costs.

History: 1975 c. 39, 163, 200; 1991 a. 39; 1995 a. 27 s. 6922; Stats. 1995 s. 41.17.

SECTION 2. 41.17 (4) (cm) of the statutes is created to read:

41.17 (4) (cm) Funds released for the joint effort marketing of tourism in an area of the state in which is located a casino that is operated by an American Indian tribe or band may not exceed 75% of the total project costs, less that portion of the amounts recovered by the applicant through the sale of advertising or other promotional considerations in connection with the project which exceeds 25% of the total project costs.

(END OF INSERT 3-1)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/1dn
PJK:cmh&kmg:jf

November 18, 1998

Does the following: ¶ 1. Conforms

This redraft ~~conforms~~ the appropriation transfer to the format that we are using for the "Indian gaming initiative".

¶ 2. Eliminates the new grant program under s. 41.20 and provides that joint effort marketing grants for a project in an area affected by a casino may not exceed 75% of the project's cost.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/1dn
PJK:cmh&kmg:jf

November 18, 1998

This redraft does the following:

1. Conforms the appropriation transfer to the format that we are using for the "Indian gaming initiative".
2. Eliminates the new grant program under s. 41.20 and provides that joint effort marketing grants for a project in an area affected by a casino may not exceed 75% of the project's cost.

Pamela J. Kahler
Senior Legislative Attorney
266-2682



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820/2
PJK:cmh&kmg:jf

miss run

DOA:.....Justus - Using Indian gaming revenue for tourism marketing and economic development (Indian gaming initiative)

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

*SOON
(11-17)
S. note*

*do not
you cut*

- 1 AN ACT relating to: various tourism marketing expenditures from Indian
- 2 gaming revenue and making an appropriation.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Under current law, Indian gaming receipts are deposited in an appropriation to the department of administration (DOA). The bill requires an annual transfer of \$2,500,000 from that appropriation to an appropriation to the department of tourism for a number of purposes, including making a grant to Brown County for economic development; making tourism marketing expenditures to promote tourism in areas of the state in which are located casinos that are operated by American Indian tribes or bands; and providing funds to nonprofit organizations for the joint effort marketing of tourism in the state in areas in which are located casinos that are operated by American Indian tribes or bands. In addition, under current law the department of tourism may contribute up to 50% of the cost of a project by a nonprofit organization for the joint effort marketing of tourism in the state. The bill provides that for a joint effort marketing project in an area in which a casino is located the department of tourism may contribute up to 75% of the cost of the project.

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)(b) (title) of the statutes is amended to read:

2 20.380 (1) (b) (title) *Tourism marketing; general purpose revenue.*

→ NOTE: BUD

~~NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats. because of a delayed effective date.~~

3 SECTION 2. 20.380 (1) (kg) of the statutes is created to read:

4 20.380 (1) (kg) *Tourism marketing and economic development; gaming revenue.*

5 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6.
6 for all of the following purposes:

- 7 1. Tourism marketing expenditures to promote tourism in an area of the state
- 8 in which is located a casino that is operated by an American Indian tribe or band.
- 9 2. Providing funds under s. 41.17 for the joint effort marketing of tourism in
- 10 an area of the state in which is located a casino that is operated by an American
- 11 Indian tribe or band.

12 3. Making the grant under 1999 Wisconsin Act (this act), section 9149 (1).

→ NOTE: BUD ←

~~NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats. because of a delayed effective date.~~

****NOTE: The creation of s. 20.380 (1) (kg) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill, this paragraph will have to be redrafted.

13 SECTION 3. 20.505 (8) (hm) 6. of the statutes is created to read:

14 20.505 (8) (hm) 6. The amount transferred to s. 20.380 (1) (kg) shall be
15 \$2,500,000.

****NOTE: The creation of s. 20.505 (8) (hm) 6. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill, this subdivision will have to be redrafted.

16 SECTION 4. 41.17 (4) (c) of the statutes is amended to read:

Insert 2-13

41 (a)

1 **SECTION 9449. Effective dates; tourism.**

2 (1) TOURISM MARKETING AND ECONOMIC DEVELOPMENT USES FOR GAMING RECEIPTS.

