



## 1995 ASSEMBLY JOINT RESOLUTION 13

January 26, 1995 - Introduced by Representatives BOCK, FOTI, RILEY, SCHNEIDERS, KRUG, LADWIG, L. YOUNG, TURNER, JENSEN, CARPENTER, DUFF, GROBSCHMIDT and KRUSICK, cosponsored by Senators FARROW, GEORGE, HUELSMAN, BURKE, DARLING and ROSENZWEIG. Referred to Committee on Elections and Constitutional Law.

- 1 **To amend** section 24 (6) (a) of article IV of the constitution; **relating to:** authorizing  
2 a sports lottery, with the proceeds dedicated to athletic facilities (2nd  
3 consideration).

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### *Analysis by the Legislative Reference Bureau*

This constitutional amendment, to be given 2nd consideration by the 1995 legislature for April 1995 submittal to the voters, was considered by the 1993 legislature as 1993 Senate Joint Resolution 49 (1993 Enrolled Joint Resolution 27).

### **EXPLANATION OF PROPOSAL**

A constitutional amendment ratified by the voters in the April 1993 election clarified that, except as permitted by section 24 of article IV of the state constitution, "the legislature may not authorize gambling in any form".

This constitutional amendment permits the state to operate, within the lottery authorized by the constitution, separate and distinct lottery games denominated the Wisconsin sports lottery, and requires that the proceeds of the Wisconsin sports lottery be dedicated to athletic facilities as provided by law.

### **PROCEDURE FOR 2ND CONSIDERATION**

When a constitutional amendment is before the current legislature on 2nd consideration, any change in the text approved by the preceding legislature reverts the proposal to first consideration status so that 2nd consideration approval would have to be given by the next legislature before the proposal could be submitted to the people for ratification [see joint rule 57 (2) (b)].

The decision of whether to approve a proposed constitutional amendment on 2nd consideration is up to the legislature. If the legislature approves a proposed constitutional amendment on 2nd consideration, it must also set the date for submitting the constitutional amendment to the people for ratification and must determine the question or questions to be printed on the ballot.

**1995 SPRING ELECTION**

Because of the time required for publication of election notices and distribution of election supplies, the elections board estimates that this joint resolution would have to pass both houses no later than February 21, 1995, to be placed on the ballot for the April 4, 1995, spring election.

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1           Whereas, the 1993 legislature in regular session proposed an amendment to  
2 the constitution by 1993 Senate Joint Resolution 49 (1993 Enrolled Joint Resolution  
3 27) and agreed to it by a majority of the members elected to each of the 2 houses,  
4 which amendment reads as follows:

**SECTION 1.** Section 24 (6) (a) of article IV of the constitution, as affected by 1993 Enrolled Joint Resolution 3, is amended to read:

[Article IV] Section 24 (6) (a) The legislature may authorize the creation of a lottery to be operated by the state as provided by law. The expenditure of public funds or of revenues derived from lottery operations to engage in promotional advertising of the Wisconsin state lottery is prohibited. Any advertising of the state lottery shall indicate the odds of a specific lottery ticket to be selected as the winning ticket for each prize amount offered. The net proceeds of the state lottery shall be deposited in the treasury of the state, to be used for property tax relief as provided by law. As part of the lottery authorized under this subsection, the state may operate separate and distinct lottery games denominated the Wisconsin sports lottery, and the proceeds of the Wisconsin sports lottery shall be dedicated to athletic facilities as provided by law.

5           ***Now, therefore, be it resolved by the assembly, the Senate concurring,***  
6 ***That*** the foregoing amendment to the constitution is agreed to by the 1995  
7 legislature; and, be it further

8           ***Resolved, That*** the foregoing amendment be submitted to a vote of the people  
9 at the election to be held on the first Tuesday of April, 1995; and, be it further

10           ***Resolved, That*** the question concerning ratification of the foregoing  
11 amendment be stated on the ballot as follows:

1           **QUESTION 1: “*Wisconsin sports lottery.*** Shall section 24 (6) (a) of article IV  
2 of the constitution be amended to permit the state to operate lottery games that have  
3 their proceeds dedicated to athletic facilities?”

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**(END)**