

Sharing (WIJIS) program. Provide \$786,500 PR in 2011-12, and \$797,300 PR in 2012-13, and 5.3 PR positions annually in the newly created appropriation.

The WIJIS program has historically been supported with federal grant funding. However, in order to implement the traffic stop data collection initiative under 2009 Act 28, WIJIS was provided base resources of \$364,200 PR and 0.60 PR positions annually, funded from the justice information system surcharge. Under the bill, base funding and positions for implementation and administration of the traffic stop data collection initiative would be deleted, including base funding provided to WIJIS for traffic stop data collection implementation. Office staff expressed the concern that the state could no longer rely on federal funding to support WIJIS, as program costs have shifted from implementation and development costs to ongoing operational costs.

The Justice Gateway under WIJIS is a web-based tool which provides state law enforcement personnel with a single, secure point of read-only access to information stored in separate justice-related state, local, and tribal databases from communities across Wisconsin. The Gateway permit authorized users to do a name search of law enforcement contact, arrest, and investigation records. The Gateway also permits authorized users to access: (a) prosecutor records from the PROTECT system under DA IT; and (b) court records in the Circuit Court Automation Program (CCAP).

The WIJIS Workflow Engine is designed to support many different types of information exchange securely over authenticated Internet connections. The intent of the Workflow Engine is to streamline the processing of criminal justice records across multiple agencies. By providing a central hub for integration, the Workflow Engine allows agencies to implement information exchanges faster and at a lower cost than alternatives requiring multiple point-to-point exchanges. For example, the Workflow Engine product eCitations supports the secure exchange of electronic citations originated by law enforcement agencies. The Workflow Engine routes citations to the courts, prosecutors, local municipal court systems, and two tracking/reporting databases at the Department of Transportation, based on business routing rules established by the users of the system.

[Act 32 Sections: 717 and 735m]

Division of Gaming

1. TRIBAL GAMING APPROPRIATIONS AND GENERAL FUND REVENUE [LFB Paper 130]

	Governor Revenue	Jt. Finance/Leg. Revenue	Net Change (Chg. to Gov)
GPR-Tribal	\$52,583,000	\$54,611,400	\$2,028,400

Governor: Appropriate \$26,952,300 in 2011-12 and \$26,953,600 in 2012-13 in tribal gaming revenue paid to the state under the tribal gaming compacts. The appropriations include: (a) allocations totaling \$24,975,800 in 2011-12 and \$24,977,100 in 2012-13 to various state agencies for programs unrelated to tribal gaming regulation or law enforcement; and (b) appropriations for the regulation of tribal gaming in DOA [\$1,825,100 annually], and tribal gaming law enforcement in the Department of Justice (DOJ) [\$151,400 annually].

Tribal revenue paid to the state is based on provisions under the current state-tribal gaming compacts. Under the compacts, tribes are scheduled to make payments to the state based on a percentage of net revenue (gross revenue minus winnings). The percentages used to calculate state payments vary by tribe and, in some cases, may vary by year for the same tribe.

Under current law, Indian gaming receipts are credited to: (a) the DOJ Indian gaming law enforcement appropriation; (b) the DOA general program operations appropriation relating to Indian gaming regulation; and (c) a DOA appropriation for Indian gaming receipts in the amount necessary to make all the transfers specified under the appropriation to other state programs. Indian gaming receipts not otherwise credited to, or expended from, these appropriation accounts are deposited in the general fund.

Under the bill, tribal payments to the state for gaming in the 2011-13 biennium are projected to total \$53,500,800 in 2011-12 and \$54,660,800 in 2012-13. The general fund condition statement included in the bill shows tribal gaming general fund revenue totaling \$25,700,700 in 2011-12 and \$26,882,300 in 2012-13, and the biennial total of these amounts (\$52,583,000) is shown above. The calculation for the general fund tribal revenue under the bill is summarized in the following table:

2011-13 Tribal Gaming General Fund Revenue

	<u>2011-12</u>	<u>2012-13</u>
1 Estimated Tribal Payments	\$53,500,800	\$54,660,800
2 Miscellaneous Revenue	<u>130,000</u>	<u>130,000</u>
3 Total Revenue	\$53,630,800	\$54,790,800
4 Program Allocations to State Agencies	\$26,952,300	\$26,953,600
5 Program Reserves	<u>41,500</u>	<u>18,600</u>
6 Total Expenditures	\$26,993,800	\$26,972,200
7 Net Tribal Revenue	\$26,637,000	\$27,818,600
8 Net Revenue Adjustment*	-\$936,300	-\$936,300
9 Tribal Gaming General Fund Revenue	\$25,700,700	\$26,882,300

* The annual adjustment amounts (line 8) reflect the reductions to the tribal gaming allocation appropriations relating to increased employee contributions to pension and health insurance benefits and the elimination of long-term vacancies. Because the allocations to state agencies (line 4) already include these savings, the net tribal revenue amounts (line 7) also reflect the savings. However, DOA accounted for the savings as part of a statewide GPR-earned amount in its calculations for the budget bill. Therefore, the adjustment amount was subtracted here so as not to double count the savings associated with these decision items.