3 The treatment of sections 20.380 (1) (b) (title) ~~20.380 (1) (b) (title)~~, 20.505 (8) (hm), 6, and 41.17

4 (4) (c) and (cm) of the statutes and SECTION 9149 (1) of this act take effect on July 1,

5 ~~2000~~ → 2000

check
autoref.

6 (END)

the creation of section 20.380(1)(kg) of the statutes

41 (b) The repeal of section 20.380(1)(kg) 3. of the statutes and the amendment of section 20.380(1)(kg) (title) of the statutes take effect on July 1, 2001.

**1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/2ins
PJK:cmh&kmg:jf

INSERT 2-13

SECTION 1. 20.380 (1) (kg) (title) of the statutes, as created by 1999 Wisconsin Act ... (this act), is amended to read:

20.380 (1) (kg) (title) *Tourism marketing and economic development; gaming revenue.*

****NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

SECTION 2. 20.380 (1) (kg) 3. of the statutes, as created by 1999 Wisconsin Act ... (this act), is repealed.

(END OF INSERT 2-13)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0820/1dn
PJK:erh&lang:jf

2
cmr/ekmg

~~November 18, 1998~~

This redraft does the following:

1. Conforms the appropriation transfer to the format that we are using for the "Indian gaming initiative".
2. Eliminates the new grant program under s. 41.20 and provides that joint effort marketing grants for a project in an area affected by a casino may not exceed 75% of the project's cost.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

-
1. Changes the overall effective date to ~~the~~ July 1, 2000.
 2. Makes the grant to Brown County ⁱⁿ the fiscal year beginning on July 1, 2000.
 3. Changes ^{es} the ~~the~~ title of the gaming revenue PR-5 appropriation on July 1, 2001, as well as eliminating ^{the} the grant to Brown County as a purpose of the appropriation.

outlet date
↑

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/2dn
PJK:cmh&kmg:lp

November 20, 1998

This redraft does the following:

1. Changes the overall effective date to July 1, 2000.
2. Makes the grant to Brown County in the fiscal year beginning on July 1, 2000.
3. Changes the title of the gaming revenue PR-S appropriation on July 1, 2001, as well as eliminating on that date the grant to Brown County as a purpose of the appropriation.

Pamela J. Kahler
Senior Legislative Attorney
266-2682



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820/3
PJK:cmh&kmg:lp

rmis run

DOA:.....Justus - Using Indian gaming revenue for tourism marketing and economic development (Indian gaming initiative)

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

Soon
(11-23)
J-note

do not
for cont

- 1 AN ACT relating to: various tourism marketing expenditures from Indian
- 2 gaming revenue and making an appropriation.

**Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT**

ECONOMIC DEVELOPMENT

Under current law, Indian gaming receipts are deposited in an appropriation to the department of administration (DOA). The bill requires an annual transfer of \$2,000,000 from that appropriation to an appropriation to the department of tourism for a number of purposes, including making a grant to Brown County for economic development; making tourism marketing expenditures to promote tourism in areas of the state in which are located casinos that are operated by American Indian tribes or bands; and providing funds to nonprofit organizations for the joint effort marketing of tourism in the state in areas in which are located casinos that are operated by American Indian tribes or bands. In addition, under current law the department of tourism may contribute up to 50% of the cost of a project by a nonprofit organization for the joint effort marketing of tourism in the state. The bill provides that for a joint effort marketing project in an area in which a casino is located the department of tourism may contribute up to 75% of the cost of the project.

305000

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) (b) (title) of the statutes is amended to read:

2 20.380 (1) (b) (title) *Tourism marketing; general purpose revenue.*

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 20.380 (1) (kg) (title) of the statutes, as created by 1999 Wisconsin
4 Act (this act), is amended to read:

5 20.380 (1) (kg) (title) *Tourism marketing and economic development; gaming*
6 *revenue.*

****NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

7 SECTION 3. 20.380 (1) (kg) of the statutes is created to read:

8 20.380 (1) (kg) *Tourism marketing and economic development; gaming revenue.*

9 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6.
10 for all of the following purposes:

11 1. Tourism marketing expenditures to promote tourism in an area of the state
12 in which is located a casino that is operated by an American Indian tribe or band.

