



**SENATE SUBSTITUTE AMENDMENT 1,
TO 1995 SENATE BILL 49**

March 9, 1995 - Offered by COMMITTEE ON BUSINESS, ECONOMIC DEVELOPMENT AND
URBAN AFFAIRS.

1 **AN ACT to amend** 823.20 (1), 945.01 (4) (am) and 968.13 (1) (a); and **to create**
2 945.095 and 945.13 of the statutes; **relating to:** the interstate transportation
3 of gambling devices into Sturgeon Bay, Wisconsin, and exempting certain
4 persons in the business of shipbuilding from laws prohibiting certain gambling
5 activities.

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

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

7 823.20 (1) Any gambling place, as defined in s. 945.01 (4) (a), is a public
8 nuisance and may be proceeded against under this chapter.

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

10 945.01 (4) (am) "Gambling place" does not include a place where bingo or a
11 raffle is conducted under ch. 563, where a lottery is conducted under ch. 565 or where
12 a race is conducted under ch. 562 and does not include a gambling vessel that is in
13 the process of construction, delivery, conversion or repair by a shipbuilding business
14 that complies with s. 945.095.

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

2 **945.095 Shipbuilding business. (1)** Notwithstanding ss. 945.03, 945.04 and
3 945.05, a person may construct, deliver, convert or repair a vessel that is equipped
4 with gambling devices if all of the following conditions are satisfied:

5 (a) The work performed on the vessel is ordered by a customer who shall use
6 or possess the vessel outside of this state in a locality where the use or possession of
7 the gambling devices on the vessel is lawful.

8 (b) The person performs the work on the vessel that is equipped with the
9 gambling devices at a shipbuilding business that is located in Sturgeon Bay,
10 Wisconsin.

11 (c) The person registers with the U.S. attorney general, pursuant to 15 USC
12 1173, and specifies in that registration that the person is in the business of installing
13 and removing gambling devices, as defined in 15 USC 1171 (a), as part of the process
14 of performing work on vessels ordered by a customer who shall use or possess the
15 vessel outside of this state in a locality where the use or possession of the gambling
16 devices on the vessel is lawful.

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

22 (e) The person stores the gambling devices at a secured warehouse facility and
23 permits any person authorized to enforce the gambling laws under s. 165.50 to
24 inspect the facility where the gambling devices are stored and any records relating
25 to the gambling devices.

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

5 (g) The person submits documentation to the gaming commission, no later than
6 30 days after the date of delivery, that the vessel equipped with gambling devices has
7 been delivered to the customer who ordered the work performed on the vessel.

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

14 (2) If any person who constructs, delivers, converts or repairs a vessel that is
15 equipped with gambling devices does not satisfy all of the conditions under sub. (1),
16 the person is subject to ss. 945.03, 945.04 and 945.05.

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

18 **945.13 Interstate transportation of gambling devices.** Pursuant to the
19 authority granted the state in 15 USC 1172, which makes unlawful the
20 transportation of any gambling device to any place in a state or a possession of the
21 United States from any place outside of the state or the possession, this state
22 exempts Sturgeon Bay, Wisconsin, from the application of 15 USC 1172.

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

24 968.13 (1) (a) Contraband, which includes without limitation because of
25 enumeration lottery tickets, gambling machines or other gambling devices, lewd,

1 obscene or indecent written matter, pictures, sound recordings or motion picture
2 films, forged money or written instruments and the tools, dies, machines or materials
3 for making them, and controlled substances, as defined in s. 161.01 (4), and the
4 implements for smoking or injecting them. Gambling machines or other gambling
5 devices possessed by a shipbuilding business that complies with s. 945.095 are not
6 subject to this section.

7 (END)