



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRB-1757/P2  
MG/ZW/FK/MW/ME:skw

DOA:.....Bork, BB0425 - Additional tribal items

**FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to: the budget.**

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*Analysis by the Legislative Reference Bureau*

**NATURAL RESOURCES**

**GENERAL NATURAL RESOURCES**

***Funding from Indian gaming receipts***

Current law and Indian gaming compacts require DOA to transfer portions of Indian gaming receipts to certain DNR appropriations annually. At the end of each fiscal year, unobligated funds from programs that receive tribal gaming revenues revert to the appropriation account to which Indian gaming receipts are credited.

This bill eliminates the requirement to transfer these amounts to an appropriation that funds snowmobile law enforcement operations and safety training and fatality reporting and eliminates that appropriation. The bill also creates a new appropriation to DNR for providing grants to federally recognized American Indian tribes or bands for maintenance and repair of fish hatcheries operated by the tribe or band.

Under current law, DNR makes a payment to the Lac du Flambeau band of Lake Superior Chippewa based on the amount of fees collected by DNR for certain hunting and fishing approvals and the number of certain approvals issued within the the Lac du Flambeau reservation. DNR makes this payment from an appropriation that receives tribal gaming revenues. The bill provides that this appropriation is subject to the same reversion requirement as other gaming receipts transfers to DNR.

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

***Grants to replace race-based nicknames, logos, mascots, or team names associated with American Indians***

This bill authorizes DPI to award a grant to a school board that terminates the use of a race-based nickname, logo, mascot, or team name that is associated with a federally recognized American Indian tribe or American Indians, in general. Under the bill, a school board is eligible for a grant regardless of whether or not the school board decides to terminate the use of a race-based nickname, logo, mascot, or team

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name voluntarily, in response to an objection to its use, or in compliance with an order issued by the Division of Hearings and Appeals. The bill specifies that the amount of the grant may not exceed the greater of \$50,000 or the actual cost incurred by the school board to replace the race-based nickname, logo, mascot, or team name. Under the bill, these grants are funded from Indian gaming receipts.

**JUSTICE*****Grants to tribes for law enforcement programs***

Current law requires DOJ to provide grants to tribes to fund tribal law enforcement operations based on criteria and procedures developed by DOJ. This bill provides that DOJ must continue to provide those grants in an amount totaling \$1,390,000 per fiscal year, and if DOJ receives money for this purpose in excess of \$1,390,000 in any fiscal year, that DOJ must distribute the excess equally between each tribe that operates a tribal law enforcement agency.

**STATE GOVERNMENT****GENERAL STATE GOVERNMENT*****Director of Native American affairs***

This bill requires the secretary of administration to appoint a director of Native American affairs in the unclassified service to manage relations between the state and American Indian tribes or bands in the state.

***Grants to each American Indian tribe or band in Wisconsin***

This bill requires DOA to award grants of equal amounts to each American Indian tribe or band in the state for the following purposes:

1. To programs to meet the needs of members of the tribe or band.
2. To promote tribal language and cultural revitalization.

Under the bill, no grant moneys awarded under the above grant programs may be used to pay gaming-related expenses.

***Other tribal grants***

This bill requires DOA to do all of the following:

1. Award grants to the Menominee Indian Tribe of Wisconsin to support the Menominee Indian Tribe's transit services, in an amount not to exceed \$266,600 annually.

2. Award grants to the Oneida Nation of Wisconsin to conduct an intergovernmental training program, available to all tribal governments in Wisconsin, to improve consultations and communication between the tribes and the state. The grants may not total more than \$60,000 annually.

3. Award grants to the Wisconsin Indigenous Housing and Economic Development Corporation to support tribal economic development and housing programs in Wisconsin. The grants may not total more than \$3,890,000 in the 2025-26 fiscal year and \$2,540,000 annually thereafter.

4. Award grants to American Indian tribes or bands in this state to support strategic planning concerning cybersecurity, in an amount up to \$250,000 annually.

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5. Award grants to American Indian tribes or bands in this state to support home repairs that reduce energy burdens and improve health outcomes, in an amount up to \$1,000,000 annually.

**TOURISM*****Tourism marketing funding from Indian gaming receipts***

Current law requires DOA to transfer portions of Indian gaming receipts to the Department of Tourism for certain tourism marketing expenses. This bill eliminates that requirement. The bill leaves in place an appropriation funding the same purposes from general purpose revenues and from the transportation fund.

**GAMBLING*****Gaming regulation and enforcement***

Under current law and tribal gaming compacts, tribes make payments to the state to reimburse the state for costs relating to the regulation of certain gaming activities. This revenue, called Indian gaming receipts, may be expended for various purposes. This bill requires DOA to transfer portions of Indian gaming receipts to DOR to support DOR's gaming regulation and enforcement activities.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 16.004 (26) of the statutes is created to read:

16.004 (26) TRIBAL RELATIONS. The secretary shall appoint a director of Native American affairs to manage relations between the state and American Indian tribes or bands in this state.

