

1999 DRAFTING REQUEST

Bill

Received: **12/14/98**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 67973**

By/Representing: **Grinde**

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

Drafter: **rkite**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies: **RAC**

Topic:

DOA:.....Grinde - Gaming revenues for approval payments to Lac du Flambeau (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>
/?	gibsom 12/15/98			_____			State
/1	rkite 12/21/98	chanaman 12/22/98	ismith 12/22/98	_____	lrb_docadmin 12/22/98		State
/2	rkite 01/8/99	chanaman 01/8/99	jfrantze 01/11/99	_____	lrb_docadmin 01/11/99		State
/3	gibsom 01/25/99	gilfokm 01/25/99	martykr 01/26/99	_____	lrb_docadmin 01/26/99		State

FE Sent For:

<END>

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*Redraft for 13
Remove delayed effective date*

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FE Sent For:

*13-1-25-99
KMG*

*KM/25 - HH
KM/26*

<END>

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/1	rkite 12/21/98	chanaman 12/22/98	ismith 12/22/98	_____	lrb_docadmin 12/22/98		State

FE Sent For:

cmd
1/8/12
1/8 King
Jb 1/11
Jb 1/11
<END>

1999 DRAFTING REQUEST

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Received: 12/14/98

Wanted: Soon

For: Administration-Budget 67973

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May Contact:

Subject: Nat. Res. - fish and game

Received By: gibson

Identical to LRB:

By/Representing: Grinde

Drafter: gibson

Alt. Drafters:

Extra Copies: RAC

Topic:

DOA:.....Grinde - Gaming revenues for approval payments to Lac du Flambeau (Indian gaming initiative)

Instructions:

See Attached

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1?	gibson	cmh 12/22 1/1	IS 12/22	IS/HH 12/22			

FE Sent For:

<END>

Indian Gaming Initiative

Issue: Lac du Flambeau Fishing Approval Fees

Affected Appropriation: Create a new PR-S appropriation similar to s. 20.370(9)(ht).

Intent: Provide \$100,000 in FY01 from Indian gaming compact revenues for payments to the Lac du Flambeau band of Lake Superior Chippewa under s. 29.2295(4)(a). This appropriation should be the first draw, with any amount over the estimated \$100,000 to be paid from s. 20.370(9)(ht).

Analyst: Kirsten Grinde (266-7973)

Priority: High



State of Wisconsin
1999 - 2000 LEGISLATURE

RMR
LRB-1257/P1 1
RNK.....
cmj/akh

Wed
10 a.m.

DOA:.....Grinde - Gaming revenues for approval payments to Lac du Flambeau (Indian gaming initiative)

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

HEADING - NATURAL RESOURCES
SUBHEADING - FISH, GAME AND WILDLIFE

1

AN ACT ...; relating to: the budget.

as an agent of DNR other

don't
for
act.

inland
waters

Analysis by the Legislative Reference Bureau

Under current law, if the department of natural resources (DNR) and the Lac du Flambeau band of the Lake Superior Chippewa (band) have in effect an agreement under which the band agrees to limit its treaty-based, off-reservation rights to fish, the band may elect to issue DNR fishing licenses and ~~the~~ DNR trout stamp and to retain the fees that the band collects for these licenses and stamps. Current law also authorizes DNR to pay the band an amount equal to the amount that DNR collects from its agents, who issue DNR fishing licenses and trout stamps on the reservation, if the agreement is in effect. Under current law, these payments are made under an appropriation from the conservation fund.

This bill creates a program revenue appropriation from the general fund that is funded by certain moneys received by the state pursuant to Indian gaming compacts. The bill requires that DNR first make the payments to the band under that general fund appropriation. The bill provides that after DNR makes the payments from that general fund appropriation funded by Indian gaming compact revenue it must make the balance of the payments, if any, from the conservation fund appropriation.

For further information see the *state* 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. 20.370 (9) (hk) of the statutes is created to read:

2 20.370 (9) (hk) *Approval fees to Lac du Flambeau band-service funds.* From the
3 general fund, the amounts in the schedule for the purpose of making payments to the
4 Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) (a). All
5 moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8r. shall
6 be credited to this appropriation account.

****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. 20.370 (9) (hk) 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, then this paragraph will have to be redrafted.

7 SECTION 2. 20.370 (9) (ht) of the statutes is amended to read:

necessary to make

8 20.370 (9) (ht) *Approval fees to Lac du Flambeau band.* A sum sufficient that
9 is equal to the amount *plain period* calculated under s. 29.2295 (4) (b), for the purpose of making
10 payments to the Lac du Flambeau band of the Lake Superior Chippewa under s.

plain period

11 29.2295 (4) (a) ~~after deducting the amounts paid from the appropriation under s.~~

12 ~~20.370 (9) (hk) (c) 2~~

plain period

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296-298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248.

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

14 20.505 (8) (hm) 8r. The amount transferred to s. 20.370 (9) (hk) shall be the
15 amount in the schedule under s. 20. 370 (9) (hk).

****NOTE: The creation of s. 20.505 (8) (hm) 8r. 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, then this subdivision will have to be redrafted.

LRB *** NOTE: The amendment of s. 20.370(9)(ht) is based on the creation of s. 20.505(8)(hm) in LRB 99-0757. If 99-0757 is not included in the budget bill, then this paragraph will have to be redrafted.

