

1999 SENATE BILL 282

November 9, 1999 – Introduced by Senators RISSER, BURKE and WELCH, cosponsored by Representatives KLUSMAN, LA FAVE, HUEBSCH, HANDRICK, OWENS, MILLER and GROTHMAN. Referred to Committee on Economic Development, Housing and Government Operations.

1 **AN ACT to repeal** 13.94 (1) (em), 13.94 (1s) (b), 15.433, 16.71 (3), 16.72 (4m), 16.84
2 (3), 20.003 (5), 20.455 (2) (g), 20.455 (2) (r), 20.505 (8) (am), 20.505 (8) (g), 20.505
3 (8) (jm), 20.566 (2) (r), 20.566 (8), 20.835 (3) (q), 20.835 (3) (r), 25.17 (1) (jr),
4 25.75, 66.058 (3) (c) 8., 66.74, 71.04 (7) (f) 16., 71.07 (3m) (c) 3., 71.25 (5) (a) 24.,
5 71.25 (9) (f) 16., 71.28 (2m) (c) 3., 71.47 (2m) (c) 3., 71.67 (4), 71.67 (5), 71.78 (4)
6 (L), 74.09 (3) (b) 6., 74.09 (3) (b) 7., 77.61 (5) (b) 9., 79.10 (1) (dm), 79.10 (1) (g),
7 79.10 (1m), 79.10 (5), 79.10 (7m) (b), 79.10 (7r), 79.10 (9) (bm), 79.10 (10), 79.10
8 (11), 79.11 (3) (b), 79.13, 125.51 (4) (q), 227.01 (13) (ze), chapter 562, 563.80
9 (2m), chapter 565, 778.30 (1) (c), 778.30 (2) (a) 2., 945.01 (1) (d), 945.01 (1) (e),
10 973.05 (4) (c) and 973.05 (5) (a) 2.; **to renumber and amend** 20.835 (2) (q); **to**
11 **amend** 16.72 (2) (b), 16.75 (3m) (c) 4., 20.002 (11) (a), 20.505 (5) (ka), 20.505 (8)
12 (j), 20.566 (1) (h), 20.765 (3) (ka), 27.08 (6) (b), 49.857 (1) (d) 19., 71.02 (1), 71.04
13 (1) (a), 71.07 (3m) (c) 1., 71.28 (2m) (c) 1., 71.47 (2m) (c) 1., 73.0301 (1) (d) 7m.,
14 74.29, 77.22 (2) (intro.), 77.23, 79.10 (2), 79.10 (6m), 79.11 (2), 125.07 (3) (a) 5.,

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1 165.25 (3r), 165.25 (4) (a), 165.70 (3m), 182.020, 563.055 (6), 563.13 (4), 563.135
2 (2m), 563.16, 563.22 (2) (c), 895.055 (3), 895.056 (4), 945.01 (3) (b) 1., 945.01 (4)
3 (am) and 945.01 (5) (am); **to repeal and recreate** 79.10 (9) (c); and **to create**
4 71.07 (3m) (e), 71.28 (2m) (e) and 71.47 (2m) (e) of the statutes; **relating to:** the
5 elimination of the state lottery and pari-mutuel wagering, prohibiting new
6 claims under the farmland relief tax credit, providing a penalty and making an
7 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the state conducts the state lottery and licenses and regulates pari-mutuel wagering. This bill eliminates the state lottery and the lottery credit and bans state-regulated pari-mutuel wagering beginning on January 1, 2001. As a result of the elimination of the state lottery and the banning of state-regulated pari-mutuel wagering, current law penalties that apply to the unauthorized playing of the lottery and wagering will apply to conduct that is currently authorized under the state lottery and state-regulated pari-mutuel wagering.

The farmland tax relief credit is a refundable income and franchise tax credit that is based on property taxes accrued on farmland and gross farm profits. Under this bill, no claims for the farmland tax relief credit may be made for taxable years beginning after December 31, 2000.

