

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: **06/03/2003**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Zimmerman**

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

Drafter: **mshovers**

May Contact:

Adl. Drafters: **rchampag
mdsida**

Subject: **Munis - miscellaneous
Counties - miscellaneous
Gambling - Indian gaming**

Extra Copies: **JK**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **joseph.kreye@legis.state.wi.us**

Pre Topic:

LFB:.....Zimmerman -

Topic:

Local revenue sharing from Indian gaming compact proceeds

Instructions:

See Attached. Based on -2295/P2, but w/ a sum sufficient approp. from DOA

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>
/?	mshovers 06/03/2003 mdsida 06/04/2003	kgilfoy 06/04/2003		_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mdsida 06/09/2003	chanaman 06/09/2003	jfrantze 06/04/2003	_____	amentkow 06/04/2003		
/2			pgreensl 06/09/2003	_____	lemery 06/09/2003		
/3	mdsida 06/10/2003	wjackson 06/10/2003	pgreensl 06/10/2003	_____	mbarman 06/10/2003		

FE Sent For:

<END>

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1/?	mshovers 06/03/2003 mdsida 06/04/2003	kgilfoy 06/04/2003 13 Wlj 6/10	b/a p8	b/a p8			

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/1	mdsida 06/09/2003	chanaman 06/09/2003	jfrantze 06/04/2003	_____	amentkow 06/04/2003		
/2			pgreensl 06/09/2003	_____	lemery 06/09/2003		

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1?	mshovers 06/03/2003 mdsida 06/04/2003	kgilfoy 06/04/2003	<i>6/9 PB</i>	<i>6/9 P8/</i>			

<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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/1			jfrantze	_____	amentkow		
			06/04/2003	_____	06/04/2003		

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: 06/03/2003

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Wanted: As time permits

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For: Legislative Fiscal Bureau

By/Representing: Zimmerman

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters: rchampag

Subject: Munis - miscellaneous
Counties - miscellaneous
Gambling - Indian gaming

Extra Copies: JK, MGD

Submit via email: YES

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Carbon copy (CC:) to:

Pre Topic:

LFB:.....Zimmerman -

Topic:

Local revenue sharing from Indian gaming compact proceeds

Instructions:

See Attached. Based on -2295/P2, but w/ a sum sufficient approp. from DOA

Item #1/b from the motion

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>
1?	mshovers	1-6/4 King	6/4	6/4 Self			

FE Sent For:

<END>

See Notes
at end

ADMINISTRATION – DIVISION OF GAMING

Tribal Gaming Revenue Allocations

Motion:

Move to provide the following modifications of tribal gaming revenue allocations:

1. Provide \$500,000 PR annually in tribal gaming revenue to DOA for the county management assistance program appropriation.
2. LFB Paper #134. Delete \$350,000 PR annually from DOA relating to the tribal law enforcement assistance grant program.
3. LFB Paper #135 Ethanol Producer Grants Program. Provide an additional \$1,000,000 PR annually for grants to ethanol producers.
4. Delete \$25,200 PR annually in tribal gaming revenue and the related appropriation and statutory language from the Arts Board, which currently provides state aid for the arts grants for American Indian individuals, groups, organizations, institutions, or tribal governments.
5. Make the following changes to the Native American economic development program in the Department of Commerce: (a) delete \$25,000 PR annually to eliminate funding for Native American liaison grants to the Great Lakes Intertribal Council (GLITC); and ~~(b)~~ delete \$132,600 PR and 1.0 PR position to reduce funding and positions for the Department's liaison and administration of gaming economic development and diversification grants and loans.
6. LFB Paper #136 Parks Account Funding. Alternatives A2c and B2. Transfer \$650,000 annually (rather than \$1,300,000 under the bill) from tribal gaming revenues to the segregated parks account of the conservation fund each year of the 2003-05 biennium only. Further, provide \$105,100 in parks account SEG in 2003-04 and \$149,500 in 2004-05 with 2.0 SEG positions for operations of the Tommy G. Thompson and Capital Springs Centennial State Parks.
7. LFB Paper #137 Snowmobile Warden Transfer. Delete the Governor's recommendation (to transfer \$338,800 and 4.5 snowmobile enforcement positions annually from tribal gaming revenues to snowmobile SEG). Rather transfer \$60,700 annually in snowmobile SEG enforcement costs to tribal gaming revenues (all remaining snowmobile SEG for state

Lanice

Pam

No draft
req'd for
(b),
I think

Mary
Bob

enforcement). In addition, convert \$500,000 annually from snowmobile SEG to tribal gaming revenues for snowmobile trail aids.

8. Danbury/St. Croix Chippewa Grant. Delete \$250,000 in tribal gaming PR each year for the grant to the Town of Swiss (Danbury) in Burnett County and the St. Croix Band of Chippewa Indians for wastewater and drinking water treatment facilities. A grant of \$250,000 in each of 2003-04 and 2004-05 would remain.

Mary/Bob

9. DNR Coaster Brook Trout Reintroduction. Delete \$20,000 PR annually for coaster brook trout reintroduction efforts.

PG/Lonnie

10. Delete \$260,000 PR annually from DPI and eliminate the alternative school American Indian language and culture education categorical aid program.

PG/Lonnie

11. Delete \$50,000 PR annually from DPI and eliminate the grant to Beloit College for Native American culture education.