13 2. Providing funds under s. 41.17 for the joint effort marketing of tourism in
14 an area of the state in which is located a casino that is operated by an American
15 Indian tribe or band.

16 3. Making the grant under 1999 Wisconsin Act (this act), section 9149 (1).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

****NOTE: The creation of s. 20.380 (1) (kg) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill, this paragraph will have to be redrafted.

1 SECTION 4. 20.380 (1) (kg) 3. of the statutes, as created by 1999 Wisconsin Act
2 (this act), is repealed.

3 SECTION 5. 20.505 (8) (hm) 6. of the statutes is created to read:

4 20.505 (8) (hm) 6. The amount transferred to s. 20.380 (1) (kg) shall be

Handwritten note: *Q: 20.505 (8) (hm) 6.*

5 ~~\$2,300,000.~~ → \$3,250,000

NOTE: The creation of s. 20.505 (8) (hm) 6. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill, this subdivision will have to be redrafted.

→ and amendment → are

Handwritten note: *A. 20.505 (8) (hm) 6.*

6 SECTION 6. 41.17 (4) (c) of the statutes is amended to read:

7 41.17 (4) (c) ~~Funds Except as provided in par. (cm), funds~~ released in any given
8 project may not exceed 50% of the total project costs, less that portion of the amounts
9 recovered by the applicant through the sale of advertising or other promotional
10 considerations in connection with the project which exceeds 50% of the total project
11 costs.

12 SECTION 7. 41.17 (4) (cm) of the statutes is created to read:

13 41.17 (4) (cm) Funds released for the joint effort marketing of tourism in an
14 area of the state in which is located a casino that is operated by an American Indian
15 tribe or band may not exceed 75% of the total project costs, less that portion of the
16 amounts recovered by the applicant through the sale of advertising or other
17 promotional considerations in connection with the project which exceeds 25% of the
18 total project costs.

19 SECTION 9149. Nonstatutory provisions; tourism.

20 (1) GRANT TO BROWN COUNTY. From the appropriation under section 20.380 (1)
21 (kg) of the statutes, as created by this act, the department of tourism shall make a
22 grant of \$750,000 in fiscal year 2000-01 to Brown County for economic development
23 if all of the following apply:

1 (a) Brown County submits to the department a detailed plan for the use of the
2 grant proceeds and the secretary approves the plan.

3 (b) Brown County enters into an agreement with the department that specifies
4 the conditions for the use of the grant proceeds, including reporting and auditing
5 requirements.

6 (c) Brown County agrees in writing to submit to the department, within 6
7 months after spending the full amount of the grant, a report detailing how the grant
8 proceeds were used.

9 **SECTION 9449. Effective dates; tourism.**

10 (1) **TOURISM MARKETING AND ECONOMIC DEVELOPMENT USES FOR GAMING RECEIPTS.**

11 (a) The treatment of sections 20.380 (1) (b) (title) ~~20.380 (1) (b) (1) and 41.17~~
12 (4) (c) and (cm) of the statutes, the creation of ^{sections} ~~section~~ 20.380 (1) (kg) of the statutes
13 and SECTION 9149 (1) of this act take effect on July 1, 2000.

14 (b) The repeal of section 20.380 (1) (kg) 3. of the statutes, and the amendment
15 of ^{sections} ~~section~~ 20.380 (1) (kg) (title) of the statutes take effect on July 1, 2001.

16 (END)

and 20.505 (8) (hm) 6.

D-note

This redraft transfers \$3,250,000 to the new
tourism PR-S appropriation in FY 01, and \$2,500,000
(including the Brown County grant)
in each fiscal year thereafter.
PTK

**1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/3ins
PJK:cmh&kmg:lp

INSERT 3-5

SECTION 1. 20.505 (8) (hm) 6. of the statutes, as created by 1999 Wisconsin Act
... (this act), is amended to read:

20.505 (8) (hm) 6. The amount transferred to s. 20.380 (1) (kg) shall be
~~\$3,250,000~~ \$2,500,000.