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:

- 8 **SECTION 1.** 13.94 (1) (em) of the statutes is repealed.
- 9 **SECTION 2.** 13.94 (1s) (b) of the statutes is repealed.
- 10 **SECTION 3.** 15.433 of the statutes is repealed.
- 11 **SECTION 4.** 16.71 (3) of the statutes is repealed.
- 12 **SECTION 5.** 16.72 (2) (b) of the statutes is amended to read:

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1 16.72 (2) (b) ~~Except as provided in s. 565.25 (2) (a) 4., the~~ The department shall
2 prepare or review specifications for all materials, supplies, equipment, other
3 permanent personal property and contractual services not purchased under
4 standard specifications. Such “nonstandard specifications” may be generic or
5 performance specifications, or both, prepared to describe in detail the article which
6 the state desires to purchase either by its physical properties or programmatic
7 utility. When appropriate for such nonstandard items or services, trade names may
8 be used to identify what the state requires, but wherever possible 2 or more trade
9 names shall be designated and the trade name of any Wisconsin producer, distributor
10 or supplier shall appear first.

11 **SECTION 6.** 16.72 (4m) of the statutes is repealed.

12 **SECTION 7.** 16.75 (3m) (c) 4. of the statutes is amended to read:

13 16.75 (3m) (c) 4. The department shall annually prepare and submit a report
14 to the governor and to the chief clerk of each house of the legislature, for distribution
15 to the appropriate standing committees under s. 13.172 (3), on the total amount of
16 money paid to and of indebtedness or other obligations underwritten by minority
17 businesses, minority financial advisers and minority investment firms under the
18 requirements of this subsection and ss. 16.855 (10m), 16.87 (2), 25.185, and 84.075
19 ~~and 565.25 (2) (a) 3.~~ and on this state’s progress toward achieving compliance with
20 par. (b) and ss. 16.855 (10m) (a), 16.87 (2), 25.185 and 84.075 (1).

21 **SECTION 8.** 16.84 (3) of the statutes is repealed.

22 **SECTION 9.** 20.002 (11) (a) of the statutes is amended to read:

23 20.002 (11) (a) All appropriations, special accounts and fund balances within
24 the general fund or any segregated fund may be made temporarily available for the
25 purpose of allowing encumbrances or financing expenditures of other general or

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1 segregated fund activities which do not have sufficient moneys in the accounts from
2 which they are financed but have accounts receivable balances or moneys
3 anticipated to be received from ~~lottery proceeds, as defined in s. 25.75 (1) (c),~~ tax
4 revenues, gifts, grants, fees, sales of service, or interest earnings recorded under s.
5 16.52 (2). The secretary of administration shall determine the composition and
6 allowability of the accounts receivable balances and anticipated moneys to be
7 received for this purpose in accordance with s. 20.903 (2) and shall specifically
8 approve the use of surplus moneys from the general or segregated funds after
9 consultation with the appropriate state agency head for use by specified accounts or
10 programs. The secretary of administration shall reallocate available moneys from
11 the budget stabilization fund under s. 16.465 prior to reallocating moneys from any
12 other fund.

13 **SECTION 10.** 20.003 (5) of the statutes is repealed.

14 **SECTION 11.** 20.455 (2) (g) of the statutes, as affected by 1999 Wisconsin Act 5,
15 is repealed.

16 **SECTION 12.** 20.455 (2) (r) of the statutes is repealed.

17 **SECTION 13.** 20.505 (5) (ka) of the statutes is amended to read:

18 20.505 (5) (ka) *Facility operations and maintenance; police and protection*
19 *functions.* The amounts in the schedule for the purpose of financing the costs of
20 operation of state-owned or operated facilities that are not funded from other
21 appropriations, including custodial and maintenance services; minor projects;
22 utilities, fuel, heat and air conditioning; costs incurred under ss. 16.858 and 16.895
23 by or on behalf of the department; repayment to the energy efficiency fund loans
24 made to the department under s. 16.847 (6); and supplementing the costs of operation
25 of child care facilities for children of state employees under s. 16.841; and for police

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1 and protection functions under s. 16.84 (2) ~~and (3)~~. All moneys received from state
2 agencies for the operation of such facilities, parking rental fees established under s.
3 16.843 (2) (bm) and miscellaneous other sources, all moneys received from
4 assessments under s. 16.895, ~~all moneys received for the performance of gaming~~
5 ~~protection functions under s. 16.84 (3)~~, and all moneys transferred from the
6 appropriation account under s. 20.865 (2) (e) for this purpose shall be credited to this
7 appropriation account.