12. Delete \$150,000 PR annually in tribal gaming revenue from the University of Wisconsin System's appropriation that supports the operations and maintenance of the UW aquaculture demonstration facility.

Bob

13. Convert \$15,000 PR annually in the Department of Veterans Affairs for grants to assist American Indians in obtaining federal and state veterans benefits to funding from the veterans trust fund.

Bob

14. Convert \$57,800 PR and 1.0 PR position annually in the Department of Veterans Affairs for an American Indian services veterans benefits coordinator position to funding from the veterans trust fund.

PG

15. Delete \$600,000 PR annually to eliminate grants to tribal colleges for work-based learning programs. (This program was transferred to WTCS by prior Committee action.)

2295/P
MES/JK
provide
sum suff
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does it need
a DP approval
305 B (1)
can I come from

16. Move to provide a sum sufficient for DOA to make payments from tribal gaming revenue not to exceed \$225,300 PR in a fiscal year to local revenue sharing boards, as provided below. Require the creation of a four-member local revenue sharing board by the city, village, or town, and by the county, in which a Class III gaming facility (tribal casino) is located. Require the governing bodies of these political subdivisions to enact an ordinance creating the board with the members of the board appointed, as follows: (1) one member appointed by the governing body of the city, village, or town in which the facility is located; (2) one member appointed by the county board of the county in which the facility is located; (3) one member appointed by the members of the public safety group, described below; and (4) one member appointed by the governing body of the political subdivision that is most impacted by the facility, other than the political subdivisions specified in (1) or (2), as determined by the appointed members under (1), (2) and (3). Provide that not more than once every two years, a majority of the board members

may select a different political subdivision under (4) and the governing body of that political subdivision would appoint one member to the board.

Require that all political subdivisions whose public safety entities are obligated to provide services to a particular facility must establish a group that is made up of the highest ranking member of each public safety entity [this group would appoint one member under (3) above]. Define public safety entities as all of the following departments, agencies, or subunits of a political subdivision that are obligated to provide services to a particular facility: (a) a fire department; (b) an emergency medical services department, whose personnel include a licensed emergency medical technician, a certified first responder, or other personnel who operate or staff an ambulance or authorized emergency vehicle; and (c) a governmental unit of one or more persons employed full time by a political subdivision for the purpose of preventing and detecting crime and enforcing state laws or local ordinances, and the employees of this unit are authorized to make arrests for crimes while acting within the scope of their authority.

Provide that each member of the board would serve at the pleasure of the governing body or group that appoints the individual, except that the public safety group member's term would end upon the selection of a new member, who would serve at the pleasure of the public safety group.

Provide that the board would select from among its members a president, vice president, and secretary-treasurer. Require that meetings of the board may be called by the president or by any other member of the board, and must be held in a building in which the governing body of a political subdivision holds its meetings. Provide that a member of the board may not receive any compensation for serving on the board, but must be reimbursed by the political subdivision that appoints or confirms the member for any actual and necessary expenses that he or she incurs relating to service on the board. This reimbursement must be apportioned among the political subdivisions associated with the public safety group for the member appointed by the public safety group.

Require the board to establish an account at a financial institution and to deposit into the account any tribal gaming revenues received directly from a tribe or from the state. Provide that all four members of the board constitute a quorum, and a majority of a quorum may act in any matter within the jurisdiction of the board.

Require that the board must annually determine the costs incurred by each political subdivision that provides services to a tribal casino. Provide that the total amount of these costs may be certified to the Department of Administration (DOA).

Provide that the governing bodies of each political subdivision represented on the board must enter into an intergovernmental cooperation agreement that addresses at least all of the following: (1) the public safety entities, including police, fire, and rescue services, that are to receive payments from tribal gaming revenue and the apportionment formula among the political subdivisions; (2) a method to determine the costs incurred by each political subdivision as a result of the development of the facility, for the purpose of apportioning any tribal gaming revenue payments; and (3) the apportionment formula among the political subdivisions for any payments of tribal gaming revenue; and (4) a mechanism to provide any supplies that are needed by the board.

Provide that, if a state-tribal gaming compact requires payments to a political subdivision, such payments must be sent to the local revenue sharing board. If a compact does not require payments to a political subdivision, provide that DOA would be required to pay annually to the board, from the Indian gaming receipts appropriation, the amount certified by a local revenue sharing board. If a compact requires payments to a political subdivision and such payments are less than the amount certified by a local revenue sharing board, require DOA to pay annually to the board, from the Indian gaming receipts appropriation, an amount equal to the difference between the amount certified by a board and the amount that is paid to the political subdivision under the compact.

Require that the local shared revenue board make annual disbursements, in the following order, from the amounts of tribal gaming revenue deposited into the board's financial institution account for this purpose: (a) to public safety entities, based on costs incurred, and based on the apportionment formula contained in the board's intergovernmental cooperation agreement; (b) to each political subdivision that is represented on the board, an amount equal to the amount that the political subdivision would have received, in the year to which the payment relates, in property taxes on the facility, if the facility had been subject to property taxes; and (c) to each political subdivision that is represented on the board, any funds that remain in the account after making these payments, based on the apportionment formula contained in the board's intergovernmental cooperation agreement.