(END OF INSERT 3-5)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/3dn
PJK:cmh&kmg:km

November 24, 1998

This redraft transfers \$3,250,000 to the new tourism PR-S appropriation in FY01 (including the Brown County grant) and \$2,500,000 in each fiscal year thereafter.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

Kahler, Pam

From: Justus, Sarah [sarah.justus@doa.state.wi.us]
Sent: Wednesday, January 13, 1999 10:50 AM
To: Kahler, Pam
Subject: draft changes

Draft #820 - Indian Gaming Revenue for Tourism: ^{3,000,000}

✓ -Gaming transfer for tourism programs: provide \$3,000,000 in FY00 and \$3,500,000 in FY01 and beyond. ^{4,500,000}

✓ -I'd like to define area near gaming as the county in which the casino is located or an adjacent county

*3 places - yes
change analysis too*

✓ -Brown County Grant: provide \$500,000 in FY00 and \$1,000,000 in FY01 and that's all.

✓ Add under eligible uses of the \$3,000,000 gaming money the LCVB program laid out in draft #0994. I'd like to add this to #820 as opposed to doing another draft. Delete section 2 in the #994 draft because we set the match for JEM in #820 at 75% for businesses near gaming. Keep section 3 in there.

-Answers to ****notes in draft #994:

- ✓ pg 4, line 2, I think twice annually would be good
- ✓ pg 4, line 9, I think it's ok to let the department set a deadline for receiving applications each time they solicit them in the paper
- ✓ pg 5, line 5, give me a call and lets discuss this one
- ✓ pg 5, line 8, I think the name and address of the organization is sufficient

Lets limit grants under this program to a total of \$1,500,000 in each fiscal year. Can we leave it up to the department to make a rule as to how much could go to any one recipient? If it would be better to specify in the draft, give me a call to discuss the formula, the one they have using hotel rooms doesn't make much sense to me.

Commerce gaming drafts:
start the grants/loans to effected businesses in FY00 instead of FY01 but leave the grants/loans for economic diversification to start in FY01.

← 824

✓ Wheda gaming draft:
Put the one time transfer of funds in FY00 instead of FY01

← 821

Call me with questions.
Thanks,
Sarah
Sarah Justus
State Budget Office
266-7329

Kahler, Pam

From: Justus, Sarah [sarah.justus@doa.state.wi.us]
Sent: Wednesday, January 20, 1999 12:01 PM
To: Kahler, Pam
Cc: Gates-Hendrix, Sherrie
Subject: changes to gaming drafts

Tourism Draft #820
Remove the Brown County arena grant from the draft:
-We no longer need to change the title of the appropriation to include "economic development"
-No longer need the non-statutory provision for the grant
-The total funds for the remaining tourism programs (direct marketing, JEM grants and LCVB grants) should be \$4,000,000 per year.

Commerce Draft #824

560.137 Gaming economic development grants and loans; should be available to a person instead of a business (so that Brown County would be eligible) we can still use the definition of qualified for where the person is located. There should be no mention of brown county, we'll do that outside of the budget.

The amounts in the schedule will be adjusted to add in the brown county amounts as well as additional amounts for the Racine/Kenosha grants, however this isn't reflected in the draft. Just for my clarification, the total amounts for gaming will be:

Tourism, draft #820 \$4,000,000 annually beginning in FY00
Commerce draft #824 Negatively impacted persons program.....\$2.75 million in FY00
\$3.25
million in FY01
\$1.5 million
annually FY02
Economic Diversification program \$2.5 million annually, FY01

Sarah Justus
State Budget Office
266-7329

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INSERT A

9
Finally, the bill creates a local tourism marketing grant program that is paid out of the appropriation to the department of tourism to which Indian gaming revenue is transferred. Under the program, local tourism marketing organizations, defined as chambers of commerce or certain other nonprofit organizations that promote tourism on behalf of municipalities, may apply to the department of tourism for grants for projects promoting tourism. The bill sets out the application criteria and other requirements related to the grant process, including a 50% match of funds by a local tourism marketing organization receiving a grant. Although the program is limited to \$1,500,000 in grants per fiscal year, the department of tourism must promulgate rules regarding the amount that any local tourism marketing organization may receive as a grant. That amount must be based, in whole or in part, on the number of tourist lodging units located within all of the municipalities for which the grant is awarded.

