

2009 DRAFTING REQUEST

Bill

Received: 01/16/2009

Received By: rryan

Wanted: As time permits

Identical to LRB:

For: John Nygren (608) 266-2343

By/Representing: Waylon Hurlburt

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Addl. Drafters:

Subject: Gambling - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Nygren@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Raffle license

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>
/?				_____			State
/1	rryan 03/23/2009	jdye 03/24/2009	rschluet 03/24/2009	_____	cduerst 03/24/2009	cduerst 04/13/2009	

FE Sent For: *at intro*
5/11/09

<END>

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/?	rryan	1 3/24 jld		_____	_____	_____	State

FE Sent For:


<END>

Bill Request Form

Legislative Reference Bureau
One East Main Street, Suite 200
Legal Section 266-3561

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date 1-16-09

Legislator, agency, or other person requesting this draft Rep. John Nygren

Person submitting request (name and phone number) Waylon Hurlburt 266-2343

Persons to contact for questions about this draft (names and phone numbers) Waylon Hurlburt or Matt Banaszynski 266-2344

Describe the problem, including any helpful examples. How do you want to solve the problem?

We have local organizations that would qualify for a raffle license on their own. However, they are being denied because they are partnering with local organizations in other states. These organizations are in neighboring communities. The solution is to allow the partnerships to acquire raffle licenses.

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2005 LRB-2345/1 or 2003 AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes:

Anyone who asks? YES NO

Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person?

YES NO

Ryan, Robin

From: Hurlburt1, Waylon
Sent: Friday, January 16, 2009 10:44 AM
To: Ryan, Robin
Subject: Bill Draft Request

Attachments: Draft Request.pdf

Hello Robin,

Here is a bill draft request:



Draft Request.pdf
(64 KB)

Thanks,

Waylon Hurlburt
Legislative Aide
Office of Representative John Nygren
89th Assembly District
(608)266-2343

More information for the bill:

In layman's terms this is what we would like to be added under chapter 563.90 of the statutes:

Local organizations who partner with local organizations from Border States may do so if these requirements are met:

- Those border local organization(s) meet the requirements of "Qualified organizations" in chapter 563.90 of the statutes
- The border local organization(s) and the local organization(s) of Wisconsin, partnering to conduct a raffle, must be linked in a way that would allow for proceeds from the raffle to benefit the neighboring communities of the partnering local organizations.

SUBCHAPTER VIII RAFFLES

563.90 Qualified organizations. Any local religious, charitable, service, fraternal or veterans organization or any organization to which contributions are deductible for federal income tax purposes or state income or franchise tax purposes, which has been in existence for one year immediately preceding its application for a license or which is chartered by a state or national organization which has been in existence for at least 3 years, may conduct a raffle upon receiving a license for the raffle event from the department. No other person may conduct a raffle in this state.

563.90 - ANNOT.

History: 1977 c. 426; 1991 a. 39, 1991 a. 269 s. 782Lp; Stats. 1991 s. 563.90; 1995 a. 27 s. 9123 (6pp); 1997 a. 27.

563.90 - ANNOT.

The "local" requirement applies to all applicants, including tax-exempt organizations. Knights of Columbus v. Bingo Control Board, 151 Wis. 2d 404, 444 N.W.2d 447 (Ct. App. 1989).

563.90 - ANNOT.

Certain political organizations and subdivisions of the state may qualify for a raffle license. 67 Atty. Gen. 323.

563.90 - ANNOT.

Raffle laws discussed. 75 Atty. Gen. 273 (1986).

563.90 - ANNOT.

Eligibility requirements for licensure discussed. 76 Atty. Gen. 115.

Call to Waylon

3/23/09

ex. : Chamber of Commerce serves
entities in 2 states

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

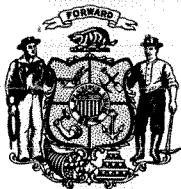
Knights of Columbus v. Bingo Control Board
1ST vs 2d 404 (1989)

AG opinions 13-86 5/7/86 vol. 75 p 275
27-87, 5/27/87 VM 76 p 115

Prior version of statute didn't define
"local" - interpreted to exclude
statewide org.

cite to hist. of ART IV § 24 (4)

def "loc. org" created in 1989 Act 147



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1591?

RLR: ^:...

In 3/23/09

jld

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

RMB

X
1 AN ACT ...; relating to: raffle licenses. ✓
Com. Cat. ✓

Analysis by the Legislative Reference Bureau

Under current law, a local religious, charitable, service, fraternal, or veterans organization, or other local organization to which donations are tax deductible, is eligible for a license to conduct a raffle. "Local organization" is defined as an organization whose activities are limited to this state or to a specific geographical area within this state. This bill amends the definition of a "local organization," for purposes of eligibility for a raffle license, to include an organization whose activities are limited to a specific geographical area that is partly within this state and partly within another state.

For further information see the state 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:

2 SECTION 1. 563.905 (1) of the statutes is amended to read: X

1 563.905 (1) "Local organization" means an organization whose activities are
2 limited to this state [✓]or, to a specific geographical area within this state, [✓]or to a specific
3 geographical area [✓]that is partly within this state [✓]and partly within another state. [✓]

4 **History:** 1987 a. 240; 1989 a. 147; 1991 a. 269 s. 782Lt; Stats. 1991 s. 563.905.

(END)

Duerst, Christina

From: Hurlburt1, Waylon
Sent: Monday, April 13, 2009 10:22 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-1591/1 Topic: Raffle license

Please Jacket LRB 09-1591/1 for the ASSEMBLY.