



1995 SENATE BILL 49

January 31, 1995 - Introduced by Senators A. LASEE, RUDE, SCHULTZ and ANDREA, cosponsored by Representatives HUTCHISON, DOBYNS, BALDUS, AINSWORTH, F. LASEE, DUFF, FREESE, KAUFERT, LADWIG, BOYLE, SKINDRUD, GREEN, OLSEN, VRAKAS and RYBA. Referred to Committee on Business, Economic Development and Urban Affairs.

- 1 **AN ACT to create** 823.20 (4), 945.095 and 945.13 of the statutes; **relating to:** the
2 interstate transportation of gambling devices and exempting persons in the
3 business of shipbuilding from laws prohibiting certain gambling activities.

Analysis by the Legislative Reference Bureau

Under current federal law, it is unlawful to transport 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; however, federal law provides that a state may exempt itself from this law. This bill exempts the state of Wisconsin from the federal law.

Under current law, other than for lawful forms of gambling, it is unlawful to engage in commercial gambling, permit a person's premises to be used for commercial gambling or possess or transfer certain gambling devices. The bill provides that, notwithstanding these laws, a person may construct or sell a ship equipped with gambling devices if that ship is ordered by a customer for use or possession outside of this state.

Finally, current law provides that any gambling place is a public nuisance. As such, a gambling place may be ordered closed through an injunction and a person may recover damages from injuries arising from the nuisance. The bill specifies that, under the public nuisance law, a gambling place does not include a shipbuilding business that constructs and sells ships equipped with gambling devices which have been ordered by a customer for use or possession outside of this state.

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

- 4 **SECTION 1.** 823.20 (4) of the statutes is created to read:

