

State of Wisconsin



1995 Senate Bill 49

Date of enactment: **May 15, 1995**
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1995 WISCONSIN ACT 11

AN ACT *to amend* 823.20 (1), 945.01 (4) (am) and 968.13 (1) (a); and *to create* 945.095 and 945.13 of the statutes; **relating to:** the interstate transportation of gambling devices into Sturgeon Bay, Manitowoc, Marinette, Superior and La Crosse, Wisconsin, and exempting certain persons in the business of shipbuilding from laws prohibiting certain gambling activities.

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

SECTION 1. 823.20 (1) of the statutes is amended to read:

823.20 (1) Any gambling place, as defined in s. 945.01 (4) (a), is a public nuisance and may be proceeded against under this chapter.

SECTION 2. 945.01 (4) (am) of the statutes is amended to read:

945.01 (4) (am) "Gambling place" does not include a place where bingo or a raffle is conducted under ch. 563, where a lottery is conducted under ch. 565 or where a race is conducted under ch. 562 and does not include a gambling vessel that is in the process of construction, delivery, conversion or repair by a shipbuilding business that complies with s. 945.095.

SECTION 3. 945.095 of the statutes is created to read:

945.095 Shipbuilding business. (1) Notwithstanding ss. 945.03, 945.04 and 945.05, a person may construct, deliver, convert or repair a vessel that is equipped with gambling devices if all of the following conditions are satisfied:

(a) The work performed on the vessel is ordered by a customer who shall use or possess the vessel outside of

this state in a locality where the use or possession of the gambling devices on the vessel is lawful.

(b) The person performs the work on the vessel that is equipped with the gambling devices at a shipbuilding business that is located in Sturgeon Bay or Manitowoc, Marinette, Superior or La Crosse, Wisconsin.

(c) The person registers with the U.S. attorney general, pursuant to [15 USC 1173](#), and specifies in that registration that the person is in the business of installing and removing gambling devices, as defined in [15 USC 1171](#) (a), as part of the process of performing work on vessels ordered by a customer who shall use or possess the vessel outside of this state in a locality where the use or possession of the gambling devices on the vessel is lawful.

(d) The person provides the gaming commission, prior to the importation of the gambling devices into the state, all records that account for the gambling devices, including the identification number affixed to each gambling device by the manufacturer, and that identify the location where the gambling devices will be stored prior to the installation of the gambling devices on the vessel.

(e) The person stores the gambling devices at a secured warehouse facility and permits any person authorized to enforce the gambling laws under s. 165.50 to

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

inspect the facility where the gambling devices are stored and any records relating to the gambling devices.

(f) If the person removes used gambling devices from a vessel, the person shall provide the gaming commission with an inventory of the used gambling devices prior to their removal from the vessel. The inventory shall include the identification number affixed to each gambling device by the manufacturer.

(g) The person submits documentation to the gaming commission, no later than 30 days after the date of delivery, that the vessel equipped with gambling devices has been delivered to the customer who ordered the work performed on the vessel.

(h) The person does not sell a gambling device to any other person except to a customer who shall use or possess the gambling device outside of this state in a locality where the use or possession of the gambling device is lawful. If a person sells a gambling device to such a customer, the person shall submit documentation to the gaming commission, no later than 30 days after the date of delivery, that the gambling device has been delivered to the customer.

(2) If any person who constructs, delivers, converts or repairs a vessel that is equipped with gambling devices

does not satisfy all of the conditions under sub. (1), the person is subject to ss. 945.03, 945.04 and 945.05.

SECTION 4. 945.13 of the statutes is created to read:

945.13 Interstate transportation of gambling devices. Pursuant to the authority granted the state in [15 USC 1172](#), which makes unlawful the transportation of any gambling device to any place in a state or a possession of the United States from any place outside of the state or the possession, this state exempts Sturgeon Bay and Manitowoc, Marinette, Superior and La Crosse, Wisconsin, from the application of [15 USC 1172](#).

SECTION 5. 968.13 (1) (a) of the statutes is amended to read:

968.13 (1) (a) Contraband, which includes without limitation because of enumeration lottery tickets, gambling machines or other gambling devices, lewd, obscene or indecent written matter, pictures, sound recordings or motion picture films, forged money or written instruments and the tools, dies, machines or materials for making them, and controlled substances, as defined in s. 161.01 (4), and the implements for smoking or injecting them. Gambling machines or other gambling devices possessed by a shipbuilding business that complies with s. 945.095 are not subject to this section.