8 **SECTION 14.** 20.505 (8) (am) of the statutes, as created by 1999 Wisconsin Act
9 5, is repealed.

10 **SECTION 15.** 20.505 (8) (g) of the statutes, as affected by 1999 Wisconsin Act 5,
11 is repealed.

12 **SECTION 16.** 20.505 (8) (j) of the statutes, as affected by 1999 Wisconsin Act 5,
13 is amended to read:

14 20.505 **(8)** (j) *General program operations; raffles charitable and crane games.*
15 The amounts in the schedule for general program operations relating to raffles under
16 subchs. II and VIII of ch. chs. 563 and relating to crane games under ch. 564. All
17 moneys received by the department of administration under ~~ss. 563.92 (2), 563.98~~
18 ~~(1g) ch. 563, except s. 563.80, and under s. 564.02 (2)~~ shall be credited to this
19 appropriation account.

20 **SECTION 17.** 20.505 (8) (jm) of the statutes, as created by 1999 Wisconsin Act
21 5, is repealed.

22 **SECTION 18.** 20.566 (1) (h) of the statutes is amended to read:

23 20.566 **(1)** (h) *Debt collection.* From moneys received from the collection of
24 debts owed to state agencies under ~~ss. s. 71.93 and 565.30 (5)~~, ~~from the collection of~~
25 ~~unpaid fines, forfeitures, costs, assessments, surcharges and restitution payments~~

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1 ~~under s. 565.30 (5r) (b)~~ and from moneys received from the collection of debts owed
2 to municipalities and counties under s. 71.935, the amounts in the schedule to pay
3 the administrative expenses of the department of revenue for the collection of those
4 debts, fines, forfeitures, costs, assessments, surcharges and restitution payments.

5 **SECTION 19.** 20.566 (2) (r) of the statutes, as affected by 1999 Wisconsin Act 5,
6 is repealed.

7 **SECTION 20.** 20.566 (8) of the statutes is repealed.

8 **SECTION 21.** 20.765 (3) (ka) of the statutes is amended to read:

9 20.765 (3) (ka) *Audit bureau reimbursable audits.* The amounts in the
10 schedule for the provision of auditing services requested by state agencies or by the
11 federal government, for audits specified in s. 13.94 (1s) (c) ~~and for audits of the~~
12 ~~department of revenue relating to the state lottery and verifications of the odds of~~
13 ~~winning a lottery game under s. 565.37 (5).~~ All moneys received by the legislative
14 audit bureau from charges assessed to departments under s. 13.94 (1s) shall be
15 credited to this appropriation.

16 **SECTION 22.** 20.835 (2) (q) of the statutes is renumbered 20.835 (2) (er) and
17 amended to read:

18 20.835 (2) (er) *Farmland tax relief credit.* ~~From the lottery fund, a~~ A sum
19 sufficient to pay the aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m)
20 (c) and 71.47 (2m) (c).

21 **SECTION 23.** 20.835 (3) (q) of the statutes is repealed.

22 **SECTION 24.** 20.835 (3) (r) of the statutes, as created by 1999 Wisconsin Act 5,
23 is repealed.

24 **SECTION 25.** 25.17 (1) (jr) of the statutes is repealed.

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1 **SECTION 26.** 25.75 of the statutes, as affected by 1999 Wisconsin Act 5, is
2 repealed.

3 **SECTION 27.** 27.08 (6) (b) of the statutes is amended to read:

4 27.08 **(6)** (b) The board of park commissioners of any city of the 1st class where
5 there has been ~~hitherto~~ established a driving club or similar organization in
6 connection with any park under the direction of said the board of park commissioners
7 may conduct horse races and driving exhibitions within its public parks and pay the
8 expenses and cost of trophies therefor out of the park fund. A fee for admission may
9 be charged for the purpose of defraying such expenses in whole or in part. ~~Chapter~~
10 ~~562 does not apply to any race under this paragraph.~~

11 **SECTION 28.** 49.857 (1) (d) 19. of the statutes is amended to read:

12 49.857 **(1)** (d) 19. A license issued under s. 563.24 ~~or ch. 562.~~

13 **SECTION 29.** 66.058 (3) (c) 8. of the statutes, as affected by 1999 Wisconsin Act
14 5, is repealed.