(END OF INSERT A)

INSERT 2-11

1109
this state in a county, or in a county that is adjacent to a county in this state,

(END OF INSERT 2-11)

INSERT 2-15

9
3. Making the local tourism marketing grants under s. 41.18. X ✓

(END OF INSERT 2-15)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0994/P1
PJK&JK/erh&jlg:hnh

DOA:.....Justus - Create a local tourism and convention bureau program
using the sales tax on certain tourism-related businesses
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

Insert 3-10 ✓

1 AN ACT ...; relating to: a local tourism marketing grant program, granting
2 rule-making authority and making an appropriation.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT
ECONOMIC DEVELOPMENT

This is a preliminary draft. An analysis will be provided in a later version.

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

3 SECTION 1. 41.17 (2) of the statutes is amended to read:
4 41.17 (2) ELIGIBILITY. Any Except as provided in sub. (5), any public or private
5 organization not organized or incorporated for profit may apply to the department
6 for joint effort marketing funds under this section. Prior to applying for such funds,
7 each prospective applicant shall have submitted, at the time and in the manner

↓ continued

Ins. 3-10 cont'd

1 provided by departmental rule, a plan and budget specifying the media to be used,
2 the market to be approached, the facilities and attractions to be promoted and the
3 applicant's estimated expenditures and receipts for the various projects within the
4 plan. If such plan is coordinated with the statewide marketing strategy, the
5 department shall approve it and the submitting organization shall be eligible to
6 apply for joint effort marketing funds under this section.

end of ins 3-10

7 SECTION 2. 41.17 (4) ~~(c)~~ of the statutes is amended to read:

8 41.17 (4) (c) Funds released in any given project may not exceed 50% ~~67%~~ of
9 the total project costs, less that portion of the amounts recovered by the applicant
10 through the sale of advertising or other promotional considerations in connection
11 with the project which exceeds 50% ~~33%~~ of the total project costs.

Insert 3-22

12 SECTION 3. 41.17 (5) of the statutes is created to read:

13 41.17 (5) RESTRICTION RELATED TO RECEIPT OF LOCAL TOURISM MARKETING GRANT.

14 A local tourism marketing organization, as defined in s. 41.18 (1) ~~(a)~~^d, that receives
15 a grant under s. 41.18, may not apply for joint effort marketing funds under this
16 section until at least 12 months have elapsed from the date on which the local
17 tourism marketing organization last received any funds under s. 41.18.

18 SECTION 4. 41.18 of the statutes is created to read:

19 41.18 Local tourism marketing grants. (1) DEFINITIONS. In this section:

20 (a) "Fiscal year" means the period beginning on July 1 and ending on the
21 following June 30.

22 (b) "Local convention and visitors bureau" means a nonprofit organization that
23 does all of the following:

24 1. Represents one or more municipalities.



Ans. 3-22 contd

1 2. On behalf of the each municipality under subd. 1., actively solicits
2 convention, group and leisure visitors.

3 3. Devotes at least 80% of its budget to the promotion and development of
4 tourism.

5 (c) "Local destination marketing organization" means a chamber of commerce
6 or other nonprofit organization that does all of the following:

7 1. Represents one or more municipalities that are not served by a local
8 convention and visitors bureau.

9 2. Devotes at least 80% of its budget to the promotion and development of
10 tourism.

11 3. Operates with an annual budget that exceeds \$300,000.

12 (d) "Local tourism marketing funds" means

....NOTE: I'm not sure yet if this will be a defined term.