1 SECTION 4. 29.2295 (4) (c) of the statutes is created to read:

2 29.2295 (4) (c) ^{to} The department shall make any ^{the s} payment under this subsection

3 from the appropriation ^{account} under s. 20.370 (9) (hk). ~~Beginning on July 1, 2000,~~ if the

4 amount appropriated under s. 20.370 (9) (hk) is insufficient to make ^{all of the} payments

5 under this subsection, the department shall make ~~any remaining payments~~ from the

6 appropriation ^{account} under s. 20.370 (9) (ht).

7 SECTION 9436. Effective dates; natural resources.

8 (1) LAC DU FLAMBEAU APPROVAL PAYMENTS. The treatment of sections 20.370 (9)

9 (hk) and (ht) and 20.505 (8) (hm) 8r. of the statutes takes effect on July 1, 2000.

10 (END)

**** NOTE: The creation of s. 29.2295 (4) (c) 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, then this paragraph will have to be redrafted.

Handwritten annotations: "A 2." with an arrow pointing to line 2; "all of the" with an arrow pointing to line 4; "that are no remaining payments" with an arrow pointing to line 5.



5000
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-125714
RNK:cmh&khjjs
stays 1/2 kg
RMR

D-Note

DOA:.....Grinde - Gaming revenues for approval payments to Lac du Flambeau (Indian gaming initiative)

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

done for cut

1 AN ACT ... relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

FISH, GAME AND WILDLIFE

Under current law, if the department of natural resources (DNR) and the Lac du Flambeau band of the Lake Superior Chippewa (band) have in effect an agreement under which the band agrees to limit its treaty-based, off-reservation rights to fish, the band may elect to issue DNR fishing licenses and DNR inland waters trout stamps as an agent of DNR and to retain the fees that the band collects for these licenses and stamps. Current law also authorizes DNR to pay the band an amount equal to the amount that DNR collects from its other agents, who issue DNR fishing licenses and trout stamps on the reservation, if the agreement is in effect. Under current law, these payments are made under an appropriation from the conservation fund.

This bill creates a program revenue appropriation from the general fund that is funded by certain moneys received by the state pursuant to Indian gaming compacts. The bill requires that DNR first make the payments to the band under that general fund appropriation. The bill provides that after DNR makes the payments from that general fund appropriation, it must make the balance of the payments, if any, from the conservation fund appropriation.

For further information see the *state* 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.** 20.370 (9) (hk) of the statutes is created to read:

2 20.370 (9) (hk) *Approval fees to Lac du Flambeau band-service funds.* From
3 the general fund, the amounts in the schedule for the purpose of making payments
4 to the Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) (a).
5 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8r.
6 shall be credited to this appropriation account.

 ***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. 20.370 (9) (hk) 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, then this paragraph will have to be redrafted.

7 **SECTION 2.** 20.370 (9) (ht) of the statutes is amended to read:

8 20.370 (9) (ht) *Approval fees to Lac du Flambeau band.* A sum sufficient that
9 is equal to the amount calculated under s. 29.2295 (4) (b), for the purpose of making
10 necessary to make ^{full} payments to the Lac du Flambeau band of the Lake Superior
11 Chippewa under s. 29.2295 (4) (a) (c) 2.

 ***NOTE: The amendment of s. 20.370 (9) (ht) 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, then this paragraph will have to be redrafted.

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15 **SECTION 4.** 29.2295 (4) (c) of the statutes is created to read:

cmj

Drafter's Note

9 This redraft makes ^{minor} technical changes ~~that do not affect~~ that ^{more} more effectively express the intention of this drafting request.

RNK



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1257/2
RNK:cmh/kh/kg:jf

DOA:.....Grinde - ^{IA} Gaming revenues for approval payments to Lac du Flambeau (Indian gaming initiative)

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

Handwritten signature and note

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

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FISH, GAME AND WILDLIFE

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1257/2dn
RNK:cmh&kg:jf

January 11, 1999

This redraft makes minor technical changes that more effectively express the intention of this drafting request.

Robin N. Kite
Legislative Attorney
266-7291



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1257/23
RNK:cmh/kb/kg:jf

soon

DOA:.....Grinde - Gaming revenues for approval payments to Lac du Flambeau (Indian gaming initiative)

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT relating to: the budget.

Don't forget

Analysis by the Legislative Reference Bureau

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15 **SECTION 4.** 29.2295 (4) (c) of the statutes is created to read:



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1257/3
RNK:cmb/kh/kg:km

DOA:.....Grinde - Gaming revenues for approval payments to Lac du Flambeau (Indian gaming initiative)

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1 AN ACT ...; relating to: the budget.

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

15 **SECTION 4.** 29.2295 (4) (c) of the statutes is created to read:

1 29.2295 (4) (c) 1. The department shall make the payments under this
2 subsection from the appropriation under s. 20.370 (9) (hk).

3 2. If the amount appropriated under s. 20.370 (9) (hk) is insufficient to make
4 all of the payments under this subsection, the department shall make the remaining
5 payments from the appropriation under s. 20.370 (9) (ht).

 ****NOTE: The creation of s. 29.2295 (4) (c) is based on the creation of s. 20.505 (8)
(hm) in LRB-0757. If LRB-0757 is not included in the budget bill, then this paragraph
will have to be redrafted.

6

(END)