15 **SECTION 30.** 66.74 of the statutes is repealed.

16 **SECTION 31.** 71.02 (1) of the statutes is amended to read:

17 71.02 **(1)** For the purpose of raising revenue for the state and the counties,
18 cities, villages and towns, there shall be assessed, levied, collected and paid a tax on
19 all net incomes of individuals and fiduciaries, except fiduciaries of nuclear
20 decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every
21 natural person residing within the state or by his or her personal representative in
22 case of death, and trusts administered within the state; by every nonresident natural
23 person and trust of this state, upon such income as is derived from property located
24 or business transacted within the state including, but not limited by enumeration,
25 income derived from a limited partner's distributive share of partnership income,

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1 income derived from a limited liability company member's distributive share of
2 limited liability company income, ~~the state lottery under ch. 565, any~~
3 ~~multijurisdictional lottery under ch. 565 if the winning lottery ticket or lottery share~~
4 ~~was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from~~
5 ~~the department, winnings from a casino or bingo hall that is located in this state and~~
6 ~~that is operated by a Native American tribe or band and pari-mutuel wager~~
7 ~~winnings or purses under ch. 562, and also by every nonresident natural person upon~~
8 such income as is derived from the performance of personal services within the state,
9 except as exempted under s. 71.05 (1) to (3). Every natural person domiciled in the
10 state shall be deemed to be residing within the state for the purposes of determining
11 liability for income taxes and surtaxes. ~~A single-owner entity that is disregarded as~~
12 ~~a separate entity under section 7701 of the Internal Revenue Code is disregarded as~~
13 ~~a separate entity under this chapter, and its owner is subject to the tax on the entity's~~
14 ~~income.~~

15 **SECTION 32.** 71.04 (1) (a) of the statutes is amended to read:

16 71.04 (1) (a) All income or loss of resident individuals and resident estates and
17 trusts shall follow the residence of the individual, estate or trust. Income or loss of
18 nonresident individuals and nonresident estates and trusts from business, not
19 requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the
20 business from which derived. All items of income, loss and deductions of nonresident
21 individuals and nonresident estates and trusts derived from a tax-option
22 corporation not requiring apportionment under sub. (9) shall follow the situs of the
23 business of the corporation from which derived. Income or loss of nonresident
24 individuals and nonresident estates and trusts derived from rentals and royalties
25 from real estate or tangible personal property, or from the operation of any farm,

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1 mine or quarry, or from the sale of real property or tangible personal property shall
2 follow the situs of the property from which derived. Income from personal services
3 of nonresident individuals, including income from professions, shall follow the situs
4 of the services. A nonresident limited partner's distributive share of partnership
5 income shall follow the situs of the business. A nonresident limited liability company
6 member's distributive share of limited liability company income shall follow the situs
7 of the business. ~~Income of nonresident individuals, estates and trusts from the state~~
8 ~~lottery under ch. 565 is taxable by this state. Income of nonresident individuals,~~
9 ~~estates and trusts from any multijurisdictional lottery under ch. 565 is taxable by~~
10 ~~this state, but only if the winning lottery ticket or lottery share was purchased from~~
11 ~~a retailer, as defined in s. 565.01 (6), located in this state or from the department.~~
12 ~~Income of nonresident individuals, nonresident trusts and nonresident estates from~~
13 ~~pari-mutuel winnings or purses under ch. 562 is taxable by this state. Income of~~
14 ~~nonresident individuals, estates and trusts from winnings from a casino or bingo hall~~
15 ~~that is located in this state and that is operated by a Native American tribe or band~~
16 ~~shall follow the situs of the casino or bingo hall. All other income or loss of~~
17 ~~nonresident individuals and nonresident estates and trusts, including income or loss~~
18 ~~derived from land contracts, mortgages, stocks, bonds and securities or from the sale~~
19 ~~of similar intangible personal property, shall follow the residence of such persons,~~
20 ~~except as provided in par. (b) and sub. (9).~~

21 **SECTION 33.** 71.04 (7) (f) 16. of the statutes is repealed.