**SECTION 2.** 16.07 of the statutes is created to read:

**16.07 Grants to support tribal programs.** From the appropriation under s. 20.505 (1) (ky), the department shall award a grant to each American Indian tribe or band in this state for use as the tribe or band deems necessary to support programs to meet the needs of its members. No tribe or band may be awarded grant moneys under this section that exceed the amount awarded to any other tribe or band. No grant moneys may be used to pay gaming-related expenses.

**BILL****SECTION 3**

**SECTION 3.** 16.08 of the statutes is created to read:

**16.08 Grants to promote tribal language and cultural revitalization.**

From the appropriation under s. 20.505 (1) (ky), the department shall award a grant to each American Indian tribe or band in this state to promote tribal language and cultural revitalization. No tribe or band may be awarded grant moneys under this section that exceed the amount awarded to any other tribe or band. No grant moneys may be used to pay gaming-related expenses.

**SECTION 4.** 16.088 (4) to (8) of the statutes are created to read:

16.088 (4) Award grants to the Menominee Indian Tribe of Wisconsin to support the Menominee Indian Tribe's transit services, in an amount up to \$266,600 annually.

(5) Award grants to the Oneida Nation of Wisconsin to conduct an inter-governmental training program, that shall be available to all tribal governments in the state, to improve consultations and communication between the tribes and the state, in an amount up to \$60,000 annually.

(6) Award grants to the Wisconsin Indigenous Housing and Economic Development Corporation to support tribal economic development and housing programs in this state. The department may not award more than \$3,890,000 in grants under this subsection in the 2025-26 fiscal year, nor more than \$2,540,000 annually thereafter.

(7) Award grants to American Indian tribes or bands in this state to support strategic planning concerning cybersecurity, in an amount up to \$250,000 annually.

(8) Award grants to American Indian tribes or bands in this state to support

**BILL****SECTION 4**

home repairs that reduce energy burdens and improve health outcomes, in an amount up to \$1,000,000 annually.

**SECTION 5.** 20.255 (2) (kg) of the statutes is created to read:

20.255 (2) (kg) *Grants to replace certain race-based nicknames, logos, mascots, and team names.* The amounts in the schedule for grants to school boards under s. 118.134 (6). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 26. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 6.** 20.370 (3) (ak) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 7.** 20.370 (5) (hk) of the statutes is created to read:

20.370 (5) (hk) *Fish hatcheries operated by tribes.* From the general fund, the amounts in the schedule for providing grants to federally recognized American Indian tribes or bands for maintenance and repair of fish hatcheries operated by the tribe or band. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8m. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 8.** 20.370 (9) (hk) of the statutes is amended to read:

20.370 (9) (hk) *Approval fees to Lac du Flambeau band-service funds.* From

**BILL****SECTION 8**

the general fund, the amounts in the schedule for the purpose of making payments to the Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) (a). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8r. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd-numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

**SECTION 9.** 20.380 (1) (b) of the statutes is amended to read:

20.380 (1) (b) *Tourism marketing; general purpose revenue.* Biennially, the amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17. ~~In each fiscal year, the department shall expend for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to the amount in the schedule for the fiscal year as the amount expended under par. (kg) in that fiscal year bears to the amount in the schedule for par. (kg) for that fiscal year.~~ Of the amounts under this paragraph, not more than 50 percent shall be used to match funds allocated under s. 41.17 by private or public organizations for the joint effort marketing of tourism with the state.

**SECTION 10.** 20.380 (1) (kg) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 11.** 20.435 (2) (km) of the statutes is amended to read:

20.435 (2) (km) *Indian mental health placement.* ~~All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 25.~~ The amounts in the schedule to reimburse an Indian tribe or band in this state or a county department for

**BILL****SECTION 11**

placements by a tribal court of a member of the Indian tribe or band that are unexpected or that result in cumulative costs of placements to the tribe or county department exceeding \$50,000 annually. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 25. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

**SECTION 12.** 20.505 (1) (ky) of the statutes is amended to read:

20.505 (1) (ky) *Tribal grants.* The amounts in the schedule for grants to federally recognized American Indian tribes or bands in this state under [2023 Wisconsin Act 19](#), section [9101 \(2\)](#), and under ss. 16.07 and 16.08. All moneys transferred from the appropriation account under sub. (8) (hm) 16a. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under sub. (8) (hm).

**SECTION 13.** 20.505 (8) (hm) (intro.) of the statutes is amended to read:

20.505 (8) (hm) *Indian gaming receipts.* (intro.) All moneys required to be credited to this appropriation under s. 569.06, all moneys transferred under [2001 Wisconsin Act 16](#), sections [9201 \(5mk\)](#), [9205 \(1mk\)](#), [9210 \(3mk\)](#), [9223 \(5mk\)](#), [9224 \(1mk\)](#), [9225 \(1mk\)](#), [9231 \(1mk\)](#), [9237 \(4mk\)](#), [9240 \(1mk\)](#), [9251 \(1mk\)](#), [9256 \(1mk\)](#), [9257 \(2mk\)](#), and [9258 \(2mk\)](#), and all moneys that revert to this appropriation account from the appropriation accounts specified in subds. 1c. to ~~19.~~, ~~22.~~, and ~~23.~~ ~~26.~~, less the amounts appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of annually transferring the following amounts:

**BILL****SECTION 14**

**SECTION 14.** 20.505 (8) (hm) 6. of the statutes is repealed.

**SECTION 15.** 20.505 (8) (hm) 8k. of the statutes is repealed.

**SECTION 16.** 20.505 (8) (hm) 8m. of the statutes is created to read:

20.505 (8) (hm) 8m. The amount transferred to s. 20.370 (5) (hk) shall be the amount in the schedule under s. 20.370 (5) (hk).

