

1999 DRAFTING REQUEST

Senate Joint Resolution

Received: 09/02/1999

Received By: isagerro

Wanted: As time permits

Identical to LRB:

For: Fred Risser (608) 266-1627

By/Representing: Leslie

This file may be shown to any legislator: NO

Drafter: dykmapj

May Contact:

Alt. Drafters: isagerro

Subject: Constitutional Amendments
Gambling - lottery
Gambling - racetracks

Extra Copies: ISR

Pre Topic:

No specific pre topic given

Topic:

Prohibit state lottery and pari-mutuel wagering

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dykmapj 09/03/1999	gilfokm 09/16/1999		_____			
	isagerro 09/15/1999			_____			
/1			jfrantze 09/16/1999	_____	lrb_docadmin 09/16/1999		
/2	dykmapj 09/23/1999	gilfokm 09/27/1999	mclark 09/27/1999	_____	lrb_docadmin 09/27/1999	lrb_docadmin 11/04/1999	
	isagerro 09/27/1999			_____			

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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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	isagerro 09/15/1999	9/27-99 /2 kmf		_____			
/1			jfrantze 09/16/1999	_____	lrb_docadmin 09/16/1999		
FE Sent For:			9/27 MRC	MRC/JF 9/27 <END>			

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1/?	dykmapj	1-9-16-99 Kmg	Jg/16	Jb/Km a/16			
FE Sent For:		12-9-97-99 Kmg					

<END>

* Sen Russi wants same const. amendment as
1997 SJR 7 (LRB-1153/1)

SOON

R.M. not
run

1999 ASSEMBLY JOINT RESOLUTION

1 **To amend** section 24 (5) and (6) (a) of article IV of the constitution; **relating to:**
 2 eliminating the constitutional authorizations for pari-mutuel on-track betting
 3 and the state lottery beginning on January 1, ~~2003~~²⁰⁰⁵ (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 1999 legislature on first consideration, eliminates the constitutional authorizations for pari-mutuel on-track betting and the state lottery beginning on January 1, ~~2003~~²⁰⁰⁵.

A constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

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

5 **SECTION 1.** Section 24 (5) and (6) (a) of article IV of the constitution are
 6 amended to read:

7 [Article IV] Section 24 (5) This section shall not prohibit pari-mutuel on-track
 8 betting, before January 1, ~~2003~~²⁰⁰⁵ as provided by law. The state may not own or operate
 9 any facility or enterprise for pari-mutuel betting, or lease any state-owned land to
 10 any other owner or operator for such purposes. All moneys received by the state that

1 are attributable to pari-mutuel on-track betting shall be used for property tax relief
2 for residents of this state as provided by law. The distribution of moneys that are
3 attributable to pari-mutuel on-track betting may not vary based on the income or
4 age of the person provided the property tax relief. The distribution of moneys that
5 are attributable to pari-mutuel on-track betting shall not be subject to the
6 uniformity requirement of section 1 of article VIII. In this subsection, the
7 distribution of all moneys attributable to pari-mutuel on-track betting shall include
8 any earnings on the moneys received by the state that are attributable to
9 pari-mutuel on-track betting, but shall not include any moneys used for the
10 regulation of, and enforcement of law relating to, pari-mutuel on-track betting.

11 (6) (a) The legislature may authorize the creation of a lottery to be operated,
12 before January 1, ~~2003~~²⁰⁰⁵ by the state as provided by law. The expenditure of public
13 funds or of revenues derived from lottery operations to engage in promotional
14 advertising of the Wisconsin state lottery is prohibited. Any advertising of the state
15 lottery shall indicate the odds of a specific lottery ticket to be selected as the winning
16 ticket for each prize amount offered. The net proceeds of the state lottery shall be
17 deposited in the treasury of the state, to be used for property tax relief for residents
18 of this state as provided by law. The distribution of the net proceeds of the state
19 lottery may not vary based on the income or age of the person provided the property
20 tax relief. The distribution of the net proceeds of the state lottery shall not be subject
21 to the uniformity requirement of section 1 of article VIII. In this paragraph, the
22 distribution of the net proceeds of the state lottery shall include any earnings on the
23 net proceeds of the state lottery.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3562/2dn

ISR:.....
King

September 27, 1999

Senator Risser:

As we discussed, this ~~Joint Resolution~~ includes an amendment to the ~~Constitution~~ that eliminates, as of January 1, 2005, the requirement that all moneys attributable to bingo be used for property tax relief. The provisions prohibiting pari-mutuel racing and the lottery after January 1, 2005, remain unchanged.

