



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820/4
PJK:cmh&kmg:km
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stage

[Handwritten signature]

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

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

SOON
(1-14)
D-note

Due
Fri., 1/22

do not
gen cost

creating a local tourism
marketing grant program, granting
rule-making authority

OR
in an
adjacent
country

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

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

Countries

Under current law, Indian gaming receipts are deposited in an appropriation to the department of administration (DOA). The bill requires an annual transfer from that appropriation to an appropriation to the department of tourism for a number of purposes, including making ~~grants to local tourism marketing organizations in counties 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 ~~cases~~ in which are located casinos that are operated by American Indian tribes or bands. ~~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 ~~cases~~ in which a casino is located the department of tourism may contribute up to 75% of the cost of the project.~~

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10-2000-01
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OR in countries adjacent to such countries

making grants to
local tourism
marketing organizations;

Insert A →

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 ~~cities and towns~~
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 ~~cities and towns~~ in which is located a casino that is operated by an American
15 Indian tribe or band.

16 ~~8. Making the grant under 1999 Wisconsin Act ... (this act) section 9.49 (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.

Insert 2-15

Insert 2-11

1 SECTION 4. 20.380 (1) (kg) ⁴ 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
 5 ~~\$2,500,000~~ → \$4,000,000

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

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 9 ~~\$2,500,000~~ → \$5,500,000

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Insert
3-10

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

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

Insert 2-11

16 SECTION 8. 41.17 (4) (cm) of the statutes is created to read:

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

23 Section 9149. Nonstatutory Provisions, Tourism.

Insert 3-22

Refer to page 2

grant of \$500,000 in fiscal year 1999-2000 and

- 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 ~~\$1,000,000~~ ^{1,000,000} in fiscal year 2000-01 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~~ ^{of each 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~~ ^{of each 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~~ ^{each} 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 (a) ~~The repeal of sections 20.380 (1) (kg) and 20.505 (8) (hm) 6. of the~~
amendment of section
- 16 ~~the statutes and the repeal of sections 20.380 (1) (kg) and 20.505 (8) (hm) 6. of the~~
statutes take effect on July 1, 2000.
- 17 (b) The repeal of section 20.380 (1) (kg) ^{of} the statutes and the amendment
- 18 of sections 20.380 (1) (kg) (title) and 20.505 (8) (hm) 6. of the statutes take effect on
- 19 July 1, 2001.
- 20

21 (END)

SECTION 9449 X

auto ref B

(by SECTION X)

D-note

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

LRB-0820/4dn
PJK:cmh&kmg:ijs

January 22, 1999

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



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820/5
PJK:cmh&krng:ijs
r m [signature]

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

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(1-25)
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- 2 gaming revenue, creating a local tourism marketing grant program, granting
- 3 rule-making authority 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 from that appropriation to an appropriation to the department of tourism for a number of purposes, including making tourism marketing expenditures to promote tourism in counties of the state in which are located casinos that are operated by American Indian tribes or bands or in counties adjacent to such counties; making grants to local tourism marketing organizations; and providing funds to nonprofit organizations for the joint effort marketing of tourism in the state in counties in which are located casinos that are operated by American Indian tribes or bands or in counties adjacent to such counties.

federally
recognized

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 a county in

which a casino is located, or in an adjacent county, the department of tourism may contribute up to 75% of the cost of the project.

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.

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:

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4 20.380 (1) (kg) *Tourism marketing; gaming revenue.* All moneys transferred
5 from the appropriation account under s. 20.505 (8) (hm) G. for all of the following
6 purposes:

7 1. Tourism marketing expenditures to promote tourism in this state in a county,
8 or in a county that is adjacent to a county in this state, in which is located a casino

9 that is operated by ~~an~~ American Indian tribe or band

10 2. Providing funds under s. 41.17 for the joint effort marketing of tourism in
11 this state in a county, or in a county that is adjacent to a county in this state, in which

12 is located a casino that is operated by ~~an~~ American Indian tribe or band.

a federally recognized

in this state

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1 3. Making the local tourism marketing grants under s. 41.18.

****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.

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3 20.505 (8) (hm) 6. The amount transferred to s. 20.380 (1) (kg) shall be
4 \$4,000,000.

