



2001 SENATE BILL 285

October 18, 2001 - Introduced by Senators WELCH and LAZICH, cosponsored by Representative HUEBSCH. Referred to Committee on Universities, Housing, and Government Operations.

1 **AN ACT to create** 565.012 of the statutes; **relating to:** prohibiting the sale of
2 lottery tickets or shares and requiring a referendum.

Analysis by the Legislative Reference Bureau

This bill provides that, beginning on January 1, 2003, no person, including a lottery retailer and the department of revenue, may sell a lottery ticket or lottery share under the state lottery. The bill, however, does not take effect until there is submitted to the vote of the electors at the general election in November 2002 the question, "Shall section 1 of 2001 Wisconsin Act (this act), which prohibits the sale of lottery tickets or shares under the state lottery, become law effective January 1, 2003?", and the question is approved by a majority of all votes cast on the question at the election.

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

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

3 **SECTION 1.** 565.012 of the statutes is created to read:
4 **565.012 Sale of lottery tickets and lottery shares prohibited.**
5 Notwithstanding s. 565.17 (1), beginning on January 1, 2003, no person, including
6 a retailer and the department, may sell a lottery ticket or lottery share.

SENATE BILL 285**1 SECTION 2. Nonstatutory provisions.**

2 (1) REFERENDUM. There shall be submitted to the vote of the electors at the
3 general election in November 2002 the following question: "Shall section 1 of 2001
4 Wisconsin Act (this act), which prohibits the sale of lottery tickets or shares under
5 the state lottery, become law effective January 1, 2003?" If the question is approved
6 by a majority of all votes cast on the question at the election, SECTION 1 of this act shall
7 become law; otherwise, SECTION 1 of this act shall not take effect.

8 (2) DEPARTMENT OF REVENUE.

9 (a) If the question that is submitted to the vote of the electors under subsection
10 (1) is approved by a majority of all votes cast on the question at the election, the
11 secretary of revenue, no later than February 1, 2003, shall submit a proposed plan
12 to the joint committee on finance for the phase-out of state lottery operations that
13 includes all of the following:

14 1. The layoff plan for employees of the department of revenue whose salary and
15 fringe benefits are paid from moneys in the lottery fund.

16 2. The status and termination schedule of outstanding contracts entered into
17 by the department of revenue relating to the state lottery.

18 3. The operational structure required to carry out the responsibilities of the
19 department of revenue relating to prize payouts, the administration of the lottery
20 and gaming credit, the recovery of lottery on-line equipment, the disposal of fixed
21 assets, and any other matter that the secretary determines would affect the legal
22 responsibilities of the state relating to the termination of the state lottery.

23 (b) If the cochairpersons of the joint committee on finance do not notify the
24 secretary of revenue within 14 working days after the date of the secretary's
25 submittal that the committee intends to schedule a meeting to review the plan, the

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1 secretary shall implement the plan. If, within 14 working days after the date of the
2 secretary's submittal, the cochairpersons of the committee notify the secretary that
3 the committee intends to schedule a meeting to review the plan, the secretary may
4 implement the plan only as approved by the committee.

5 (c) If the implementation of the plan approved under subsection (b) requires
6 the enactment of legislation, the secretary shall prepare and submit the proposed
7 legislation to the joint committee on finance no later than April 1, 2003.

8 **SECTION 3. Effective dates.** This act takes effect on the day after publication,
9 except as follows:

10 (1) The treatment of section 565.012 of the statutes takes effect on January 1,
11 2003, if the condition set forth in SECTION 2 (1) of this act is satisfied.

12

(END)