Provide that if a tribal gaming facility ceases operation, after the facility makes its last payment to the board's account, the board would be required to distribute the amount in the account to each political subdivision that is represented on the board, based on the apportionment formula contained in the board's intergovernmental cooperation agreement. Provide that after the board distributes all funds in the account, the board would be dissolved.

Provide that these provisions would not apply to 1st class cities or to counties with a population of at least 500,000.

Note:

Item #3 Under the motion a total of \$2,900,000 in tribal gaming PR annually would be available for ethanol producer grants (\$1,000,000 more annually than under the bill).

Item #6. The motion would reduce tribal gaming revenues transferred to the parks account of the conservation fund by \$1.3 million for the biennium and provide SEG funding for ongoing operations at the two Centennial State Parks. The June 30, 2005, balance of the parks account would be expected to total about \$8,200.

Item #7. Relating to the snowmobile account of the conservation fund, the change to the bill would be to shift \$799,000 and 4.5 positions for the biennium from snowmobile SEG to tribal gaming PR. Further, the motion would shift \$500,000 annually for snowmobile trail aids from SEG to tribal gaming PR to balance snowmobile account expenditures with anticipated revenues. In sum, compared to the bill, \$1.8 million would be shifted from snowmobile SEG to tribal gaming PR for the biennium.

Item #8. Relating to the DNR grant to the Town of Swiss (Danbury) and the St. Croix Band for water treatment facilities the motion would retain the current law requirement that no funds may be encumbered from the appropriation after June 30, 2005. Under the motion, a total of \$1,900,000 would be granted from tribal gaming revenues for the project in 1999-00 through 2004-05.

Item #9. The motion deletes base DNR funding for coaster brook trout reintroduction in Lake Superior.

Item #16. The motion relating to shared revenue boards is based on LRB-2295/P2. Under the provisions of the motion, it is estimated that 17 local revenue sharing boards would be required to be established.

[Change to Bill: -\$275,700 PR and 2.5 PR positions and -\$1,398,800 SEG and -1.5 SEG positions]

2003 - 2004 LEGISLATURE

LRBb031771
MESBM 6-08/RAC: L/...
King
RMNR

LFB:.....Zimmerman – Local revenue sharing from Indian gaming compact proceeds

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2

~~(AND)~~
aw



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT *to amend* 20.505 (8) (hm) (intro.); and *to create* 66.0306 of the statutes;
 2 **relating to:** creating a local revenue sharing board to distribute certain
 3 proceeds from Indian gaming compacts and making an appropriation.

Analysis by the Legislative Reference Bureau

To be provided in a future version of the draft.

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:

4 SECTION 1. 20.505 (8) (hm) (intro.) of the statutes is amended to read:

5 20.505 (8) (hm) *Indian gaming receipts.* (intro.) All moneys received as Indian
 6 gaming receipts, as defined in s. 569.01 (1m), all moneys transferred under 2001
 7 Wisconsin Act 16, sections 9201 (5mk), 9205 (1mk), 9210 (3mk), 9223 (5mk), 9224
 8 (1mk), 9225 (1mk), 9231 (1mk), 9237 (4mk), 9240 (1mk), 9251 (1mk), 9256 (1mk),
 9 9257 (2mk), and 9258 (2mk), and all moneys that revert to this appropriation account

INS 1/9

1 ~~from the appropriation accounts specified in subds. 1c. to 19., less the amounts~~
 2 ~~appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of making the~~
 3 ~~payments under s. 66.0306 (3) (b) and (c) and annually transferring the following~~
 4 amounts: *✓ #. Page 665, line 12: after that line insert:*

5 * SECTION ~~2~~ 66.0306 of the statutes is created to read:
153/m

6 **66.0306 Local revenue sharing board; Indian gaming compacts. (1)**

7 DEFINITIONS. In this section:

8 (a) "Board" means a local revenue sharing board created under sub. (2).

9 (b) "Compact" means an Indian gaming compact entered into under s. 14.035.

10 (c) "Facility" means a facility that provides Class III gaming, as defined in 25
 11 USC 2703 (8).

12 (d) "Net win" means the amount wagered at a facility, less the amount paid out
 13 in winnings at the facility.

14 (e) "Political subdivision" means a city, village, town, or county.

15 (f) "Public safety entities" means all of the following departments, agencies, or
 16 subunits of a political subdivision that are obligated to provide services to a
 17 particular facility:

18 1. A fire department.

19 2. An emergency medical services department, whose personnel include an
 20 emergency medical technician licensed under s. 146.50, a first responder certified
 21 under s. 146.50 (8), or other personnel who operate or staff an ambulance or
 22 authorized emergency vehicle.

23 3. A governmental unit of one or more persons employed full time by a political
 24 subdivision for the purpose of preventing and detecting crime and enforcing state

1 laws or local ordinances, employees of which unit are authorized to make arrests for
2 crimes while acting within the scope of their authority.

3 (2) CREATION, MEMBERSHIP, AND POWERS OF A LOCAL REVENUE SHARING BOARD. (a)
4 *Creation.* 1. A board shall be created by the city, village, or town, and by the county,
5 in which a facility is located. The governing bodies of the political subdivisions shall
6 enact an ordinance creating the board and the members of the board shall be
7 appointed under par. (b). Each member of the board shall serve at the pleasure of
8 the governing body or group that appoints the individual, except that if the members
9 appointed under par. (b) 1., 2., and 3. act under par. (b) 5. the term of the member
10 appointed under par. (b) 4. shall end upon the selection of a new member under that
11 subdivision.