****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, s. 20.505 (8) (hm) 6. will have to be redrafted.

5 **SECTION 4.** 41.17 (2) of the statutes is amended to read:

6 41.17 (2) **ELIGIBILITY.** Any Except as provided in sub. (5), any public or private
7 organization not organized or incorporated for profit may apply to the department
8 for joint effort marketing funds under this section. Prior to applying for such funds,
9 each prospective applicant shall have submitted, at the time and in the manner
10 provided by departmental rule, a plan and budget specifying the media to be used,
11 the market to be approached, the facilities and attractions to be promoted and the
12 applicant's estimated expenditures and receipts for the various projects within the
13 plan. If such plan is coordinated with the statewide marketing strategy, the
14 department shall approve it and the submitting organization shall be eligible to
15 apply for joint effort marketing funds under this section.

16 **SECTION 5.** 41.17 (4) (c) of the statutes is amended to read:

17 41.17 (4) (c) Funds Except as provided in par. (cm), funds released in any given
18 project may not exceed 50% of the total project costs, less that portion of the amounts
19 recovered by the applicant through the sale of advertising or other promotional

1 considerations in connection with the project which exceeds 50% of the total project
2 costs.

3 **SECTION 6.** 41.17 (4) (cm) of the statutes is created to read:

4 41.17 (4) (cm) Funds released for the joint effort marketing of tourism in this
5 state in a county, or in a county that is adjacent to a county in this state, in which is
6 located a casino that is operated by ~~A~~ American Indian tribe or band may not exceed
7 75% of the total project costs, less that portion of the amounts recovered by the
8 applicant through the sale of advertising or other promotional considerations in
9 connection with the project which exceeds 25% of the total project costs.

a federally recognized

in this state

10 **SECTION 7.** 41.17 (5) of the statutes is created to read:

11 **41.17 (5) RESTRICTION RELATED TO RECEIPT OF LOCAL TOURISM MARKETING GRANT.**

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

16 **SECTION 8.** 41.18 of the statutes is created to read:

17 **41.18 Local tourism marketing grants. (1) DEFINITIONS.** In this section:

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

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

- 22 1. Represents one or more municipalities.
- 23 2. On behalf of the each municipality under subd. 1., actively solicits
- 24 convention, group and leisure visitors.

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

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

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

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

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

10 (d) "Local tourism marketing organization" means a local convention and
11 visitors bureau or a local destination marketing organization.

12 (e) "Municipality" means a city, village or town.

13 (f) "Rooming units" means rooms or other units designated for lodging at all of
14 the following:

15 1. Hôtels, as defined in s. 254.61 (3).

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

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

18 (2) GRANT PROGRAM; NOTICE OF FUND AVAILABILITY. (a) From the appropriation
19 under s. 20.380 (1) (kg) 3., the department shall make grants to local tourism
20 marketing organizations as provided in this section.

21 (b) At least twice annually, the department shall publish in the official state
22 newspaper a notice that provides at least all of the following information:

23 1. That funds are available for making grants to local tourism marketing
24 organizations.

25 2. The approximate amount of funds that are available.

1 3. Eligibility requirements.

2 4. Where and how application forms and materials may be obtained.

3 5. The date by which the department must receive a completed application in
4 order for an applicant to be considered for a grant.

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

8 (a) A request for a grant in a specified amount.

9 (b) A copy of the organization's articles of incorporation, or other organizational
10 documents, as a nonprofit organization.

11 (c) A statement specifying every municipality represented by the organization,
12 together with a letter from the governing body of each municipality specified
13 verifying that the organization is the only local tourism marketing organization that
14 may apply for a grant under this section with respect to the municipality during the
15 current fiscal year. For purposes of this paragraph, if a municipality levies a room
16 tax under s. 66.75, the organization must be the only tourism entity, as defined in s.
17 66.75 (1) (f), with respect to the municipality. If a municipality does not levy a room
18 tax under s. 66.75, the organization must be the entity that promotes and develops
19 tourism for the municipality.

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

23 (e) A list, certified by the organization's fiscal officer or treasurer, of the rooming
24 units located and operating on the date of the application in each municipality

1 specified in par. (c), together with the address, telephone number and number of
2 rooming units for each entity that owns or manages the rooming units.

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

7 (g) A detailed description of each project to be funded with the grant, including
8 a detailed plan and budget specifying the media to be used, the market to be
9 approached, the facilities and attractions to be promoted and the organization's
10 estimated expenditures and receipts.

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

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

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

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

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

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

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

6 (6) LIMITATIONS. (a) 1. In any fiscal year, the department may award no more
7 than \$1,500,000 in grants under this section.

