



2013 ASSEMBLY BILL 114

April 1, 2013 - Introduced by Representatives PETRYK, WEATHERSTON, BALLWEG, BERNIER, BROOKS, CZAJA, ENDSLEY, T. LARSON, MURSAU, A. OTT and WILLIAMS, cosponsored by Senators PETROWSKI, CARPENTER, LASSA and SCHULTZ. Referred to Committee on State Affairs.

1 **AN ACT to amend** 20.835 (2) (em), 25.36 (1) and 79.10 (11) (b); and **to create**
2 20.485 (2) (dL), 20.835 (2) (r) and 565.27 (1m) of the statutes; **relating to:**
3 creating a veterans-themed lottery game, changing the primary source of
4 funding for the veterans and surviving spouses property tax credit, and making
5 appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Revenue (DOR) operates a lottery, the proceeds of which must be used for property tax relief for residents of the state.

Also under current law, the veterans and surviving spouses property tax credit may be claimed by certain U.S. armed forces veterans and by the unremarried surviving spouses of certain veterans or members of the national guard or reserves (collectively, "veterans"). The credit is refundable, meaning that if the amount of credit that may be claimed by a veteran exceeds his or her tax liability, the excess amount of the credit is refunded to the veteran by check. Refunded credits are paid from a sum sufficient appropriation of general purpose revenue.

This bill requires DOR to offer a lottery game with a veterans theme. Under the bill, refunded veterans and surviving spouses property tax credits are paid from the net lottery proceeds of the veterans-themed lottery game created by the bill and, if that amount is insufficient to pay all eligible claims, from the current law sum sufficient appropriation. The bill also transfers general purpose revenue, in an amount equal to the amount of lottery proceeds used to pay the refunded veterans and surviving spouses property tax credits, to the veterans trust fund.

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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:

1 **SECTION 1.** 20.485 (2) (dL) of the statutes is created to read:

2 20.485 (2) (dL) *Gaming aids.* From the general fund, a sum sufficient equal
3 to the amount of lottery proceeds attributable to the lottery game under s. 565.27
4 (1m), as determined under s. 565.27 (1m), in each fiscal year, to be transferred to the
5 veterans trust fund.

6 **SECTION 2.** 20.835 (2) (em) of the statutes is amended to read:

7 20.835 (2) (em) *Veterans and surviving spouses property tax credit.* A sum
8 sufficient to pay the claims approved under s. 71.07 (6e), to the extent that these
9 claims are not paid under par. (r).

10 **SECTION 3.** 20.835 (2) (r) of the statutes is created to read:

11 20.835 (2) (r) *Veterans and surviving spouses property tax credit; veterans*
12 *lottery proceeds.* From the lottery fund, a sum sufficient equal to the lottery proceeds
13 attributable to the lottery game under s. 565.27 (1m), as determined under s. 565.27
14 (1m), to pay the claims approved under s. 71.07 (6e).

15 **SECTION 4.** 25.36 (1) of the statutes is amended to read:

16 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
17 by law shall constitute the veterans trust fund which shall be used for the lending
18 of money to the mortgage loan repayment fund under s. 45.37 (5) (a) 12. and for the
19 veterans programs under ss. 20.485 (2) (m), (tm), (u), (vy), (w), and (z) and (5) (mn),
20 (v), (vo), and (zm), 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1m), 45.41, 45.42, 45.43, and
21 45.82 and administered by the department of veterans affairs, including all moneys

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1 received from the federal government for the benefit of veterans or their dependents;
2 all moneys paid as interest on and repayment of loans under the post-war
3 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
4 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
5 under this fund; all moneys paid as expenses for, interest on, and repayment of
6 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid
7 as expenses for, interest on, and repayment of veterans personal loans; the net
8 proceeds from the sale of mortgaged properties related to veterans personal loans;
9 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
10 issuance purchased with moneys in the veterans trust fund; all moneys received from
11 the state investment board under s. 45.42 (8) (b); all moneys received from the
12 veterans mortgage loan repayment fund under s. 45.37 (7) (a) and (c); ~~and all gifts~~
13 ~~of money received by the board of veterans affairs for the purposes of this fund; and~~
14 all moneys transferred under s. 20.485 (2) (dL).

15 **SECTION 5.** 79.10 (11) (b) of the statutes is amended to read:

16 79.10 (11) (b) Before October 16, the department of administration shall
17 determine the total funds available for distribution under the lottery and gaming
18 credit in the following year and shall inform the joint committee on finance of that
19 total. Total funds available for distribution shall be all moneys projected to be
20 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g), and
21 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
22 the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r),
23 20.566 (2) (r), and 20.835 (2) (q) ~~and~~, less the required reserve under s. 20.003 (5),
24 and less the lottery proceeds attributable to the lottery game under s. 565.27 (1m),
25 as determined under s. 565.27 (1m). The joint committee on finance may revise the

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1 total amount to be distributed if it does so at a meeting that takes place before
2 November 1. If the joint committee on finance does not schedule a meeting to take
3 place before November 1, the total determined by the department of administration
4 shall be the total amount estimated to be distributed under the lottery and gaming
5 credit in the following year.

6 **SECTION 6.** 565.27 (1m) of the statutes is created to read:

7 565.27 (1m) VETERANS LOTTERY. The department shall offer a lottery game with
8 a veterans theme. Before October 16 of each fiscal year, the department of
9 administration shall determine the amount of lottery proceeds, as defined in s. 25.75
10 (1) (c), for the previous fiscal year that is attributable to the lottery game under this
11 subsection.

12 (END)