Under the bill, the Governor recommends the appropriation of tribal gaming revenue to 16 state agencies, in 44 program areas, including the DOA regulation and DOJ enforcement appropriations. Each of these program areas is listed and briefly described in the following table. Where there is a net fiscal change associated with any of these appropriations (other than standard budget adjustments), it is included under the budget summaries of the affected agency.

Of these 44 program areas, 41 appropriation accounts are authorized under current law. Two new appropriations from tribal gaming revenue reflect current law allocations that are being transferred under the bill. First, an allocation under current law to the Arts Board for state aid for American Indian arts would be provided under the bill to the Department of Tourism to reflect the elimination of the Arts Board and the transfer of certain of its functions to Tourism. Second, an allocation to the UW System under current law for physician and health care provider loan assistance would be provided to UW-Madison under the bill to reflect the separation of UW-Madison from the UW System.

The current law allocations of tribal gaming funding to the Department of Commerce (totaling \$1,271,900 in 2010-11) for certain technical assistance relating to economic development and marketing functions, and economic development and diversification grants and loans to benefit Native Americans would be deleted under the bill to reflect the elimination of the Department. The bill would allocate \$79,500 annually for tribal governmental services and technical assistance to an existing appropriation in DOA for materials and services to state agencies and certain districts.

One program area identified in the table below [Item # 31] is not appropriated funding in the 2011-13 biennium, but is an existing appropriation account under current law that can only be funded with tribal gaming revenue.

Joint Finance/Legislature: Increase tribal gaming revenue credited to the general fund by \$1,086,900 in 2011-12 and \$1,441,500 in 2012-13 as a result of reestimates. Decrease tribal gaming revenue credited to the general fund by \$250,000 annually to reflect the appropriation of funding to the Department of Health Services for reimbursements for high-cost mental health placements by tribal courts (Item 15 in the table below). Tribal gaming general fund revenue under these actions total \$26,537,600 in 2011-12 and \$28,073,800 in 2012-13.

It should also be noted that under Committee action relating to the UW System, the allocation of tribal funding for three UW programs (Items 37, 38, and 39 in the table below) will be deposited in the new segregated fund created for the UW System and will no longer appear separately in the appropriation schedule. These funds will be expended through a new segregated appropriation under the UW System for funds transferred from other state agencies. This action does not change the tribal gaming funding amounts provided to these three programs under the bill.

**2011-13 Tribal Gaming Revenue Appropriations
Act 32**

<u>Agency</u>	<u>Program Revenue</u>		
	<u>2011-12</u>	<u>2012-13</u>	
1 Administration	\$563,200	\$563,200	County management assistance grant program.
2 Administration	247,500	247,500	UW-Green Bay and Oneida Tribe programs.
3 Administration	50,000	50,000	American Indian tribal community reintegration program.
4. Administration	79,500	79,500	Tribal governmental services and technical assistance.
5 Children and Families	395,000	395,000	Indian child high-cost out-of-home care placements.
6 Corrections	75,000	75,000	Indian juvenile out-of-home care placements.
7 Health Services	445,500	445,500	Elderly nutrition; home-delivered and congregate meals.
8 Health Services	106,900	106,900	American Indian health projects.
9 Health Services	242,000	242,000	Indian aids for social and mental hygiene services.
10 Health Services	445,500	445,500	Indian substance abuse prevention education.
11 Health Services	961,700	961,700	Medical assistance matching funds for tribal outreach positions and federally qualified health centers (FQHC).
12 Health Services	712,800	712,800	Health services: tribal medical relief block grants.
13 Health Services	133,600	133,600	Minority health program and public information campaign grants.
14 Health Services	22,500	22,500	American Indian Diabetes and Control
15 Health Services	250,000	250,000	Reimbursements for High-Cost Mental Health Placements by Tribal Courts
16 Higher Education Aids Board	779,700	779,700	Indian student assistance grant program for American Indian undergraduate or graduate students.
17 Higher Education Aids Board	454,200	454,200	Wisconsin Higher Education Grant (WHEG) program for tribal college students.
18 Historical Society	239,700	239,700	Northern Great Lakes Center operations funding.
19 Historical Society	199,100	199,100	Collection preservation storage facility.
20 Justice	631,200	631,200	County-tribal law enforcement programs: local assistance.
21 Justice	92,600	92,600	County-tribal law enforcement programs: state operations.