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

12 (b) No funds may be released under this section for a project that is not included
13 in an advertising plan and budget submitted by a local tourism marketing
14 organization and approved by the department.

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

17 (d) No funds may be released except upon presentation of receipted vouchers
18 for project expenditures by the local tourism marketing organization, together with
19 such other documentary evidence substantiating payments and the purposes for
20 which the payments were made as is required by rules of the department.

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

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

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

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

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

10 227.03 (9) Subchapter III does not apply to decisions made by the department
11 of tourism regarding the award of grants under s. 41.18.

12 (END)

D-note

41 This redraft specifies that the
American Indian tribes or bands are federally
recognized and are ^{this} ~~in~~ this state.

PJK

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

LRB-0820/5dn
PJK:cmh&kmg:jf

January 25, 1999

This redraft specifies that the American Indian tribes or bands are federally recognized and in this state.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

Date: January 26, 1999
To: Pam Kahler
From: Sarah Justus *SJ*
Subject: Changes to gaming drafts

Draft #824, Commerce:

Between the two gaming programs there is 1.0 FTE position. The department should have the authority to pay that position out of the (1) (kj) or the 1(km) appropriations as well as the authority to spend up to \$100,000 from these appropriations for marketing of the programs.

Grants to tourism businesses should be made "in concurrence with Tourism" instead of "in consultation with Tourism".

Draft #820, Tourism

Leave the JEM match at its current level, 50%, for both the gaming program and the regular program. Remove the LCVB grants from the draft. The language for use of the gaming money should now mimic the (1) (b) appropriation, for direct marketing expenses and JEM grants.

everything?

Brown County may be put back into a draft to specify the earmark, but I'm not sure where yet. I'll let you know ASAP.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820/b
PJK:cmh&kmj:jf

hm is new

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

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

Very soon (1-29) D-note

do not get cut

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which a casino is located, or in an adjacent county, the department of tourism may contribute up to 75% of the cost of the project.

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10 2. Providing funds under s. 41.17 for the joint effort marketing of tourism in
11 this state in a county, or in a county that is adjacent to a county in this state, in which

Handwritten note: *Section 2-5*

1 is located a casino that is operated by a federally recognized American Indian tribe
 2 or band in this state.
 3 2. Making the local tourism marketing grants under s. 41.18.

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 10 ~~for joint effort marketing funds under this section. Prior to applying for such funds,~~
 11 ~~each prospective applicant shall have submitted, at the time and in the manner~~
 12 ~~provided by departmental rule, a plan and budget specifying the media to be used,~~
 13 ~~the market to be approached, the facilities and attractions to be promoted and the~~
 14 ~~applicant's estimated expenditures and receipts for the various projects within the~~
 15 ~~plan. If such plan is coordinated with the statewide marketing strategy, the~~
 16 ~~department shall approve it and the submitting organization shall be eligible to~~
 17 ~~apply for joint effort marketing funds under this section.~~

18 SECTION 5. 41.17 (4) (c) of the statutes is amended to read:
 19 41.17 (4) (c) Funds ~~Except as provided in par. (cm),~~ funds released in any given
 20 project may not exceed 50% of the total project costs, less that portion of the amounts

→ * (delete the remainder of the draft)

SECTION 5

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6 state in a county, or in a county that is adjacent to a county in this state, in which is
7 located a casino that is operated by a federally recognized American Indian tribe or
8 band in this state may not exceed 75% of the total project costs, less that portion of
9 the amounts recovered by the applicant through the sale of advertising or other
10 promotional considerations in connection with the project which exceeds 25% of the
11 total project costs.

12 SECTION 7. 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) (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 8. 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.

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 organization" means a local convention and
13 visitors bureau or a local destination marketing organization.

14 (e) "Municipality" means a city, village or town.

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

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

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

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

20 (2) GRANT PROGRAM; NOTICE OF FUND AVAILABILITY. (a) From the appropriation
21 under s. 20.380 (1) (kg) 3., the department shall make grants to local tourism
22 marketing organizations as provided in this section.

23 (b) At least twice annually, the department shall publish in the official state
24 newspaper a notice that provides at least all of the following information:

1 1. That funds are available for making grants to local tourism marketing
2 organizations.

3 2. The approximate amount of funds that are available.

4 3. Eligibility requirements.

5 4. Where and how application forms and materials may be obtained.

6 5. The date by which the department must receive a completed application in
7 order for an applicant to be considered for a grant.

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

11 (a) A request for a grant in a specified amount.