**SECTION 17.** 20.505 (8) (hm) 16. of the statutes is created to read:

20.505 (8) (hm) 16. The amount transferred to s. 20.566 (3) (km) shall be the amount in the schedule under s. 20.566 (3) (km).

**SECTION 18.** 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 subs. 1c. to 24. are made, whichever is less~~ the amount in the schedule under s. 20.435 (2) (km).

**SECTION 19.** 20.505 (8) (hm) 26. of the statutes is created to read:

20.505 (8) (hm) 26. The amount transferred to s. 20.255 (2) (kg) shall be the amount in the schedule under s. 20.255 (2) (kg).

**SECTION 20.** 20.566 (3) (km) of the statutes is created to read:

20.566 (3) (km) *Gaming regulation and enforcement.* The amounts in the schedule to support the department of revenue's gaming regulation and enforcement activities. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 16. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**BILL****SECTION 21**

**SECTION 21.** 20.923 (4) (c) 8. of the statutes is created to read:

20.923 (4) (c) 8. Administration, department of: director of Native American affairs.

**SECTION 22.** 41.17 (5) of the statutes is amended to read:

41.17 (5) FUNDING SOURCE. Subject to the 50 percent limitation under s. 20.380 (1) (b) ~~and the proportional expenditure requirements under s. 20.380 (1) (b) and (kg)~~, the department shall expend, from the appropriations under s. 20.380 (1) (b), ~~(kg)~~, and (w), at least \$1,130,000 in the aggregate in each fiscal year in joint effort marketing funds under this section.

**SECTION 23.** 118.134 (6) of the statutes is created to read:

118.134 (6) Regardless of whether or not an objection is made under sub. (1) or an order is issued under sub. (3), if a school board adopts a resolution to terminate the use of a race-based nickname, logo, mascot, or team name that is associated with a federally recognized American Indian tribe or American Indians, in general, the state superintendent may award a grant to the school board for the costs associated with adopting and implementing a nickname, logo, mascot, or team name that is not race-based. The state superintendent may not award a grant under this subsection in an amount that exceeds the greater of \$50,000 or a school board's actual costs to adopt and implement a nickname, logo, mascot, or team name. The state superintendent shall pay the awards under this subsection from the appropriation under s. 20.255 (2) (kg).

**SECTION 24.** 165.91 (2) (a) of the statutes is amended to read:

165.91 (2) (a) From the appropriation under s. 20.455 (2) (kw), the

**BILL****SECTION 24**

department shall provide grants totaling \$1,390,000 annually to tribes to fund tribal law enforcement operations. To be eligible for a grant under this subsection, a tribe must submit an application for a grant to the department that includes a proposed plan for expenditure of the grant moneys. The department shall review any application and plan submitted to determine whether that application and plan meet the criteria established under par. (b). The department shall review the use of grant money provided under this subsection to ensure that the money is used according to the approved plan.

**SECTION 25.** 165.91 (2) (c) of the statutes is created to read:

165.91 (2) (c) In any fiscal year, if there are moneys in the appropriation account under s. 20.455 (2) (kw) in excess of the amount specified in par. (a), the department of justice shall provide a payment to each tribe that operates a tribal law enforcement agency in an amount equal to the total excess moneys divided by the number of eligible tribes under this paragraph.

**SECTION 26.** 230.08 (2) (yh) of the statutes is created to read:

230.08 (2) (yh) The director of Native American affairs in the department of administration.

**SECTION 27.** 350.12 (4) (a) (intro.) of the statutes is amended to read:

350.12 (4) (a) *Enforcement, administration and related costs.* (intro.) The moneys appropriated from s. 20.370 (3) ~~(ak)~~ and (aq), (5) (es) and (9) (mu) and (mw) may be used for the following:

**SECTION 28.** 350.12 (4) (a) 3m. of the statutes is amended to read:

350.12 (4) (a) 3m. The cost of state law enforcement efforts as appropriated under s. 20.370 (3) ~~(ak)~~ and (aq); and

**BILL****SECTION 29**

**SECTION 29.** 350.12 (4) (am) of the statutes is amended to read:

350.12 (4) (am) *Enforcement aids to department.* Of the amounts appropriated under s. 20.370 (3) ~~(ak) and~~ (aq), the department shall allocate \$26,000 in each fiscal year to be used exclusively for the purchase of snowmobiles or trailers to carry snowmobiles, or both, to be used in state law enforcement efforts.

**(END)**