13 d ← (a) "Local tourism marketing organization" means a local convention and
14 visitors bureau or a local destination marketing organization.

15 e ← (b) "Municipality" means a city, village or town.

16 f ← (c) "Rooming units" means rooms or other units designated for lodging at all
17 of the following:

18 1. Hotels, as defined in s. 254.61 (3).

19 2. Bed and breakfast establishments, as defined in s. 254.61 (1).

20 3. Tourist rooming houses, as defined in s. 254.61 (6).

21 (2) GRANT PROGRAM; NOTICE OF FUND AVAILABILITY. (a) From the appropriation

22 under s. 20.380 (1) (g) the department shall make grants to local tourism marketing
23 organizations as provided in this section.



At least twice annually *ens. 3-22 cont'd*

1 (b) ~~Periodically~~, the department shall publish in the official state newspaper
2 a notice that provides at least all of the following information:

NOTE: "Periodically" is a little vague. Do you want to require publication of the notice at least annually? Twice a year? More often? Only whenever funding is available?

- 3 1. That local tourism marketing funds are available for making grants to local
4 tourism marketing organizations.
- 5 2. The approximate amount of funds that are available.
- 6 3. Eligibility requirements.
- 7 4. Where and how application forms and materials may be obtained.
- 8 5. The date by which the department must receive a completed application in
9 order for an applicant to be considered for a grant.

NOTE: Does it make sense to specify a date by which the department must receive the application, especially since this appears to be an ongoing program and the department must "periodically" solicit applications?

10 (3) APPLICATION. Any local tourism marketing organization in this state is
11 eligible to apply for a grant under this section. An application for a grant shall
12 include all of the following:

NOTE: An organization that receives a grant under this section may not receive joint effort marketing funds for one year. Do you want the limitation to go the other way? In other words, should an organization that receives joint effort marketing funds be prohibited from receiving a grant under this section for a period of time? (You addressed this question at our meeting.)

- 13 (a) A request for a grant in a specified amount.
- 14 (b) A copy of the organization's articles of incorporation, or other organizational
15 documents, as a nonprofit organization.
- 16 (c) A statement specifying every municipality represented by the organization,
17 together with a letter from the governing body of each municipality specified
18 verifying that the organization is the only local tourism marketing organization that
19 may apply for a grant under this section with respect to the municipality during the



Ens. 3-22 cont'd

1 current fiscal year. For purposes of this paragraph, if a municipality levies a room
 2 tax under s. 66.75, the organization must be the only tourism entity, as defined in s.
 3 66.75 (1) (f), with respect to the municipality. If a municipality does not levy a room
 4 tax under s. 66.75, the organization must be the entity that ~~has historically~~ promoted
 5 and developed tourism for the municipality.

***NOTE: I'm not sure if the governor's council on tourism intended the result of its proposed language. The language appears to limit grants to organizations that are "tourism entities" if the municipality represented by the organization levies a room tax. A "tourism entity" according to the definition in s. 66.75 (1) (f), must have come into existence before January 1, 1992. There are probably municipalities that levy room taxes that do not have a "tourism entity" but that are represented by another organization that fits the definition of "local tourism marketing organization". Do you want to make any changes to this language, as proposed by the governor's council on tourism? Also, I'm not sure what "historically" means in the last sentence. Would three years of representation be "historic"? What about one year?

6 (d) A statement that the organization employs a full-time paid professional
 7 executive director or chief executive officer who is responsible for the development
 8 and promotion of tourism within each municipality served by the organization.

***NOTE: Should the name and address of this person be included in the application?

9 (e) A list, certified by the organization's fiscal officer or treasurer, of the rooming
 10 units located and operating on the date of the application in each municipality
 11 specified in par. (c), together with the address, telephone number and number of
 12 rooming units for each entity that owns or manages the rooming units.

13 (f) A statement, certified by the organization's fiscal officer, accountant or
 14 treasurer, that the organization's currently approved budget contains funding in the
 15 amount specified in par. (a) that is available for the match required under sub. (6)

16 (e).

