



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #136

Tribal Youth Treatment Facility (DOA -- Division of Gaming)

[LFB 2017-19 Budget Summary: Page 56, #3]

CURRENT LAW

Indian gaming receipts are statutorily defined as moneys received by the state from any of the following: (a) tribal reimbursement for state costs of regulation of Indian gaming under Indian gaming compacts; (b) payments by Indian gaming vendors and persons proposing to be Indian gaming vendors as reimbursement for state costs of certification and background investigations; (c) tribal reimbursement for state costs of gaming services and assistance provided by the state at the request of a tribe; and (d) tribal payments pursuant to the Indian gaming compacts.

The first draw on tribal gaming receipts is to the following appropriations: (a) a Department of Administration (DOA) general program operations appropriation relating to Indian gaming regulation under the compacts (\$1,986,600 PR in 2016-17); (b) a Department of Justice (DOJ) Indian gaming law enforcement appropriation (\$144,800 PR in 2016-17); and (c) an amount necessary to make all of the transfers specified under the DOA Indian gaming receipts appropriation to other state programs (in 2016-17 these transfers total \$25,146,200 PR). Tribal gaming receipts remaining after these allocations are made are credited to the general fund.

GOVERNOR

Create non-statutory provisions to provide \$100,000 in tribal gaming revenue in each year of the biennium to American Indian tribes to fund a feasibility study and business plan for the potential creation of a youth wellness center. Repeal the provision effective July 1, 2019. Funding for the study is transferred from the DOA's Indian gaming appropriation, to which gaming revenues are deposited, to various appropriations.

DISCUSSION POINTS

1. Since 2004-05, the Department of Administration indicates that a meeting has been held with the Great Lakes Inter-Tribal Council (GLITC) and individual tribes to determine what their fiscal priorities are for the upcoming biennium. An inpatient youth wellness center incorporating cultural principles or a Youth Regional Treatment Centers (YRTC) has previously been discussed and was determined to be a priority project for the upcoming 2017-19 biennium.

2. According to the Federal Indian Health Service (IHS) website, IHS provides recurring funding to 10 tribally and federally operated YRTCs throughout the United States "to address the ongoing issues of substance abuse and co-occurring disorders among American Indian and Alaska Native youth." However, placement and construction of a facility through other funding sources is a prerequisite to receiving federal funding through IHS for treatment of tribal youth. Once built, the facility would be used by all regional tribes. The closest YRTC to Wisconsin is located in South Dakota.

3. Under the oversight of GLITC, the Stockbridge-Munsee Community is taking the lead on gathering information to complete a comprehensive feasibility study on the potential of developing an approximately 30 bed regional juvenile treatment facility or YRTC in Central Wisconsin. According to the request from GLITC, the purpose of the feasibility study is to provide "tribal and urban Native American communities with tools and resources to plan and design a holistic, culturally-based, coordinated wellness center designed to support mental health and wellness for children, youth, and their families."

4. The Department of Administration indicates that the amount of funding to be allocated under the bill is based on the average rates in the area for feasibility study services and that the feasibility study would be completed within the biennium. Based on this information, the Committee may wish to create this new allocation. [Alternative 1] As a result of this alternative, an increase of \$100,000 in tribal gaming revenue in each year of the biennium would be provided to support the feasibility study and business plan.

5. The administration indicated that the feasibility study and business plan could be completed in a single fiscal year and would not be opposed to receiving the funds in one fiscal year instead of over the biennium. Based on this, the Committee could create the new allocation, but provide the funding in 2017-18 rather than over the 2017-19 biennium. [Alternative 2] As a result of this alternative, \$200,000 in tribal gaming revenue in 2017-18 would be provided to support the feasibility study and business plan.

6. Given that the allocation is a new allocation and would reduce the amount available to the general fund, the Committee may determine the current level of allocations is appropriate. As such the Committee may wish to maintain the current level of allocations from in tribal gaming revenue. [Alternative 3]

ALTERNATIVES

1. Approve the Governor's recommendation to transfer \$100,000 in tribal gaming revenue in each year of the biennium to fund a feasibility study and business plan for the potential creation of a tribal youth wellness center.

ALT 1	Change to Base		Change to Bill	
	Revenue	Transfer	Revenue	Transfer
GPR-Tribal	-\$200,000	\$200,000	\$0	\$0

2. Modify the Governor's recommendation to transfer \$200,000 in tribal gaming revenue in 2017-18 to fund a feasibility study and business plan for the potential creation of a tribal youth wellness center instead of \$100,000 in each year of the biennium.

ALT 2	Change to Base		Change to Bill	
	Revenue	Transfer	Revenue	Transfer
GPR-Tribal	-\$200,000	\$200,000	\$0	\$0

3. Maintain current law.

ALT 3	Change to Base		Change to Bill	
	Revenue	Transfer	Revenue	Transfer
GPR-Tribal	\$0	\$0	\$200,000	-\$200,000

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