



# WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

March 3, 2017

Secretary Scott Neitzel  
Department of Administration  
101 E Wilson Street, 10th Floor  
Madison, Wisconsin  
HAND DELIVERED

Dear Secretary Neitzel,

Recent news articles concerning the Ho-Chunk Nation of Wisconsin proposed expansion of the ancillary gaming facility in Wittenberg has given us pause. According to information provided by the Ho-Chunk, this \$33 million expansion will add 772 slot machines, new table games, high limit gaming area, an 86-room hotel, and an 84-seat restaurant to an "ancillary" gaming facility. We have concerns with the precedent this sets for gaming in Wisconsin.

The Stockbridge-Munsee Community has publicly opposed this project, arguing that it is a violation of the Ho-Chunk's compact with the State of Wisconsin. That compact, negotiated in 2003 by Governor Jim Doyle, seems to allow only for an ancillary facility to be operated by the Ho-Chunk in Shawano County. The proposed expansion of an ancillary facility appears to be transitioning to a full gaming facility.

Media coverage indicates as many as four other Wisconsin tribes are publicly opposing this project. The implications of one single tribe unilaterally interpreting the meaning of their compact language will adversely affect all tribes, and gaming in Wisconsin.

What is perceived as fair game today for one tribe could easily become the future standard tomorrow for all the others. With a clear statewide precedent being established, no matter the decision in this case, we believe the State will be best-served by retaining outside legal experts to help guide its compact enforcement decision.

The State used a comparable strategy when considering the application of the Menominee Indian Tribe of Wisconsin for an off-reservation casino in Kenosha. In a letter from February 27, 2014 to the U.S. Department of Interior, Gov. Walker indicated that, due to, "the important public policy concerns for the State of Wisconsin", he had decided that, "it was necessary for the State to develop its own independent analysis of the economic and other impacts that could result from a Kenosha gaming development." We believe that the State's decision on the

Wittenberg expansion, regardless of the outcome, raises similar public policy concerns for the State that deserve an independent analysis by outside legal counsel.  
We respectfully request that you retain outside counsel to obtain an independent analysis of this situation and its long-term implications for the State of Wisconsin. With construction already underway, we further request that you do so as soon as practicable.

Sincerely,



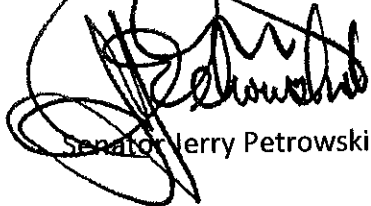
Senator Robert Cowles



Senator Tom Tiffany



Senator Sheila Harsdorf



Senator Jerry Petrowski



Representative Gary Tauchen  
Rep. Jeff Mursau

Representative Jeff Mursau



Representative Mary Felzkowski