<u>Agency</u>	<u>Program Revenue</u>		
	<u>2011-12</u>	<u>2012-13</u>	
22 Justice	\$490,000	\$490,000	County law enforcement grant program.
23 Justice	695,000	695,000	Tribal law enforcement grant program.
24 Natural Resources	3,000,000	3,000,000	Transfer to the fish and wildlife account of the conservation fund.
25 Natural Resources	92,100	92,100	Management of an elk reintroduction program.
26 Natural Resources	167,600	167,600	Management of state fishery resources in off-reservation areas where tribes have treaty-based rights to fish.
27 Natural Resources	84,500	84,500	Payment to the Lac du Flambeau Band relating to certain fishing and sports licenses.
28 Natural Resources	1,197,900	1,197,900	State snowmobile enforcement program, safety training and fatality reporting.
29 Natural Resources	62,300	62,300	Reintroduction of whooping cranes.
30 Public Instruction	222,800	222,800	Tribal language revitalization grants.
31 Shared Revenue	0	0	Farmland tax relief credit payments by tribes with casinos associated with certain pari-mutuel racetracks. (No allocations are made in the 2011-13 biennium.)
32 Tourism	160,000	160,000	Grants to local organizations and governments to operate regional tourist information centers.
33 Tourism	9,397,900	9,397,900	General tourism marketing, including grants to nonprofit tourism promotion organizations and specific earmarks.
34 Tourism	30,100	30,100	Law enforcement services at the Kickapoo Valley Reserve.
35 Tourism	24,900	24,900	State aid for the arts.
36 Transportation	247,500	247,500	Elderly transportation grants.
37 University of Wisconsin System	263,400	264,700	Ashland full-scale aquaculture demonstration facility debt service payments.
38 University of Wisconsin System	417,500	417,500	Ashland full-scale aquaculture demonstration facility operational costs.
39 University of Wisconsin System	488,700	488,700	Physician and health care provider loan assistance.
40 Veterans Affairs	61,200	61,200	Grants to assist American Indians in obtaining federal and state veterans benefits.
41 Veterans Affairs	86,300	86,300	American Indian services veterans benefits coordinator position.
42 Wisconsin Technical College System Board	594,000	594,000	Grants for work-based learning programs.

<u>Agency</u>	<u>Program Revenue</u>		
	<u>2011-12</u>	<u>2012-13</u>	
43 Workforce Development	<u>\$314,900</u>	<u>\$314,900</u>	Vocational rehabilitation services for Native American individuals and American Indian tribes or bands.
Subtotal (Non-Regulatory Items)	\$25,225,800	\$25,227,100	
44 Administration	\$1,825,100	\$1,825,100	General program operations for Indian gaming regulation under the compacts.
45 Justice	<u>151,400</u>	<u>151,400</u>	Investigative services for Indian gaming law enforcement.
Subtotal (Regulation/Enforcement)	\$1,976,500	\$1,976,500	
Total Appropriations	\$27,202,300	\$27,203,600	

[Act 32 Section: 371]

2. **MODIFY DIVISION OF GAMING FUNDING AND STAFF** [LFB Paper 131]

	Funding	Positions
PR	- \$2,864,200	- 10.85

Governor: Delete a total of \$1,432,100 and 10.85 positions annually to reflect the elimination of funding and positions for racing regulation and making minor provisions for other areas of gaming regulation, as follows.

Delete \$1,507,500 and 11.50 positions annually budgeted for the regulation of pari-mutuel wagering and racing in Wisconsin. The Division of Gaming has statutory authority to regulate pari-mutuel wagering and racing; however, the last of the state's dog racetracks closed December 31, 2009. These reductions, as well as a standard budget adjustment, fully delete base funding and positions for this purpose.

In addition, provide \$75,400 and 0.65 positions annually, as follows: (a) \$34,300 and a 0.25 unclassified position for Indian gaming regulation; (b) \$8,200 and a 0.1 classified position for bingo regulation; and (c) \$32,900 and a 0.15 classified position and a 0.15 unclassified position for raffle regulation.

Finally, the bill would convert a 0.4 classified position for racing regulation to a 0.4 unclassified position. The administration indicates that this was done in error and will require a technical modification to correct.

Joint Finance/Legislature: Convert a 0.4 unclassified position for racing regulation to a 0.4 classified position to correct an error under the bill.

3. **DELETE OUTDATED TRIBAL GAMING ALLOCATION PROVISION**

Governor/Legislature: Delete a provision that specified transfers to be made from tribal gaming revenue to the environmental fund in 2001-02 and 2002-03.

[Act 32 Sections: 747 and 886]