17 (g) A detailed description of each project to be funded with the grant, including
 18 a detailed plan and budget specifying the media to be used, the market to be



June 3-22 cont'd

1 approached, the facilities and attractions to be promoted and the organization's
2 estimated expenditures and receipts.

3 (4) NOTICE OF GRANT AWARD. Within 30 days after the department receives an
4 application that the department determines is complete, the department shall notify
5 the applicant of whether the department will award a grant to the applicant and, if
6 so, of the amount of the grant. The decision of the department with respect to the
7 awarding of a grant under this section is final and not appealable and not subject to
8 administrative review under ch. 227.

9 (5) WRITTEN AGREEMENTS. If the department makes a grant to a local tourism
10 marketing organization under this section, the local tourism marketing organization
11 shall enter into an agreement with the department that specifies at least all of the
12 following:

13 (a) The name, address and an individual who may be contacted with respect
14 to the organization and with respect to its advertising agency, if any.

15 (b) A description of each project for which the grant proceeds may be used,
16 including the media to be used, any market research, the date or inclusive dates for
17 the project and the geographic market to be reached.

18 (c) An itemized statement of the estimated total cost of each project for which
19 the grant proceeds may be used.

20 (d) An itemized statement of the estimated revenues accruing to the
21 organization from each project through advertising, contributions or other sources.

22 (e) The conditions for the release of the grant proceeds.

23 (6) LIMITATIONS. (a) In any fiscal year, the department may award ~~to a local~~
24 ~~tourism marketing organization in grants under this section~~ no more than ~~the~~

25 following: *\$1,500,000 in grants under this section.*



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*Encl.
3-22 contd*

PAGE 6.5

- CH* 2. The department shall promulgate rules regarding the grant amount that may be received by a local tourism marketing organization. The grant amount shall be based, in whole or in part, on the number of rooming units contained within all of the municipalities with respect to which the grant is awarded.



Div. 3-22 cont'd

Note: Some variation of the formula that is proposed will go here.

1 (b) No ~~local tourism marketing~~ funds may be released for a project that is not
2 included in an advertising plan and budget submitted by a local tourism marketing
3 organization and approved by the department.

4 (c) No funds may be released except in accordance with the written agreement
5 under sub. (5).

6 (d) No ~~amounts~~ *funds* may be released except upon presentation of receipted
7 vouchers for project expenditures by the local tourism marketing organization,
8 together with such other documentary evidence substantiating payments and the
9 purposes for which the payments were made as *the departmental rules require*

10 (e) Funds released *for* any given project may not exceed 50% of the total project
11 costs, less that portion of the amounts recovered by the applicant through the sale
12 of advertising or other promotional considerations in connection with the project that
13 exceeds 50% of the total project costs.

14 (f) No funds may be used to compensate any officer or employe of the local
15 tourism marketing organization for salaries or expenses.

16 (g) No name or picture of any living state or local public official or candidate
17 for public office may be used in any project for which ~~public funds~~ funds
18 are received under this section.

19 (h) The department may promulgate rules imposing additional requirements
20 to ensure that public funds are used to promote the maximum number of attractions
21 and facilities.

22 SECTION 5. 227.03 (9) of the statutes is created to read:

under this section

is required by rules of the department



Ens. 3-22 contd

1 227.03 (9) Subchapter III does not apply to decisions made by the department
2 of tourism regarding the award of grants under s. 41.18.

3

(END) *ens. 3-22*

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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✓
stays

Sarah:

This redraft makes a number of changes. It:

1. Changes the language regarding areas affected by gambling to include counties in which a casino is located and counties adjacent to such counties.
2. Adds the local tourism marketing grant program to the draft and funds the program out of s. 20.380[✓](1) (kg).
3. Deletes the Brown County grant.
4. Moves up the initial transfer from s. 20.505[✓] (8) (hm) 6. to FY 1999-2000 and changes the amount of the transfer to \$4,000,000[✓] in each fiscal year.

(I'm afraid you have now reached your limit on changes to this draft.)

Pamela J. Kahler
Senior Legislative Attorney
266-2682