12 (b) A copy of the organization's articles of incorporation, or other organizational
13 documents, as a nonprofit organization.

14 (c) A statement specifying every municipality represented by the organization,
15 together with a letter from the governing body of each municipality specified
16 verifying that the organization is the only local tourism marketing organization that
17 may apply for a grant under this section with respect to the municipality during the
18 current fiscal year. For purposes of this paragraph, if a municipality levies a room
19 tax under s. 66.75, the organization must be the only tourism entity, as defined in s.
20 66.75 (1) (f), with respect to the municipality. If a municipality does not levy a room
21 tax under s. 66.75, the organization must be the entity that promotes and develops
22 tourism for the municipality.

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

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

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

9 (g) A detailed description of each project to be funded with the grant, including
10 a detailed plan and budget specifying the media to be used, the market to be
11 approached, the facilities and attractions to be promoted and the organization's
12 estimated expenditures and receipts.

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

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

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

SECTION 8

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

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

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

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

9 (6) LIMITATIONS. (a) 1. In any fiscal year, the department may award no more
10 than \$1,500,000 in grants under this section.

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

15 (b) No funds may be released under this section for a project that is not included
16 in an advertising plan and budget submitted by a local tourism marketing
17 organization and approved by the department.

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

20 (d) No funds may be released except upon presentation of receipted vouchers
21 for project expenditures by the local tourism marketing organization, together with
22 such other documentary evidence substantiating payments and the purposes for
23 which the payments were made as is required by rules of the department.

24 (e) Funds released for any given project may not exceed 50% of the total project
25 costs, less that portion of the amounts recovered by the applicant through the sale

1 of advertising or other promotional considerations in connection with the project that
2 exceeds 50% of the total project costs.

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

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

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

11 **SECTION 9.** 227.03 (9) of the statutes is created to read:

12 227.03 (9) Subchapter III does not apply to decisions made by the department
13 of tourism regarding the award of grants under s. 41.18.

14 (END)

D-note

Insert 2-5 ✓

Section #. 20.380 (1) (b) of the statutes is amended to read:

From ↓

~~20.380 (1) (b) Tourism marketing. The amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 and the grants under 1997 Wisconsin Act 27, sections 9148(2) and 9149.~~

Of the amounts under this paragraph, not more than 50% shall be used to match funds allocated under s. 41.17 by private or public organizations for the joint effort marketing of tourism with the state. The department shall expend at least \$125,000 in each fiscal year from this appropriation to conduct or contract for marketing activities related to sporting activities and events. Of the amounts in the schedule, \$25,000 shall be allocated in each fiscal year for state sponsorship of, and advertising during, media broadcasts of the Milwaukee symphony.

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

27.

(end of ins. 2-5)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0820/6dn ✓
PJK:cmh&kmg:jf

This redraft removes everything from the draft except for the gaming revenue transfer for tourism marketing and joint effort marketing. ✓

Pamela J. Kahler
Senior Legislative Attorney
266-2682

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

LRB-0820/6dn
PJK:cmh&kmg:jf

January 28, 1999

This redraft removes everything from the draft except for the gaming revenue transfer for tourism marketing and joint effort marketing.

Pamela J. Kahler
Senior Legislative Attorney
266-2682



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820/7
PJK:cmh&kmj:jf

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

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

today
(2-2)
D-note

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- 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 from that appropriation to ~~an~~ appropriation to the department of tourism for tourism marketing expenditures and for providing funds to nonprofit organizations for the joint effort marketing of tourism in the state.

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:

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

4 20.380 (1) (b) (title) Tourism marketing, general purpose revenue.

Insert A

It also

a new

insert 1-4

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

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

2 20.380 (1) (kg) *Tourism marketing; gaming revenue.* All moneys transferred
3 from the appropriation account under s. 20.505 (8) (hm) 6. for tourism marketing
4 service expenses and the execution of the functions under ss. 41.11 (4) and 41.17.

****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.

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

6 20.505 (8) (hm) 6. The amount transferred to s. 20.380 (1) (kg) shall be
7 \$4,000,000.

****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, s. 20.505 (8) (hm) 6. will have to be redrafted.

8

(END)

D-note



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0556/1
PJK:kmg:jf

DOA:.....Justus - Change annual tourism marketing appropriation to biennial

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

Insert A ✓

- 1 AN ACT ...; relating to: changing an annual appropriation for tourism marketing
- 2 to biennial and making an appropriation.

