



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5059/1
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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.

1 **AN ACT** *to amend* 20.505 (8) (hm) 25. and 569.06; and *to create* 20.395 (1) (ag),
2 20.395 (1) (ak), 20.505 (8) (hm) 26. and 86.52 of the statutes; **relating to:**
3 transportation aid to counties and municipalities containing certain tribal
4 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

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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:

1 **SECTION 1.** 20.395 (1) (ag) of the statutes is created to read:

2 20.395 (1) (ag) *Transportation aids, excess gaming revenue.* From the general
3 fund, all moneys received from excess gaming receipts, as provided under s. 569.06,
4 for transportation aids under s. 86.52.

5 **SECTION 2.** 20.395 (1) (ak) of the statutes is created to read:

6 20.395 (1) (ak) *Transportation aids, unobligated gaming revenue.* From the
7 general fund, all moneys transferred from the appropriation account under s. 20.505
8 (8) (hm) 26. for transportation aids under s. 86.52.

9 **SECTION 3.** 20.505 (8) (hm) 25. of the statutes is amended to read:

10 20.505 (8) (hm) 25. The amount transferred to s. 20.435 (2) (km) shall be
11 \$250,000 or the amount remaining in this appropriation after all other transfers
12 under subds. 1c. to 24. and 26. are made, whichever is less.

13 **SECTION 4.** 20.505 (8) (hm) 26. of the statutes is created to read:

14 20.505 (8) (hm) 26. The amount transferred to s. 20.395 (1) (ak) shall be the
15 amount of unobligated funds that reverted to the appropriation account under this
16 paragraph in the previous fiscal year. The transfer under this subdivision shall be
17 made before any transfers under subds. 1c. to 25. are made.

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

19 **86.52 Transportation aids to counties and municipalities from Indian**
20 **gaming receipts.** (1) DEFINITIONS. In this section:

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1 (a) “Eligible county” means a county that contains the headquarters of an
2 American Indian tribe or band and a casino operated by the same American Indian
3 tribe or band.

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

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

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

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

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

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

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

23 **(4) USE OF AIDS.** All transportation aids distributed under this section shall be
24 used for road and bridge improvements, as matching funds to qualify for other state
25 transportation funds, or for other transportation needs.