22 **SECTION 34.** 71.07 (3m) (c) 1. of the statutes, as affected by 1999 Wisconsin Act
23 5, is amended to read:

24 71.07 **(3m)** (c) 1. Any claimant may claim against taxes otherwise due under
25 this chapter a percentage, ~~as determined by the department under subd. 3.,~~ 10% of

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1 the property taxes accrued in the taxable year to which the claim relates, up to a
2 maximum claim of \$1,500 \$1,000, except that the credit under this subsection plus
3 the credit under subch. IX may not exceed 95% of the property taxes accrued on the
4 farm.

5 **SECTION 35.** 71.07 (3m) (c) 3. of the statutes, as created by 1999 Wisconsin Act
6 5, is repealed.

7 **SECTION 36.** 71.07 (3m) (e) of the statutes is created to read:

8 71.07 **(3m)** (e) *New claims.* No claim may be filed under this subsection for a
9 taxable year that begins after December 31, 2000, based on property taxes accrued
10 in the previous year.

11 **SECTION 37.** 71.25 (5) (a) 24. of the statutes is repealed.

12 **SECTION 38.** 71.25 (9) (f) 16. of the statutes is repealed.

13 **SECTION 39.** 71.28 (2m) (c) 1. of the statutes, as affected by 1999 Wisconsin Act
14 5, is amended to read:

15 71.28 **(2m)** (c) 1. Any claimant may claim against taxes otherwise due under
16 this chapter a percentage, ~~as determined by the department under subd. 3.,~~ 10% of
17 the property taxes accrued in the taxable year to which the claim relates, up to a
18 maximum claim of \$1,500 \$1,000, except that the credit under this subsection plus
19 the credit under subch. IX may not exceed 95% of the property taxes accrued on the
20 farm.

21 **SECTION 40.** 71.28 (2m) (c) 3. of the statutes, as created by 1999 Wisconsin Act
22 5, is repealed.

23 **SECTION 41.** 71.28 (2m) (e) of the statutes is created to read:

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1 71.28 **(2m)** (e) *New claims*. No claim may be filed under this subsection for a
2 taxable year that begins after December 31, 2000, based on property taxes accrued
3 in the previous year.

4 **SECTION 42.** 71.47 (2m) (c) 1. of the statutes, as affected by 1999 Wisconsin Act
5 5, is amended to read:

6 71.47 **(2m)** (c) 1. Any claimant may claim against taxes otherwise due under
7 this chapter a percentage, as determined by the department under subd. 3., 10% of
8 the property taxes accrued in the taxable year to which the claim relates, up to a
9 maximum claim of \$1,500 \$1,000, except that the credit under this subsection plus
10 the credit under subch. IX may not exceed 95% of the property taxes accrued on the
11 farm.

12 **SECTION 43.** 71.47 (2m) (c) 3. of the statutes, as created by 1999 Wisconsin Act
13 5, is repealed.

14 **SECTION 44.** 71.47 (2m) (e) of the statutes is created to read:

15 71.47 **(2m)** (e) *New claims*. No claim may be filed under this subsection for a
16 taxable year that begins after December 31, 2000, based on property taxes accrued
17 in the previous year.

18 **SECTION 45.** 71.67 (4) of the statutes is repealed.

19 **SECTION 46.** 71.67 (5) of the statutes is repealed.

20 **SECTION 47.** 71.78 (4) (L) of the statutes is repealed.

21 **SECTION 48.** 73.0301 (1) (d) 7m. of the statutes is amended to read:

22 73.0301 **(1)** (d) 7m. A license issued under s. ~~562.05~~ or 563.24.

23 **SECTION 49.** 74.09 (3) (b) 6. of the statutes is repealed.

24 **SECTION 50.** 74.09 (3) (b) 7. of the statutes is repealed.

