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State of Misconsin 1999 - 2000 LEGISLATURE

LRB-3594/2 MES:cmh:km

1999 SENATE BILL 373

February 8, 2000 – Introduced by Senators BURKE, GROBSCHMIDT, MOORE, FARROW, ROSENZWEIG, DARLING and ROESSLER, cosponsored by Representatives JENSEN, BOCK, COLON, RICHARDS, ALBERS, RILEY, FREESE and UNDERHEIM. Referred to Economic Development, Housing and Government Operations.

1 AN ACT to renumber and amend 229.27 (4); and to create 229.27 (4) (b) of the

statutes; relating to: allowing a change in the ownership of a municipal

theater that is currently owned by a 1st class city.

Analysis by the Legislative Reference Bureau

Under current law, any first class city (currently only Milwaukee) may establish and maintain a municipal theater. The theater is under the control of an independent board that has complete and autonomous control of the theater and its property. Title to all property of the theater must be held, in perpetuity, in the name of the city.

Under this bill, the board of the theater may, subject to the approval of the city's governing body, transfer any of the city's interests in the theater to another person. The transfer may be a sale, lease or other conveyance, and may be for financial consideration. If the transfer is to a private for-profit entity, the transfer must be for fair market financial consideration. The bill requires a transferee to accept an assignment of all contracts with other persons that are in force at the time of the transfer, other than collective bargaining contracts.

For further information see the *local* 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:

SENATE BILL 373

1 SECTION 1. 229.27 (4) of the statutes is renumbered 229.27 (4) (a) and amended 2 to read:

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229.27 (4) (a) Title to all property, real or personal, of the theater shall may be
in the name of such the city and shall may be held by such the city perpetually for
such purposes, but the board shall determine the use to which such the property shall
be devoted under this section. The theater board shall not transfer title or property
to the county.

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SECTION 2. 229.27 (4) (b) of the statutes is created to read:

9 229.27 (4) (b) Subject to the approval of the local governing body of the city, the 10 board may enter into a transfer agreement with another person to provide the terms 11 and conditions upon which the board may transfer any of the city's interests in an 12existing theater. A transfer may take the form of a sale, lease or other conveyance 13and may be with or without financial consideration, except that if the transfer is made to a private, for-profit entity, the transfer shall be for fair market financial 1415consideration. A transfer agreement shall require the transferee to accept an 16 assignment of all contracts with other persons, with respect to the transferred 17theater, that are in force at the time of the transfer except that this provision does 18 not apply to collective bargaining contracts.

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(END)