



1997 ASSEMBLY JOINT RESOLUTION 79

November 11, 1997 – Introduced by Representatives M. LEHMAN, GOETSCH, WALKER, BLACK, SCHAFER, MUSSER, BAUMGART, OLSEN and OWENS, cosponsored by Senator ROESSLER. Referred to Committee on Elections and Constitutional Law.

1 **To amend** section 24 (3), (5) and (6) (a) of article IV of the constitution; **relating to:**
2 the distribution of the net proceeds of the state lottery and certain moneys
3 received by the state that are attributable to pari-mutuel on-track betting and
4 bingo (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 1997 legislature on first consideration, provides that the net proceeds of the state lottery and all moneys received by the state that are attributable to pari-mutuel on-track betting and bingo, other than moneys used for the regulation of, and enforcement of law relating to, pari-mutuel on-track betting and bingo, but including any earnings that may accrue on the net proceeds of the state lottery and moneys received by the state that are attributable to pari-mutuel on-track betting and bingo, shall be distributed only for relief for occupants of primary lodgings or owners of agricultural land, or both. The amendment provides that “primary lodgings” and “agricultural land” are to be defined by law. The distribution of the net proceeds of the state lottery and moneys received by the state that are attributable to pari-mutuel on-track betting and bingo may not vary based on the income or age of the person provided the relief.

In addition, the proposed constitutional amendment provides that the distribution of the proceeds of the state lottery and all moneys received by the state that are attributable to pari-mutuel on-track betting and bingo is not subject to the uniformity requirement of article VIII, section 1, of the Wisconsin Constitution.

A constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

1 ***Resolved by the assembly, the senate concurring, That:***

2 **SECTION 1.** Section 24 (3) of article IV of the constitution is amended to read:

3 [Article IV] Section 24 (3) The legislature may authorize the following bingo
4 games licensed by the state, but all profits shall accrue to the licensed organization
5 and no salaries, fees or profits may be paid to any other organization or person: bingo
6 games operated by religious, charitable, service, fraternal or veterans' organizations
7 or those to which contributions are deductible for federal or state income tax
8 purposes. All moneys received by the state that are attributable to bingo games shall
9 be distributed only for relief for occupants of primary lodgings, as defined by law, or
10 owners of agricultural land, as defined by law, or both. The distribution of the
11 moneys that are attributable to bingo games may not vary based on the income or
12 age of the person provided the relief. The distribution of moneys that are
13 attributable to bingo games shall not be subject to the uniformity requirement of
14 section 1 of article VIII. In this subsection, the distribution of all moneys attributable
15 to bingo games shall include any earnings on the moneys received by the state that
16 are attributable to bingo games, but shall not include any moneys used for the
17 regulation of, and enforcement of law relating to, bingo games.

18 **SECTION 2.** Section 24 (5) of article IV of the constitution is amended to read:

19 [Article IV] Section 24 (5) This section shall not prohibit pari-mutuel on-track
20 betting as provided by law. The state may not own or operate any facility or
21 enterprise for pari-mutuel betting, or lease any state-owned land to any other owner
22 or operator for such purposes. All moneys received by the state that are attributable
23 to pari-mutuel on-track betting shall be distributed only for relief for occupants of

1 primary lodgings, as defined by law, or owners of agricultural land, as defined by law,
2 or both. The distribution of the moneys that are attributable to pari-mutuel
3 on-track betting may not vary based on the income or age of the person provided the
4 relief. The distribution of moneys that are attributable to pari-mutuel on-track
5 betting shall not be subject to the uniformity requirement of section 1 of article VIII.
6 In this subsection, the distribution of all moneys attributable to pari-mutuel
7 on-track betting shall include any earnings on the moneys received by the state that
8 are attributable to pari-mutuel on-track betting, but shall not include any moneys
9 used for the regulation of, and enforcement of law relating to, pari-mutuel on-track
10 betting.

11 **SECTION 3.** Section 24 (6) (a) of article IV of the constitution is amended to read:

12 [Article IV] Section 24 (6) (a) The legislature may authorize the creation of a
13 lottery to be operated by the state as provided by law. The expenditure of public funds
14 or of revenues derived from lottery operations to engage in promotional advertising
15 of the Wisconsin state lottery is prohibited. Any advertising of the state lottery shall
16 indicate the odds of a specific lottery ticket to be selected as the winning ticket for
17 each prize amount offered. The net proceeds of the state lottery shall be deposited
18 in the treasury of the state, to be used for property tax and shall be distributed only
19 for relief for occupants of primary lodgings, as provided defined by law, or owners of
20 agricultural land, as defined by law, or both. The distribution of the net proceeds of
21 the state lottery may not vary based on the income or age of the person provided the
22 relief. The distribution of the net proceeds of the state lottery shall not be subject to
23 the uniformity requirement of section 1 of article VIII. In this paragraph, the
24 distribution of the net proceeds of the state lottery shall include any earnings on the
25 net proceeds of the state lottery.