12 2. All political subdivisions whose public safety entities are obligated to provide
13 services to a particular facility shall establish a group that is made up of the highest
14 ranking member of each public safety entity. Such a group shall appoint one member
15 of the board under par. (b) 3., who shall serve at the pleasure of the group.

16 (b) *Membership.* 1. The governing body of the city, village, or town in which
17 the facility is located shall appoint one member of the board.

18 2. The county board of the county in which the facility is located shall appoint
19 one member of the board.

20 3. The members of the group described under par. (a) 2. shall appoint one
21 member of the board.

22 4. The members appointed under subds. 1., 2., and 3. shall select the political
23 subdivision that is most impacted by the facility, other than a political subdivision
24 specified under subd. 1. or 2., and the governing body of that political subdivision
25 shall appoint one member of the board.

1 5. Not more than once every 2 years, a majority of the members appointed
2 under subs. 1. to 3. may select a different political subdivision under subd. 4. and
3 the governing body of that political subdivision shall appoint one member under
4 subd. 4.

5 (c) *Responsibilities, meetings, compensation.* 1. The board shall select from
6 among its members a president, vice president, and secretary-treasurer. Meetings
7 of the board may be called by the president or by any other member of the board, and
8 shall be held in a building in which the governing body of a political subdivision holds
9 its meetings.

10 2. A member of the board may not receive any compensation for serving on the
11 board, but shall be reimbursed by the political subdivision that appoints or confirms
12 the member for any actual and necessary expenses that he or she incurs relating to
13 service on the board. The reimbursement of the member appointed under par. (b) 3.
14 shall be apportioned among the political subdivisions described under par. (a) 2.

15 3. The board shall establish an account at a financial institution, as defined in
16 s. 69.30 (1) (b), and shall deposit into the account any revenues received under sub.
17 (3).

18 4. All 4 members appointed under par. (b) constitute a quorum, and a majority
19 of a quorum may act in any matter within the jurisdiction of the board.

20 5. Annually, the board shall determine the costs incurred by each political
21 subdivision that provides services to a facility, based on the method determined
22 under par. (d) 2. The total amount of these costs may be certified to the department
23 of administration.

1 (d) *Cooperation agreement.* The governing bodies of each political subdivision
2 that is represented on the board shall enter into an intergovernmental cooperation
3 agreement under s. 66.0301 that addresses at least all of the following:

4 1. The public safety entities, including police, fire, and rescue services, that are
5 to receive payments under sub. (4) (a), and the apportionment formula among the
6 political subdivisions.

7 2. A method to determine the costs incurred by each political subdivision as a
8 result of the development of the facility, for the purpose of apportioning any
9 payments that are made under sub. (4) (a).

10 3. The apportionment formula among the political subdivisions for any
11 payments that are made under sub. (4) (c).

12 4. A mechanism to provide any supplies that are needed by the board.

13 (3) RECEIPT OF GAMING REVENUES. (a) If a compact requires payments to a
14 political subdivision, such payments shall be sent to the board.

15 (b) If a compact does not require payments to a political subdivision, the
16 department of administration shall pay annually to the board, from the
17 appropriation under s. 20.505 (8) ~~the~~, the amount certified under sub. (2) (c) 5.

18 (c) If a compact requires payments to a political subdivision and such payments
19 are less than the amount certified under sub. (2) (c) 5., the department of
20 administration shall pay annually to the board, from the appropriation under s.
21 20.505 (8) ~~the~~, an amount equal to the difference between the amount certified
22 under sub. (2) (c) 5. and the amount that is paid to the political subdivision under the
23 compact.

(hg)
(hg)
(hg)

SECTION 2

1 (4) DISBURSEMENT OF GAMING REVENUES. Annually, from the amounts deposited
2 into the account under sub. (2) (c) 3., the board shall make the following
3 disbursements, in the following order:

4 (a) To public safety entities, based on costs incurred, and based on the
5 apportionment formula described under sub. (2) (d) 1.

6 (b) To each political subdivision that is represented on the board by a person
7 appointed under sub. (2) (b) 1., 2., and 4., an amount equal to the amount that the
8 political subdivision would have received, in the year to which the payment relates,
9 in property taxes on the facility if the facility had been subject to property taxes.

10 (c) To each political subdivision that is represented on the board by a person
11 appointed under sub. (2) (b) 1., 2., and 4., any funds that remain in the account after
12 making the payments under pars. (a) and (b), based on the apportionment formula
13 described under sub. (2) (d) 3.

14 (5) DISSOLUTION. If a facility ceases operation, after the facility makes its last
15 payment to the account under sub. (2) (c) 3. the board shall distribute the amount in
16 the account as provided in sub. (4). After the board distributes all funds in the
17 account, the board is dissolved.

18 (6) APPLICABILITY. This section does not apply to 1st class cities or to counties
19 with a population of at least 500,000. // ,

(END)

20

INS 6/19

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0317/lins
MGD:.....

