



Frank Lasee

WISCONSIN STATE SENATOR

FIRST SENATE DISTRICT



Senator Lasee's Testimony Senate Bill 340—Charitable Raffle Drawings

Wisconsin is rich with traditions of summer fundraisers and festivals in communities all over our state. Senate Bill 340 brings a simple change to state law to clarify that charity raffles that have unique ways to select the winning number will be legal in Wisconsin.

Charitable fundraisers are an important way to finance important projects for local communities without placing the burden on the taxpayers. A Veterans group raising funds to care for an abandoned veteran's cemetery, a sportsman club raising funds to restore a wetland habitat, or your local fire department or EMS raising money for the latest lifesaving gear are all examples of charitable fundraising that could benefit from a more entertaining raffle drawing.

DOA's Office of Charitable Gaming agrees that this change would be good policy as many communities are already operating raffles in this manner. Please support SB 340.



ANDRÉ JACQUE

STATE REPRESENTATIVE • 2nd ASSEMBLY DISTRICT

(608) 266-9870
Fax: (608) 282-3602
Toll-Free: (888) 534-0002
Rep.Jacque@legis.wi.gov

P.O. Box 8952
Madison, WI 53708-8952

TO: Members of the Senate Committee on Workforce Development, Forestry,
Mining and Revenue

FROM: Representative André Jacque

DATE: November 7, 2013

RE: Senate Bill 340

Chairman Tiffany and Committee Members:

Thank you for considering Senate Bill 340 today. I introduced this legislation to legalize duck races held by non-profit organizations throughout Wisconsin. The impetus for this bill is from a letter sent to the village of Mishicot from the Department of Justice - the result of a citizen complaint - saying that a rubber duck race they hold annually as a part of their Mishicot Riverfest activities is illegal gambling and potentially subject to criminal prosecution. Similar letters have been sent to other communities in Wisconsin.

Currently, duck races or any game structure that includes all three elements of gambling (prize, chance and consideration) are illegal under Wis. Stats. Ch. 945 and punishable by a misdemeanor up to a Class I felony charge by the District Attorney in the county of infraction. A simple internet search though demonstrates that community duck race events are not at all uncommon in Wisconsin and have proven to be popular, enjoyable, and a critical source of funds for worthy charities.

For example, Mishicot's duck race is an integral part of Mishicot Riverfest, the biggest non-profit fund raiser of the year for the Mishicot Area Growth and Improvement Committee, "MAGIC", a fully accredited, state licensed non-profit that redistributes all funds raised back into the community through participating non-profits such as Volunteer Fire Dept., Ambulance Service, Sportsman's Club, School Sports Boosters, etc. The Riverfest duck race has been an important community fundraiser for the Mishicot area for the past 16 years.

There are a LOT of festivals around the state that organize Duck Races, which are openly advertised to the public, including on the official State of Wisconsin tourism website. For example, Sheboygan Falls hosts the "Ducktona 500", Madison Parks Foundation, Madison Mallards and West Bend each sponsor and organize a "Rubber Ducky River Race", Gresham and Manitowish Water host annual races as part of their unique community festivities, Lodi, home of Suzie the Duck, celebrates its race as the centerpiece of their annual Duck Days event, Mayville has a race during their Audubon Days and Menomonee Falls has a "Lucky Ducky Derby." Enforcement has been largely selective and subject to complaint.

This bill is drafted to create an exception for duck races modeled after language from Michigan and Minnesota, both of which have made room in their laws for these harmless, community friendly events. In addition, we are currently working on an amendment that would create "certificate of participation" raffles in Wisconsin, much like Minnesota has. Raffles would not be limited to just duck races, but would include a number of other types of "certificate of participation" raffles (i.e. "cow chip bingo," golf ball drops, etc.) as well. To facilitate this, the word "drawing" would be restored where SB 340 currently strikes it.

As with current Wisconsin raffle regulations, eligibility to run a duck race or other event would be restricted to 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.

Thank you again for facilitating this discussion to protect these longstanding and enjoyable events found throughout Wisconsin that provide innocent fun and raise much needed funds for small communities and worthy causes. I hope you will join me in supporting Senate Bill 340.