25 **SECTION 51.** 74.29 of the statutes is amended to read:

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1 **74.29 August settlement.** On or before August 20, the county treasurer shall
2 pay in full to the proper treasurer all real property taxes, ~~including taxes offset by~~
3 ~~the credit under s. 79.10 (5)~~, and special taxes included in the tax roll which have not
4 previously been paid to, or retained by, the proper treasurer. A county may, by
5 resolution adopted by the county board, direct the county treasurer to pay in full to
6 the proper treasurer all special assessments and special charges included in the tax
7 roll which have not previously been paid to, or retained by, the proper treasurer.

8 **SECTION 52.** 77.22 (2) (intro.) of the statutes is amended to read:

9 77.22 (2) (intro.) The secretary of revenue shall prescribe the form required
10 under sub. (1). The form shall ~~include an application for a credit under s. 79.10 (5)~~
11 ~~and shall provide for the submission of the following:~~

12 **SECTION 53.** 77.23 of the statutes is amended to read:

13 **77.23 Disposition of fees and returns.** On or before the 15th day of each
14 month the register shall submit to the county treasurer transfer fees collected
15 together with the returns filed in the office during the preceding month for the
16 treasurer's transmission to the department of revenue under s. 77.24 ~~and shall~~
17 ~~submit to the county treasurer, or to the city treasurer if the property is located in~~
18 ~~a city that collects taxes under s. 74.87, all applications for credits under s. 79.10 (5)~~
19 ~~that the county register of deeds receives during the preceding month.~~

20 **SECTION 54.** 77.61 (5) (b) 9. of the statutes is repealed.

21 **SECTION 55.** 79.10 (1) (dm) of the statutes, as created by 1999 Wisconsin Act
22 5, is repealed.

23 **SECTION 56.** 79.10 (1) (g) of the statutes is repealed.

24 **SECTION 57.** 79.10 (1m) of the statutes is repealed.

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1 **SECTION 58.** 79.10 (2) of the statutes, as affected by 1999 Wisconsin Act 5, is
2 amended to read:

3 **79.10 (2) NOTICE TO MUNICIPALITIES.** On or before December 1 of the year
4 preceding the distribution under sub. (7m) (a), the department of revenue shall
5 notify the clerk of each town, village and city of ~~the estimated fair market value, as~~
6 ~~determined under sub. (11), to be used to calculate the lottery and gaming credit~~
7 ~~under sub. (5) and of the amount to be distributed to it under sub. (7m) (a) on the~~
8 following 4th Monday in July. The anticipated receipt of such distribution shall not
9 be taken into consideration in determining the tax rate of the municipality but shall
10 be applied as tax credits.

11 **SECTION 59.** 79.10 (5) of the statutes, as affected by 1999 Wisconsin Act 5, is
12 repealed.

13 **SECTION 60.** 79.10 (6m) of the statutes is amended to read:

14 **79.10 (6m) CORRECTIONS OF STATE PROPERTY TAX CREDIT PAYMENTS.** If the
15 department of administration or the department of revenue determines by October
16 1 of the year of any distribution under ~~subs. sub. (4) and (5)~~ that there was an
17 overpayment or underpayment made in that year's distribution by the department
18 of administration to municipalities, as determined under ~~subs. sub. (4) and (5)~~,
19 because of an error by the department of administration, the department of revenue
20 or any municipality, the overpayment or underpayment shall be corrected as
21 provided in this subsection. Any overpayment shall be corrected by reducing the
22 subsequent year's distribution, as determined under ~~subs. sub. (4) and (5)~~, by an
23 amount equal to the amount of the overpayment. Any underpayment shall be
24 corrected by increasing the subsequent year's distribution, as determined under
25 ~~subs. sub. (4) and (5)~~, by an amount equal to the amount of the underpayment.

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1 Corrections shall be made in the distributions to all municipalities affected by the
2 error. Corrections shall be without interest.

3 **SECTION 61.** 79.10 (7m) (b) of the statutes, as affected by 1999 Wisconsin Act
4 5, is repealed.

5 **SECTION 62.** 79.10 (7r) of the statutes, as created by 1999 Wisconsin Act 5, is
6 repealed.

7 **SECTION 63.** 79.10 (9) (bm) of the statutes, as affected by 1999 Wisconsin Act
8 5, is repealed.