1 INSERT 1/9 ✓

3

2 ✓ 1. Page 403, line 2: after that line insert:

3 "SECTION 604m. 20.505 (8) (hg) of the statutes is created to read:

4 20.505 (8) (hg) *Revenue sharing from tribal gaming receipts.* From the moneys
5 received under s. 569.06 (1), a sum sufficient for making the payments under s.
6 66.0306 (3) (b) and (c). The amount appropriated under this paragraph may not
7 exceed \$225,300 in a fiscal year."

8 ✓ 2. Page 403, line 12: delete "par. (h)" and substitute "~~par.~~ pars. (h) and (hg)". ✓

9 ✓ INSERT 6/19

10 3. Page 1000, line 7: delete "\$24,352,500" and substitute "the sum of
11 \$24,352,500 and the amount appropriated under s. 20.505 (8) (hg)". ✓

12 ✓ 4. Page 1000, line 8: after "(h)" insert ".(hg).".

13 ✓ 5. Page 1000, line 9: after "(h)" insert ".(hg).".

Commas



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0317/D (2)
MES/MGD/RAC:kmg:jf
a dnh

LFB:.....Zimmerman – Local revenue sharing from Indian gaming compact proceeds

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

INS 1/1

662m

1 At the locations indicated, amend the bill as follows:

2 1. Page ⁴¹¹ ~~402~~, line ⁷ ~~8~~ after that line insert:

3 “SECTION ~~604m.~~ ^{20,835 (1) (k)} ~~20,505 (3) (hg)~~ of the statutes is created to read:

4 ^{20,835 (1) (k)} ~~20,505 (3) (hg)~~ Revenue sharing from tribal gaming receipts. From the moneys
5 received under s. 569.06 (1), a sum sufficient for making the payments under s.
6 66.0306 (3) (b) and (c). ^{INS 1/6} The amount appropriated under this paragraph may not
7 exceed \$225,300 in a fiscal year.”.

8 2. Page 403, line 12: delete “par. (h)” and substitute “par. pars. (h) and (hg)”.

9 3. Page 665, line 12: after that line insert:

10 “SECTION 1531m. 66.0306 of the statutes is created to read:

1 **66.0306 Local revenue sharing board; Indian gaming compacts. (1)**

2 DEFINITIONS. In this section:

3 (a) “Board” means a local revenue sharing board created under sub. (2).

4 (b) “Compact” means an Indian gaming compact entered into under s. 14.035.

5 (c) “Facility” means a facility that provides Class III gaming, as defined in 25
6 USC 2703 (8).

7 (d) “Net win” means the amount wagered at a facility, less the amount paid out
8 in winnings at the facility.

9 (e) “Political subdivision” means a city, village, town, or county.

10 (f) “Public safety entities” means all of the following departments, agencies, or
11 subunits of a political subdivision that are obligated to provide services to a
12 particular facility:

13 1. A fire department.

14 2. An emergency medical services department, whose personnel include an
15 emergency medical technician licensed under s. 146.50, a first responder certified
16 under s. 146.50 (8), or other personnel who operate or staff an ambulance or
17 authorized emergency vehicle.

18 3. A governmental unit of one or more persons employed full time by a political
19 subdivision for the purpose of preventing and detecting crime and enforcing state
20 laws or local ordinances, employees of which unit are authorized to make arrests for
21 crimes while acting within the scope of their authority.

22 **(2) CREATION, MEMBERSHIP, AND POWERS OF A LOCAL REVENUE SHARING BOARD. (a)**

23 *Creation.* 1. A board shall be created by the city, village, or town, and by the county,
24 in which a facility is located. The governing bodies of the political subdivisions shall
25 enact an ordinance creating the board and the members of the board shall be

1 appointed under par. (b). Each member of the board shall serve at the pleasure of
2 the governing body or group that appoints the individual, except that if the members
3 appointed under par. (b) 1., 2., and 3. act under par. (b) 5. the term of the member
4 appointed under par. (b) 4. shall end upon the selection of a new member under that
5 subdivision.

6 2. All political subdivisions whose public safety entities are obligated to provide
7 services to a particular facility shall establish a group that is made up of the highest
8 ranking member of each public safety entity. Such a group shall appoint one member
9 of the board under par. (b) 3., who shall serve at the pleasure of the group.

10 (b) *Membership.* 1. The governing body of the city, village, or town in which
11 the facility is located shall appoint one member of the board.

12 2. The county board of the county in which the facility is located shall appoint
13 one member of the board.

14 3. The members of the group described under par. (a) 2. shall appoint one
15 member of the board.

16 4. The members appointed under subs. 1., 2., and 3. shall select the political
17 subdivision that is most impacted by the facility, other than a political subdivision
18 specified under subd. 1. or 2., and the governing body of that political subdivision
19 shall appoint one member of the board.

20 5. Not more than once every 2 years, a majority of the members appointed
21 under subs. 1. to 3. may select a different political subdivision under subd. 4. and
22 the governing body of that political subdivision shall appoint one member under
23 subd. 4.

24 (c) *Responsibilities, meetings, compensation.* 1. The board shall select from
25 among its members a president, vice president, and secretary–treasurer. Meetings

1 of the board may be called by the president or by any other member of the board, and
2 shall be held in a building in which the governing body of a political subdivision holds
3 its meetings.

4 2. A member of the board may not receive any compensation for serving on the
5 board, but shall be reimbursed by the political subdivision that appoints or confirms
6 the member for any actual and necessary expenses that he or she incurs relating to
7 service on the board. The reimbursement of the member appointed under par. (b) 3.
8 shall be apportioned among the political subdivisions described under par. (a) 2.