If you have any questions or comments, please feel free to contact me.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3562/2
PJD&ISR:kmg:jf

*Redraft
encl*

*RC
Analysis
changes*

*24(3)
added*

1 Draft

1999 SENATE JOINT RESOLUTION

1 **To amend** section 24 (3), (5) and (6) (a) of article IV of the constitution; **relating to:**
2 eliminating the constitutional authorizations for pari-mutuel on-track betting
3 and the state lottery beginning on January 1, 2005, and the requirement that
4 all moneys received by the state that are attributable to bingo games be used
5 for property tax relief for residents of this state (first consideration).

on
Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 1999 legislature on first consideration, eliminates the constitutional authorizations for pari-mutuel on-track betting and the state lottery beginning on January 1, 2005. It also eliminates, effective that date, the requirement that all moneys received by the state that are attributable to bingo games ~~be~~ be used for property tax relief for residents of this state.

A constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

Resolved by the senate, the assembly concurring, That:

6
7 **SECTION 1.** Section 24 (3), (5) and (6) (a) of article IV of the constitution are
8 amended to read:

1 [Article IV] Section 24 (3) (a) The legislature may authorize the following bingo
2 games licensed by the state, but all profits shall accrue to the licensed organization
3 and no salaries, fees or profits may be paid to any other organization or person: bingo
4 games operated by religious, charitable, service, fraternal or veterans' organizations
5 or those to which contributions are deductible for federal or state income tax
6 purposes.

7 (b) All moneys received by the state that are attributable to bingo games shall
8 be used for property tax relief for residents of this state as provided by law. The
9 distribution of moneys that are attributable to bingo games may not vary based on
10 the income or age of the person provided the property tax relief. The distribution of
11 moneys that are attributable to bingo games shall not be subject to the uniformity
12 requirement of section 1 of article VIII. In this subsection, the distribution of all
13 moneys attributable to bingo games shall include any earnings on the moneys
14 received by the state that are attributable to bingo games, but shall not include any
15 moneys used for the regulation of, and enforcement of law relating to, bingo games.
16 This paragraph shall not apply on or after January 1, 2005.

17 (5) This section shall not prohibit pari-mutuel on-track betting, before
18 January 1, 2005, as provided by law. The state may not own or operate any facility
19 or enterprise for pari-mutuel betting, or lease any state-owned land to any other
20 owner or operator for such purposes. All moneys received by the state that are
21 attributable to pari-mutuel on-track betting shall be used for property tax relief for
22 residents of this state as provided by law. The distribution of moneys that are
23 attributable to pari-mutuel on-track betting may not vary based on the income or
24 age of the person provided the property tax relief. The distribution of moneys that
25 are attributable to pari-mutuel on-track betting shall not be subject to the

1 uniformity requirement of section 1 of article VIII. In this subsection, the
2 distribution of all moneys attributable to pari-mutuel on-track betting shall include
3 any earnings on the moneys received by the state that are attributable to
4 pari-mutuel on-track betting, but shall not include any moneys used for the
5 regulation of, and enforcement of law relating to, pari-mutuel on-track betting.

6 (6) (a) The legislature may authorize the creation of a lottery to be operated,
7 before January 1, 2005, by the state as provided by law. The expenditure of public
8 funds or of revenues derived from lottery operations to engage in promotional
9 advertising of the Wisconsin state lottery is prohibited. Any advertising of the state
10 lottery shall indicate the odds of a specific lottery ticket to be selected as the winning
11 ticket for each prize amount offered. The net proceeds of the state lottery shall be
12 deposited in the treasury of the state, to be used for property tax relief for residents
13 of this state as provided by law. The distribution of the net proceeds of the state
14 lottery may not vary based on the income or age of the person provided the property
15 tax relief. The distribution of the net proceeds of the state lottery shall not be subject
16 to the uniformity requirement of section 1 of article VIII. In this paragraph, the
17 distribution of the net proceeds of the state lottery shall include any earnings on the
18 net proceeds of the state lottery.

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

22 (END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 09/27/1999

To: Senator Risser

Relating to LRB drafting number: LRB-3562

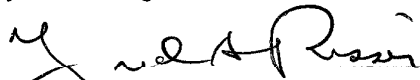
Topic

Prohibit state lottery and pari-mutuel wagering

Subject(s)

Constitutional Amendments, Gambling - lottery, Gambling - racetracks

1. **JACKET** the draft for introduction



in the Senate or the Assembly (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Attorney Peter J. Dykman, General Counsel
Telephone: (608) 266-7098

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3562/2dn
ISR:kmg:mrc

September 27, 1999

Senator Risser:

As we discussed, this joint resolution includes an amendment to the constitution that eliminates, as of January 1, 2005, the requirement that all moneys attributable to bingo be used for property tax relief. The provisions prohibiting pari-mutuel racing and the lottery after January 1, 2005, remain unchanged.

If you have any questions or comments, please feel free to contact me.

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Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us