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## WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

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Memo No. 2

TO: MEMBERS OF THE SPECIAL COMMITTEE ON STATE-TRIBAL RELATIONS

FROM: David L. Lovell, Senior Analyst

RE: Funding of Transportation Services for Tribal Elders

DATE: September 6, 2011

In a July 8, 2011 letter to Representative Jeffrey Mursau, Chair of the Special Committee, Gregg Duffek, a member of the Special Committee from the Stockbridge-Munsee Community, requested that the Special Committee discuss state funding for transportation services for tribal elders. Specifically, Mr. Duffek proposes that \$1 million of state funding for this purpose be provided from the state's Transportation Fund. Mr. Duffek's letter is reproduced in Enclosure 1.

This Memo is in two parts: the first part provides background information regarding the Transportation Fund; the second part provides information regarding current state funding of tribal elders transportation services and the allocation of tribal gaming revenues, which is the source of this current funding.

### **The Transportation Fund and Transportation Funding**

Transportation funding in Wisconsin comes from three sources: the Transportation Fund, bonding revenue, and federal funds. This part of this Memo describes the sources of, and expenditures from the Transportation Fund. Because state transportation spending treats the three funding sources more or less interchangeably, the following describes expenditures of all transportation-related funds. The total dollar amounts are quite different, but comparisons between revenues and expenditures can be made in proportional terms.

The Transportation Fund is derived almost entirely from transportation-related sources, the motor vehicle fuel tax, and vehicle registration fees providing more than 92% of the total revenues. Table 1 shows the sources of the fund and their respective contributions to the fund in fiscal year (FY) 2009-10. Likewise, the three transportation funding sources, combined, are used almost exclusively (more than 97%) for transportation-related purposes, the only non-transportation purpose in FY 2010-11

being a transfer of \$98 million to the General Fund. Table 2 shows the purposes for which the fund was used in FY 2009-10.

The state budget includes aids for several services similar in nature to the services funded by the Tribal Elderly Transportation Grant Program, described below. These include: elderly and disabled transportation aids (\$16.2 million in FY 2009-10); paratransit service aids (\$2.5 million in FY 2009-10); shared-ride taxi programs (\$13.6 million in FY 2009-10); and similar services as part of the funding of rural transit services (no estimate of the amount available).

**Table 1: 2009-10 Transportation Fund Revenue Collections by Source**

Source	Amount	Percent of Total
Motor Vehicle Fuel Tax	\$971,786,900	56.7
Vehicle Registration Fees	610,251,900	35.6
Driver License Fees	41,715,900	2.4
Other Motor Vehicle Fees	27,115,300	1.6
Aeronautical Taxes and Fees	5,908,100	0.3
Railroad Ad Valorem Tax	24,058,600	1.4
Investment Earnings	131,700	<0.1
Miscellaneous Revenue	33,140,600	1.9
Total	\$1,714,109,000	100.0

**Table 2: 2009-10 Allocation of the Three Major Transportation Revenue Sources Among All Functions**

	Amount	Percentage
Highway Programs	\$1,551,381,400	51.9
Local Road Aids	558,995,100	18.7
Debt Service	184,828,900	6.2
Mass Transit Aids	167,754,400	5.6
Railroads, Harbors, and Airports	138,555,700	4.6
General Administration	98,349,900	3.3
General Fund Transfer	84,769,800	2.8
Division of Motor Vehicles	74,363,800	2.5
State Patrol	64,352,600	2.2
Other Programs*	40,229,000	1.3
Non-DOT Programs**	25,482,300	0.9
Total	\$2,989,062,900	100.0

\*Includes the transportation economic assistance program, transportation enhancement and bicycle facilities grant programs, congestion mitigation and air quality improvement grant program, traffic safety programs, expressway policing aids, and other smaller programs.

\*\*Includes transfers to the conservation fund for the motorboat, snowmobile, and all-terrain vehicle accounts, and Department of Revenue programs for administering the transportation fund taxes.

Source: Legislative Fiscal Bureau Informational Paper 39, January 2011.

**Current State Funding of Transportation Services for Tribal Elders; Gaming Revenues**

The Tribal Elderly Transportation Grant Program was created in 2009 Wisconsin Act 28, the 2009-11 Biennial Budget Act. Under this program, the Department of Transportation (DOT) awards grants to federally recognized American Indian tribes and bands to assist in providing transportation services for elderly persons. DOT is directed to prescribe the form, nature, and extent of the information contained in an application for a grant and to establish criteria for evaluating applications and for awarding grants. To date, the DOT has not promulgated rules for this program.

Act 28 provided \$247,500 in each year of the 2009-11 fiscal biennium for the grants. 2011 Wisconsin Act 32, the 2011-13 Biennial Budget Act, continued funding for the program at the same level. The DOT reports that, in 2010, it provided the 11 tribes and bands in Wisconsin equal shares of the available funds, which amounted to \$22,500 per tribe.

The Tribal Elderly Transportation Grant Program is funded from tribal gaming revenues. These are revenues paid by the tribes and bands to the state as conditions of the gaming compacts between the tribes and bands and the state. In both years of the current fiscal biennium, these revenues are estimated to be approximately \$27 million. Enclosure 2 shows how the Legislature has appropriated the revenues.

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Enclosures