9 3. The board shall establish an account at a financial institution, as defined in
10 s. 69.30 (1) (b), and shall deposit into the account any revenues received under sub.
11 (3).

12 4. All 4 members appointed under par. (b) constitute a quorum, and a majority
13 of a quorum may act in any matter within the jurisdiction of the board.

14 5. Annually, the board shall determine the costs incurred by each political
15 subdivision that provides services to a facility, based on the method determined
16 under par. (d) 2. The total amount of these costs may be certified to the department
17 of administration.

18 (d) *Cooperation agreement.* The governing bodies of each political subdivision
19 that is represented on the board shall enter into an intergovernmental cooperation
20 agreement under s. 66.0301 that addresses at least all of the following:

21 1. The public safety entities, including police, fire, and rescue services, that are
22 to receive payments under sub. (4) (a), and the apportionment formula among the
23 political subdivisions.

1 2. A method to determine the costs incurred by each political subdivision as a
2 result of the development of the facility, for the purpose of apportioning any
3 payments that are made under sub. (4) (a).

4 3. The apportionment formula among the political subdivisions for any
5 payments that are made under sub. (4) (c).

6 4. A mechanism to provide any supplies that are needed by the board.

7 **(3) RECEIPT OF GAMING REVENUES.** (a) If a compact requires payments to a
8 political subdivision, such payments shall be sent to the board.

9 (b) If a compact does not require payments to a political subdivision, the
10 department of administration shall pay annually to the board, from the
11 appropriation under s. ~~20.505 (8) (lg)~~ ^{20.835 (1) (k)}, the amount certified under sub. (2) (c) 5.

12 (c) If a compact requires payments to a political subdivision and such payments
13 are less than the amount certified under sub. (2) (c) 5., the department of
14 administration shall pay annually to the board, from the appropriation under s.
15 ~~20.505 (8) (lg)~~ ^{20.835 (1) (k)}, an amount equal to the difference between the amount certified
16 under sub. (2) (c) 5. and the amount that is paid to the political subdivision under the
17 compact.

18 **(4) DISBURSEMENT OF GAMING REVENUES.** Annually, from the amounts deposited
19 into the account under sub. (2) (c) 3., the board shall make the following
20 disbursements, in the following order:

21 (a) To public safety entities, based on costs incurred, and based on the
22 apportionment formula described under sub. (2) (d) 1.

23 (b) To each political subdivision that is represented on the board by a person
24 appointed under sub. (2) (b) 1., 2., and 4., an amount equal to the amount that the

1 political subdivision would have received, in the year to which the payment relates,
2 in property taxes on the facility if the facility had been subject to property taxes.

3 (c) To each political subdivision that is represented on the board by a person
4 appointed under sub. (2) (b) 1., 2., and 4., any funds that remain in the account after
5 making the payments under pars. (a) and (b), based on the apportionment formula
6 described under sub. (2) (d) 3.

7 (5) DISSOLUTION. If a facility ceases operation, after the facility makes its last
8 payment to the account under sub. (2) (c) 3. the board shall distribute the amount in
9 the account as provided in sub. (4). After the board distributes all funds in the
10 account, the board is dissolved.

11 (6) APPLICABILITY. This section does not apply to 1st class cities or to counties
12 with a population of at least 500,000.”.

13 4. Page 1000, line 7: delete “\$24,352,500” and substitute “the sum of
14 \$24,352,500 and the amount appropriated under s. 20.505 (8) (hg)”.

15 5. Page 1000, line 8: after “(h)” insert “, (hg)”.

16 6. Page 1000, line 9: after “(h)” insert “, (hg)”.

17

(END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0317/2ins
MGD:.....

1 **INSERT 1/1**

2 1. Page 404, line 9: after that line insert:

3 (3) "SECTION 615[✓]m. 20.505 (8) (hm) 22. of the statutes is created to read:

4 20.505 (8) (hm) 22. The amount transferred to s. 20.835[✓] (1) (k) shall be the

5 amount required to be appropriated under s. 20.835 (1) (k)."

6 (4) ~~9/11~~ **INSERT 1/6**

7 All moneys transferred from the appropriation account under s. 20.505[✓] (8) (hm)

8 22. shall be credited to this appropriation account.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0317/2 3
MES/MGD/RAC:kmg&cmh:pg
EWLj

LFB:.....Zimmerman – Local revenue sharing from Indian gaming compact proceeds

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 1. Page 404, line 9: after that line insert:

3

“SECTION 615m. 20.505 (8) (hm) 22. of the statutes is created to read:

4

20.505 (8) (hm) 22. The amount transferred to s. ^{20.505 (8)}~~20.835 (1)~~ (k) shall be the amount required to be appropriated under s. ^{20.505 (8)}~~20.835 (1)~~ (k).²

5

6

2. Page 411, line 7: after that line insert:

7

³SECTION ^{615r}~~662m~~. ^{20.505 (8)}~~20.835 (1)~~ (k) of the statutes is created to read:

8

^{20.505 (8)}~~20.835 (1)~~ (k) Revenue sharing from tribal gaming receipts. From the moneys

9

received under s. 569.06 (1), a sum sufficient for making the payments under s.

