2019 SENATE BILL 886

March 6, 2020 – Introduced by Senators BEWLEY, PETROWSKI, HANSEN, TIFFANY, SMITH, WANGGAARD and L TAYLOR, cosponsored by Representatives MURSAU, ANDERSON, EDMING, CONSIDINE, KERKMAN, B MEYERS, MAGNAFICI, MILROY, PRONSchINSKE, L MYERS, SWEARINGEN, TAUCHEN, TUSLER and VANDERMEER. Referred to Committee on Transportation, Veterans and Military Affairs.

AN ACT to amend 20.505 (8) (hm) 25. and 569.06; and to create 20.395 (1) (ag), 20.395 (1) (ak), 20.505 (8) (hm) 26. and 86.52 of the statutes; relating to: transportation aid to counties and municipalities containing certain tribal facilities and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Transportation to provide up to $125,000 in transportation aid annually to each county containing the headquarters of an American Indian tribe or band and a casino operated by the same tribe or band. The bill also requires DOT to provide up to $125,000 in transportation aid annually to be divided equally among the municipalities in those counties that contain the headquarters of the tribe or band or that border the municipality that contains the headquarters.

Under current law and Indian gaming compacts, Indian tribes make payments to the state to reimburse the state for costs relating to the regulation of certain gaming activities. Revenue from tribal gaming is estimated for each fiscal year based on projected tribal payments to the state. A certain amount of this money is appropriated to be transferred on an annual basis to several appropriation accounts. At the end of each fiscal year, unobligated funds from some of the programs that receive tribal gaming revenues revert to the appropriation account to which Indian gaming receipts are credited. This bill transfers to DOT the unobligated funds that were reverted in the prior fiscal year for the purpose of providing the transportation aid required under the bill. The bill also appropriates to DOT up to $2,500,000 of
tribal gaming revenue that exceeds the estimated revenue for a fiscal year for the purpose of providing the transportation aid required under the bill. For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 20.395 (1) (ag) of the statutes is created to read:
20.395 (1) (ag) Transportation aids, excess gaming revenue. From the general fund, all moneys received from excess gaming receipts, as provided under s. 569.06, for transportation aids under s. 86.52.

SECTION 2. 20.395 (1) (ak) of the statutes is created to read:
20.395 (1) (ak) Transportation aids, unobligated gaming revenue. From the general fund, all moneys transferred from the appropriation account under s. 20.505 (8) (hm) 26. for transportation aids under s. 86.52.

SECTION 3. 20.505 (8) (hm) 25. of the statutes is amended to read:
20.505 (8) (hm) 25. The amount transferred to s. 20.435 (2) (km) shall be $250,000 or the amount remaining in this appropriation after all other transfers under subds. 1c. to 24. and 26. are made, whichever is less.

SECTION 4. 20.505 (8) (hm) 26. of the statutes is created to read:
20.505 (8) (hm) 26. The amount transferred to s. 20.395 (1) (ak) shall be the amount of unobligated funds that reverted to the appropriation account under this paragraph in the previous fiscal year. The transfer under this subdivision shall be made before any transfers under subds. 1c. to 25. are made.

SECTION 5. 86.52 of the statutes is created to read:

86.52 Transportation aids to counties and municipalities from Indian gaming receipts. (1) Definitions. In this section:
(a) “Eligible county” means a county that contains the headquarters of an American Indian tribe or band and a casino operated by the same American Indian tribe or band.

(b) “Eligible municipality” means a city, town, or village located in an eligible county that contains the headquarters of an American Indian tribe or band or that borders the city, town, or village that contains the headquarters of an American Indian tribe or band.

(2) AMOUNT OF AIDS PAYMENTS. In addition to any other aids payable to a county, city, town, or village, the department shall annually pay the following amounts:

(a) To each eligible county, an amount equal to the amount calculated by dividing the total amount appropriated under s. 20.395 (1) (ag) and (ak) for that fiscal year by the number of eligible counties but not to exceed $125,000.

(b) To each eligible municipality, an amount equal to the amount calculated as follows:

1. Divide the amount remaining after making the payments under par. (a) by the number of eligible counties.

2. Divide the amount calculated under subd. 1. or $125,000, whichever is less, by the number of eligible municipalities in the eligible county in which the eligible municipality is located.

(3) AIDS DISTRIBUTION. The department shall distribute transportation aids under this section on the first Monday in August. The payments shall be made from the appropriations under s. 20.395 (1) (ag) and (ak).

(4) USE OF AIDS. All transportation aids distributed under this section shall be used for road and bridge improvements, as matching funds to qualify for other state transportation funds, or for other transportation needs.
SECTION 6. 569.06 of the statutes is amended to read:

569.06 Indian gaming receipts. Indian gaming receipts shall be credited to the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) as specified under ss. 20.455 (2) (gc) and 20.505 (8) (h). Indian gaming receipts shall be credited to the appropriation account under s. 20.505 (8) (hm) in the amount necessary to make the transfers specified under s. 20.505 (8) (hm). In each fiscal year, any Indian gaming receipts that exceed the receipts estimate approved by the joint committee on finance for that fiscal year, as determined by the department, shall be credited to the appropriation account under s. 20.395 (1) (ag); except that the amount credited to the appropriation account under s. 20.395 (1) (ag) in any fiscal year may not exceed the amount calculated by subtracting the amount transferred to the appropriation account under s. 20.395 (1) (ak) for that fiscal year from $2,500,000. Indian gaming receipts not otherwise credited to appropriation accounts under this section shall be paid into the general fund.

(END)