9 **SECTION 64.** 79.10 (9) (c) of the statutes, as affected by 1999 Wisconsin Act 5,
10 is repealed and recreated to read:

11 79.10 (9) (c) *Credits shown on tax bill.* The credit under par. (b) shall reduce
12 the property taxes otherwise payable.

13 **SECTION 65.** 79.10 (10) of the statutes, as created by 1999 Wisconsin Act 5, is
14 repealed.

15 **SECTION 66.** 79.10 (11) of the statutes, as affected by 1999 Wisconsin Act 5, is
16 repealed.

17 **SECTION 67.** 79.11 (2) of the statutes, as affected by 1999 Wisconsin Act 5, is
18 amended to read:

19 79.11 (2) ~~Except as provided in s. 79.10 (10) (d), the~~ The payment of the
20 difference between the total tax which is due on any property less the amount of the
21 tax credits applicable to such property authorized by this subchapter shall be
22 considered payment in full of the property taxes due thereon in that year.

23 **SECTION 68.** 79.11 (3) (b) of the statutes, as affected by 1999 Wisconsin Act 5,
24 is repealed.

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1 **SECTION 69.** 79.13 of the statutes, as created by 1999 Wisconsin Act 5, is
2 repealed.

3 **SECTION 70.** 125.07 (3) (a) 5. of the statutes is amended to read:

4 125.07 **(3)** (a) 5. Ski chalets, golf courses and golf clubhouses, racetracks
5 licensed under ~~ch. 562~~, curling clubs, private soccer clubs and private tennis clubs.

6 **SECTION 71.** 125.51 (4) (q) of the statutes is repealed.

7 **SECTION 72.** 165.25 (3r) of the statutes is amended to read:

8 165.25 **(3r)** AVOID CONFLICT OF INTEREST. Require that attorneys in different
9 organizational subunits in the department prosecute violations of chs. ~~562~~ 563 to 569
10 or Indian gaming compacts entered into under s. 14.035 and defend any department,
11 agency, official, employe or agent under subs. (1), (4) (a) and (6).

12 **SECTION 73.** 165.25 (4) (a) of the statutes is amended to read:

13 165.25 **(4)** (a) The department of justice shall furnish all legal services required
14 by the investment board, ~~the lottery division in the department of revenue~~, the public
15 service commission, the department of transportation, the department of natural
16 resources, the department of tourism and the department of employe trust funds,
17 together with any other services, including stenographic and investigational, as are
18 necessarily connected with the legal work.

19 **SECTION 74.** 165.70 (3m) of the statutes is amended to read:

20 165.70 **(3m)** The attorney general shall establish a separate bureau in the
21 division of criminal investigation in which all of the department's gaming law
22 enforcement responsibilities under chs. ~~562~~ 563 to 569 and 945 shall be performed.

23 **SECTION 75.** 182.020 of the statutes is amended to read:

24 **182.020 Driving park corporation.** Notwithstanding ~~ch. 562~~, any Any
25 corporation formed under this chapter to establish, maintain and manage any

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1 driving park may have grounds and courses for improving and testing the speed of
2 horses and may offer and award prizes for competition; but no racing for any bet or
3 wager shall be allowed; and any such corporation may prevent gambling or betting
4 of any kind, and preserve order on its grounds, and establish rules therefor, and
5 appoint officers and agents who, for that purpose, shall have the power of constables.

6 **SECTION 76.** 227.01 (13) (ze) of the statutes is repealed.

7 **SECTION 77.** Chapter 562 of the statutes, as affected by 1997 Wisconsin Act 283
8 and 1999 Wisconsin Act 5, is repealed.

9 **SECTION 78.** 563.055 (6) of the statutes, as created by 1999 Wisconsin Act 5, is
10 amended to read:

11 563.055 (6) All moneys received under this section shall be credited to the
12 appropriation account under s. 20.505 (8) ~~(jm)~~ (j).

13 **SECTION 79.** 563.13 (4) of the statutes, as affected by 1999 Wisconsin Act 5, is
14 amended to read:

15 563.13 (4) A \$10 license fee for each bingo occasion proposed to be conducted
16 and \$5 for an annual license for each designated member responsible for the proper
17 utilization of gross receipts. All moneys received under this subsection shall be
18 credited to the appropriation account under s. 20.505 (8) ~~(jm)~~ (j).

