



1997 SENATE JOINT RESOLUTION 32

November 5, 1997 - Introduced by Senators DECKER, BRESKE, C. POTTER, BURKE, JAUCH, PLACHE and CLAUSING, cosponsored by Representatives PLOUFF, MUSSER, HEBL, MEYER, GOETSCH, BOCK, LA FAVE, KRUG, WOOD, DOBYNS, SPRINGER, KREUSER, HUBER, ROBSON, BAUMGART, RYBA and HASENOHRL. Referred to Committee on Economic Development, Housing and Government Operations.

1 **To amend** section 24 (5) and (6) (a) of article IV of the constitution; and **to create**
2 section 24 (7) of article IV of the constitution; **relating to:** providing that the
3 proceeds of the state lottery, all moneys received by the state under Indian
4 gaming agreements, other than moneys used to regulate and enforce the
5 provisions of the Indian gaming agreements, and all moneys received by the
6 state that are attributable to pari-mutuel on-track betting must be used for
7 reducing property taxes imposed on principal dwellings by creating property
8 tax credits and may be used for reducing rent constituting property taxes; and
9 providing that the distribution of the proceeds of the state lottery, moneys
10 received by the state under Indian gaming agreements and all moneys received
11 by the state that are attributable to pari-mutuel on-track betting are not

1 subject to the uniformity requirement of article VIII, section 1, of the Wisconsin
2 Constitution (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 1997 legislature on first consideration, provides that the proceeds of the state lottery must be used for reducing property taxes imposed on principal dwellings by creating property tax credits and may be used for reducing rent constituting property taxes.

In addition, the proposed constitutional amendment provides that all moneys received by the state under Indian gaming agreements, other than moneys used to regulate and enforce the provisions of the Indian gaming agreements, and all moneys received by the state that are attributable to pari-mutuel on-track betting must be used for reducing property taxes imposed on principal dwellings by creating property tax credits and may be used for reducing rent constituting property taxes.

Finally, the proposed constitutional amendment provides that the distribution of the proceeds of the state lottery, moneys received by the state under Indian gaming agreements and all moneys received by the state that are attributable to pari-mutuel on-track betting are 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.

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

4 **SECTION 1.** Section 24 (5) of article IV of the constitution is amended to read:

5 [Article IV] Section 24 (5) This section shall not prohibit pari-mutuel on-track
6 betting as provided by law. The state may not own or operate any facility or
7 enterprise for pari-mutuel betting, or lease any state-owned land to any other owner
8 or operator for such purposes. All moneys received by the state that are attributable
9 to pari-mutuel on-track betting shall be used for reducing property taxes imposed
10 on principal dwellings by creating property tax credits and may be used for reducing
11 rent constituting property taxes. The distribution of moneys that are attributable
12 to pari-mutuel on-track betting shall not be subject to the uniformity requirement
13 of section 1 of article VIII.

1 **SECTION 2.** Section 24 (6) (a) of article IV of the constitution is amended to read:

2 [Article IV] Section 24 (6) (a) The legislature may authorize the creation of a
3 lottery to be operated by the state as provided by law. The expenditure of public funds
4 or of revenues derived from lottery operations to engage in promotional advertising
5 of the Wisconsin state lottery is prohibited. Any advertising of the state lottery shall
6 indicate the odds of a specific lottery ticket to be selected as the winning ticket for
7 each prize amount offered. The net proceeds of the state lottery shall be deposited
8 ~~in the treasury of the state, to be used for property tax relief as provided by law~~
9 reducing property taxes imposed on principal dwellings by creating property tax
10 credits and may be used for reducing rent constituting property taxes. The
11 distribution of the proceeds of the state lottery shall not be subject to the uniformity
12 requirement of section 1 of article VIII.

13 **SECTION 3.** Section 24 (7) of article IV of the constitution is created to read:

14 [Article IV] Section 24 (7) All moneys received by the state under Indian
15 gaming agreements, other than moneys used to regulate and enforce the provisions
16 of the Indian gaming agreements, shall be used for reducing property taxes imposed
17 on principal dwellings by creating property tax credits and may be used for reducing
18 rent constituting property taxes. The distribution of moneys received under Indian
19 gaming agreements shall not be subject to the uniformity requirement of section 1
20 of article VIII.

21 ***Be it further resolved, That*** this proposed amendment be referred to the
22 legislature to be chosen at the next general election and that it be published for 3
23 months previous to the time of holding such election.

24

(END)