10

66.0306 (3) (b) and (c). All moneys transferred from the appropriation account under

1 s. 20.505 (8) (hm) 22. shall be credited to this appropriation account. The amount
2 appropriated under this paragraph may not exceed \$225,300 in a fiscal year.”.

3 **3.** Page 665, line 12: after that line insert:

4 “SECTION 1531m. 66.0306 of the statutes is created to read:

5 **66.0306 Local revenue sharing board; Indian gaming compacts. (1)**

6 DEFINITIONS. In this section:

7 (a) “Board” means a local revenue sharing board created under sub. (2).

8 (b) “Compact” means an Indian gaming compact entered into under s. 14.035.

9 (c) “Facility” means a facility that provides Class III gaming, as defined in 25
10 USC 2703 (8).

11 (d) “Net win” means the amount wagered at a facility, less the amount paid out
12 in winnings at the facility.

13 (e) “Political subdivision” means a city, village, town, or county.

14 (f) “Public safety entities” means all of the following departments, agencies, or
15 subunits of a political subdivision that are obligated to provide services to a
16 particular facility:

17 1. A fire department.

18 2. An emergency medical services department, whose personnel include an
19 emergency medical technician licensed under s. 146.50, a first responder certified
20 under s. 146.50 (8), or other personnel who operate or staff an ambulance or
21 authorized emergency vehicle.

22 3. A governmental unit of one or more persons employed full time by a political
23 subdivision for the purpose of preventing and detecting crime and enforcing state

1 laws or local ordinances, employees of which unit are authorized to make arrests for
2 crimes while acting within the scope of their authority.

3 (2) CREATION, MEMBERSHIP, AND POWERS OF A LOCAL REVENUE SHARING BOARD. (a)

4 *Creation.* 1. A board shall be created by the city, village, or town, and by the county,
5 in which a facility is located. The governing bodies of the political subdivisions shall
6 enact an ordinance creating the board and the members of the board shall be
7 appointed under par. (b). Each member of the board shall serve at the pleasure of
8 the governing body or group that appoints the individual, except that if the members
9 appointed under par. (b) 1., 2., and 3. act under par. (b) 5. the term of the member
10 appointed under par. (b) 4. shall end upon the selection of a new member under that
11 subdivision.

12 2. All political subdivisions whose public safety entities are obligated to provide
13 services to a particular facility shall establish a group that is made up of the highest
14 ranking member of each public safety entity. Such a group shall appoint one member
15 of the board under par. (b) 3., who shall serve at the pleasure of the group.

16 (b) *Membership.* 1. The governing body of the city, village, or town in which
17 the facility is located shall appoint one member of the board.

18 2. The county board of the county in which the facility is located shall appoint
19 one member of the board.

20 3. The members of the group described under par. (a) 2. shall appoint one
21 member of the board.

22 4. The members appointed under subs. 1., 2., and 3. shall select the political
23 subdivision that is most impacted by the facility, other than a political subdivision
24 specified under subd. 1. or 2., and the governing body of that political subdivision
25 shall appoint one member of the board.

1 5. Not more than once every 2 years, a majority of the members appointed
2 under subds. 1. to 3. may select a different political subdivision under subd. 4. and
3 the governing body of that political subdivision shall appoint one member under
4 subd. 4.

5 (c) *Responsibilities, meetings, compensation.* 1. The board shall select from
6 among its members a president, vice president, and secretary–treasurer. Meetings
7 of the board may be called by the president or by any other member of the board, and
8 shall be held in a building in which the governing body of a political subdivision holds
9 its meetings.

10 2. A member of the board may not receive any compensation for serving on the
11 board, but shall be reimbursed by the political subdivision that appoints or confirms
12 the member for any actual and necessary expenses that he or she incurs relating to
13 service on the board. The reimbursement of the member appointed under par. (b) 3.
14 shall be apportioned among the political subdivisions described under par. (a) 2.

15 3. The board shall establish an account at a financial institution, as defined in
16 s. 69.30 (1) (b), and shall deposit into the account any revenues received under sub.
17 (3).

18 4. All 4 members appointed under par. (b) constitute a quorum, and a majority
19 of a quorum may act in any matter within the jurisdiction of the board.

20 5. Annually, the board shall determine the costs incurred by each political
21 subdivision that provides services to a facility, based on the method determined
22 under par. (d) 2. The total amount of these costs may be certified to the department
23 of administration.

1 (d) *Cooperation agreement.* The governing bodies of each political subdivision
2 that is represented on the board shall enter into an intergovernmental cooperation
3 agreement under s. 66.0301 that addresses at least all of the following:

4 1. The public safety entities, including police, fire, and rescue services, that are
5 to receive payments under sub. (4) (a), and the apportionment formula among the
6 political subdivisions.

7 2. A method to determine the costs incurred by each political subdivision as a
8 result of the development of the facility, for the purpose of apportioning any
9 payments that are made under sub. (4) (a).

10 3. The apportionment formula among the political subdivisions for any
11 payments that are made under sub. (4) (c).

12 4. A mechanism to provide any supplies that are needed by the board.

13 (3) RECEIPT OF GAMING REVENUES. (a) If a compact requires payments to a
14 political subdivision, such payments shall be sent to the board.

15 (b) If a compact does not require payments to a political subdivision, the
16 department of administration shall pay annually to the board, from the
17 appropriation under s. ^{20.505(8)(k)}~~20.837(1)(k)~~, the amount certified under sub. (2) (c) 5.