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

general purpose revenue

Under current law, the appropriation to the department of tourism for tourism marketing is an annual appropriation, which means that the unencumbered balance in the appropriation account lapses to the general fund at the end of each fiscal year. The bill changes this appropriation to biennial, which means that the unencumbered balance at the end of the first fiscal year of a biennium carries over to the next fiscal year and the unencumbered balance in the appropriation account at the end of the second fiscal year (the end of the fiscal biennium) lapses to the general fund.

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

- 3 SECTION 1. 20.380 (1) (b) of the statutes is amended to read:
- 4 20.380 (1) (b) *Tourism marketing.* The Biennially, the amounts in the schedule
- 5 for tourism marketing service expenses and the execution of the functions under ss.

Insert 1-4 ✓

ins. continued

① general purpose revenue

Ins. 1-4 contd

1 41.11(4) and 41.17 and the grants under 1997 Wisconsin Act 27, section 9148 (2f) and
2 (2x). Of the amounts under this paragraph, not more than 50% shall be used to match
3 funds allocated under s. 41.17 by private or public organizations for the joint effort
4 marketing of tourism with the state. The department shall expend at least \$125,000
5 in each fiscal year from this appropriation to conduct or contract for marketing
6 activities related to sporting activities and events. Of the amounts in the schedule,
7 \$25,000 shall be allocated in each fiscal year for state sponsorship of, and advertising
8 during, media broadcasts of the Milwaukee symphony.

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

9

Insert 1-4 A

(END of ins 1-4)

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

LRB-0820/7ins
PJK:cmh&kmg:jf

INSERT 1-4A ✓

****NOTE: This is reconciled s. 20.380 (1) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-0556/1 (amended the text) and LRB-0820/6 (amended the title).

(END OF INSERT 1-4A)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0820/7dn
PJK: ~~0556~~ kmg:jf

Sarah:

This draft reconciles LRB-0556/1 and LRB-0820/6. LRB-0556[✓] should be dropped from the compile because I incorporated the change that it made to s. 20.380 (1) (b) into LRB-0820.

Pamela J. Kahler
Senior Legislative Attorney
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0820/7dn
PJK:kmg:hmh

Tuesday, February 2, 1999

Sarah:

This draft reconciles LRB-0556/1 and LRB-0820/6. LRB-0556 should be dropped from the compile because I incorporated the change that it made to s. 20.380 (1) (b) into LRB-0820.

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0820/7
PJK:cmh&kmg:hmh

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

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

- 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, the appropriation to the department of tourism for tourism marketing is an annual general purpose revenue appropriation, which means that the unencumbered balance in the appropriation account lapses to the general fund at the end of each fiscal year. The bill changes this appropriation to biennial, which means that the unencumbered balance at the end of the first fiscal year of a biennium carries over to the next fiscal year and the unencumbered balance in the appropriation account at the end of the second fiscal year (the end of the fiscal biennium) lapses to the general fund.

Also under current law, Indian gaming receipts are deposited in an appropriation to the department of administration (DOA). The bill requires an annual transfer from that appropriation to a new appropriation to the department of tourism for tourism marketing expenditures and for providing funds to nonprofit organizations for the joint effort marketing of tourism in the state.

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) of the statutes is amended to read:

2 20.380 (1) (b) *Tourism marketing; general purpose revenue.* The Biennially, the
3 amounts in the schedule for tourism marketing service expenses and the execution
4 of the functions under ss. 41.11 (4) and 41.17 and the grants under 1997 Wisconsin
5 Act 27, section 9148 (2f) and (2x). Of the amounts under this paragraph, not more
6 than 50% shall be used to match funds allocated under s. 41.17 by private or public
7 organizations for the joint effort marketing of tourism with the state. The
8 department shall expend at least \$125,000 in each fiscal year from this appropriation
9 to conduct or contract for marketing activities related to sporting activities and
10 events. Of the amounts in the schedule, \$25,000 shall be allocated in each fiscal year
11 for state sponsorship of, and advertising during, media broadcasts of the Milwaukee
12 symphony.

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

****NOTE: This is reconciled s. 20.380 (1) (b). This SECTION has been affected by drafts with the following LRB numbers: LRB-0556/1 (amended the text) and LRB-0820/6 (amended the title).

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

14 20.380 (1) (kg) *Tourism marketing; gaming revenue.* All moneys transferred
15 from the appropriation account under s. 20.505 (8) (hm) 6. for tourism marketing
16 service expenses and the execution of the functions under ss. 41.11 (4) and 41.17.

****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.