19 **SECTION 80.** 563.135 (2m) of the statutes, as created by 1999 Wisconsin Act 5,
20 is amended to read:

21 563.135 (2m) All moneys received under sub. (1) shall be credited to the
22 appropriation account under s. 20.505 (8) ~~(jm)~~ (j).

23 **SECTION 81.** 563.16 of the statutes, as affected by 1999 Wisconsin Act 5, is
24 amended to read:

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1 **563.16 Amendment of license to conduct bingo.** Upon application by a
2 licensed organization, a license may be amended, if the subject matter of the
3 amendment properly and lawfully could have been included in the original license.
4 An application for an amendment to a license shall be filed and processed in the same
5 manner as an original application. An application for the amendment of a license
6 shall be accompanied by a \$3 fee. If any application for amendment seeks approval
7 of additional bingo occasions or designates a new member responsible for the proper
8 utilization of gross receipts, the appropriate fee under s. 563.13 (4) also shall be paid.
9 If the department approves an application for an amendment to a license, a copy of
10 the amendment shall be sent to the applicant who shall attach it to the original
11 license. All moneys received under this section shall be credited to the appropriation
12 account under s. 20.505 (8) ~~(jm)~~ (j).

13 **SECTION 82.** 563.22 (2) (c) of the statutes, as created by 1999 Wisconsin Act 5,
14 is amended to read:

15 563.22 (2) (c) All moneys received under this subsection shall be credited to the
16 appropriation account under s. 20.505 (8) ~~(jm)~~ (j).

17 **SECTION 83.** 563.80 (2m) of the statutes, as created by 1999 Wisconsin Act 5,
18 is repealed.

19 **SECTION 84.** Chapter 565 of the statutes, as affected by 1997 Wisconsin Acts
20 27 and 283 and 1999 Wisconsin Act 5, is repealed.

21 **SECTION 85.** 778.30 (1) (c) of the statutes is repealed.

22 **SECTION 86.** 778.30 (2) (a) 2. of the statutes is repealed.

23 **SECTION 87.** 895.055 (3) of the statutes is amended to read:

24 895.055 (3) This section does not apply to any promise, agreement, note, bill,
25 bond, mortgage, conveyance or other security that is permitted under chs. ~~562~~ 563

1 to 569 or under state or federal laws relating to the conduct of gaming on Indian
2 lands.

3 **SECTION 88.** 895.056 (4) of the statutes is amended to read:

4 895.056 (4) This section does not apply to any property that is permitted to be
5 played, bet or wagered under chs. ~~562~~ 563 to 569 or under state or federal laws
6 relating to the conduct of gaming on Indian lands.

7 **SECTION 89.** 945.01 (1) (d) of the statutes is repealed.

8 **SECTION 90.** 945.01 (1) (e) of the statutes is repealed.

9 **SECTION 91.** 945.01 (3) (b) 1. of the statutes is amended to read:

10 945.01 (3) (b) 1. A device used in conducting a bingo occasion or raffle event
11 under ch. 563, ~~used in conducting a lottery under ch. 565 or used in conducting a race~~
12 ~~under ch. 562.~~

13 **SECTION 92.** 945.01 (4) (am) of the statutes is amended to read:

14 945.01 (4) (am) “Gambling place” does not include a place where bingo or a
15 raffle is conducted under ch. 563, ~~where a lottery is conducted under ch. 565 or where~~
16 ~~a race is conducted under ch. 562~~ and does not include a gambling vessel that is in
17 the process of construction, delivery, conversion or repair by a shipbuilding business
18 that complies with s. 945.095.

19 **SECTION 93.** 945.01 (5) (am) of the statutes is amended to read:

20 945.01 (5) (am) “Lottery” does not include bingo or a raffle conducted under ch.
21 563, ~~pari-mutuel wagering conducted under ch. 562 or the state lottery or any~~
22 ~~multijurisdictional lottery conducted under ch. 565.~~

23 **SECTION 94.** 973.05 (4) (c) of the statutes is repealed.

24 **SECTION 95.** 973.05 (5) (a) 2. of the statutes is repealed.

25 **SECTION 96. Initial applicability.**