18 (c) If a compact requires payments to a political subdivision and such payments
19 are less than the amount certified under sub. (2) (c) 5., the department of
20 administration shall pay annually to the board, from the appropriation under s.
21 ^{20.505(8)(k)}~~20.837(1)(k)~~, an amount equal to the difference between the amount certified under
22 sub. (2) (c) 5. and the amount that is paid to the political subdivision under the
23 compact.



LFB:.....Zimmerman – Local revenue sharing from Indian gaming compact proceeds

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 1. Page 404, line 9: after that line insert:

3 “SECTION 615m. 20.505 (8) (hm) 22. of the statutes is created to read:

4 20.505 (8) (hm) 22. The amount transferred to s. 20.505 (8) (k) shall be the
5 amount required to be appropriated under s. 20.505 (8) (k).

6 SECTION 615r. 20.505 (8) (k) of the statutes is created to read:

7 20.505 (8) (k) *Revenue sharing from tribal gaming receipts.* From the moneys
8 received under s. 569.06 (1), a sum sufficient for making the payments under s.
9 66.0306 (3) (b) and (c). All moneys transferred from the appropriation account under
10 s. 20.505 (8) (hm) 22. shall be credited to this appropriation account. The amount
11 appropriated under this paragraph may not exceed \$225,300 in a fiscal year.”.

1 **2.** Page 665, line 12: after that line insert:

2 “SECTION 1531m. 66.0306 of the statutes is created to read:

3 **66.0306 Local revenue sharing board; Indian gaming compacts. (1)**

4 DEFINITIONS. In this section:

5 (a) “Board” means a local revenue sharing board created under sub. (2).

6 (b) “Compact” means an Indian gaming compact entered into under s. 14.035.

7 (c) “Facility” means a facility that provides Class III gaming, as defined in 25
8 USC 2703 (8).

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10 in winnings at the facility.

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13 subunits of a political subdivision that are obligated to provide services to a
14 particular facility:

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19 authorized emergency vehicle.

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21 subdivision for the purpose of preventing and detecting crime and enforcing state
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23 crimes while acting within the scope of their authority.

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2 *Creation.* 1. A board shall be created by the city, village, or town, and by the county,
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6 the governing body or group that appoints the individual, except that if the members
7 appointed under par. (b) 1., 2., and 3. act under par. (b) 5. the term of the member
8 appointed under par. (b) 4. shall end upon the selection of a new member under that
9 subdivision.

10 2. All political subdivisions whose public safety entities are obligated to provide
11 services to a particular facility shall establish a group that is made up of the highest
12 ranking member of each public safety entity. Such a group shall appoint one member
13 of the board under par. (b) 3., who shall serve at the pleasure of the group.

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15 the facility is located shall appoint one member of the board.

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17 one member of the board.

18 3. The members of the group described under par. (a) 2. shall appoint one
19 member of the board.

20 4. The members appointed under subs. 1., 2., and 3. shall select the political
21 subdivision that is most impacted by the facility, other than a political subdivision
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24 5. Not more than once every 2 years, a majority of the members appointed
25 under subs. 1. to 3. may select a different political subdivision under subd. 4. and

1 the governing body of that political subdivision shall appoint one member under
2 subd. 4.

3 (c) *Responsibilities, meetings, compensation.* 1. The board shall select from
4 among its members a president, vice president, and secretary–treasurer. Meetings
5 of the board may be called by the president or by any other member of the board, and
6 shall be held in a building in which the governing body of a political subdivision holds
7 its meetings.

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9 board, but shall be reimbursed by the political subdivision that appoints or confirms
10 the member for any actual and necessary expenses that he or she incurs relating to
11 service on the board. The reimbursement of the member appointed under par. (b) 3.
12 shall be apportioned among the political subdivisions described under par. (a) 2.

13 3. The board shall establish an account at a financial institution, as defined in
14 s. 69.30 (1) (b), and shall deposit into the account any revenues received under sub.
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4 2. A method to determine the costs incurred by each political subdivision as a
5 result of the development of the facility, for the purpose of apportioning any
6 payments that are made under sub. (4) (a).

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9 4. A mechanism to provide any supplies that are needed by the board.

10 **(3) RECEIPT OF GAMING REVENUES.** (a) If a compact requires payments to a
11 political subdivision, such payments shall be sent to the board.

12 (b) If a compact does not require payments to a political subdivision, the
13 department of administration shall pay annually to the board, from the
14 appropriation under s. 20.505 (8) (k), the amount certified under sub. (2) (c) 5.

15 (c) If a compact requires payments to a political subdivision and such payments
16 are less than the amount certified under sub. (2) (c) 5., the department of
17 administration shall pay annually to the board, from the appropriation under s.
18 20.505 (8) (k), an amount equal to the difference between the amount certified under
19 sub. (2) (c) 5. and the amount that is paid to the political subdivision under the
20 compact.

21 **(4) DISBURSEMENT OF GAMING REVENUES.** Annually, from the amounts deposited
22 into the account under sub. (2) (c) 3., the board shall make the following
23 disbursements, in the following order:

24 (a) To public safety entities, based on costs incurred, and based on the
25 apportionment formula described under sub. (2) (d) 1.

