



September 1995 Special Session

# ENGROSSED ASSEMBLY BILL 1

September 28, 1995 - Printed by direction of SENATE CHIEF CLERK.

1     **AN ACT to repeal** 71.05 (1) (d) (title) and 71.05 (1) (e) (title); **to renumber and**  
2     **amend** 71.05 (1) (c), 71.05 (1) (d) and 71.05 (1) (e); **to amend** 13.94 (4) (a) 1.,  
3     16.70 (14), 19.42 (13) (a), 19.59 (1) (a), 20.505 (1) (ka), 20.505 (1) (kc), 20.835 (4)  
4     (g), 25.50 (1) (d), 66.066 (1) (a), 66.066 (1) (c), 66.067, 66.30 (1) (a), 71.26 (1) (bm),  
5     71.36 (1m), chapter 77 (title), subchapter V (title) of chapter 77 [precedes 77.70],  
6     77.71 (intro.) and (1), 77.71 (2), 77.71 (3) and (4), 77.73, 77.75, 77.76 (1), 77.76  
7     (2), 77.77, 77.78, 234.65 (1) (c) and 234.65 (6) (b); and **to create** 13.94 (10), 16.82  
8     (6), 16.82 (7), 16.854, 18.03 (5s), 19.59 (1) (g), 20.566 (1) (gd), 20.835 (4) (gb),  
9     24.61 (2) (a) 7., 25.17 (3) (b) 10., 66.04 (2) (a) 3p., 66.066 (5), 71.05 (1) (c) 4., 71.26  
10     (1m) (g), 71.45 (1t) (g), 77.705, 77.707, 77.76 (3m), 219.09 (1) (c), subchapter III  
11     of chapter 229 [precedes 229.64], 234.65 (1) (h), 234.65 (1) (hm), 234.65 (8) and  
12     (10) and 704.31 (3) of the statutes; **relating to:** creating a local professional  
13     baseball park district in certain jurisdictions; giving a local professional  
14     baseball park district the authority to issue bonds and granting income tax  
15     exemptions for interest income on bonds issued by the district; making a state  
16     moral obligation pledge with respect to bonds issued by a local professional  
17     baseball park district; giving a local professional baseball park district the

1 authority to impose a sales tax and a use tax; creating an income and franchise  
2 tax exemption for a local professional baseball park district; creating an  
3 exception for a local professional baseball park district from certain  
4 landlord-tenant provisions; increasing a limitation on certain economic  
5 development bonding by the Wisconsin Housing and Economic Development  
6 Authority; a smoke-free environment; making appropriations; and providing  
7 a penalty.

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***Analysis by the Legislative Reference Bureau***

***Engrossment information:***

The text of Engrossed September 1995 Special Session Assembly Bill 1 consists of the following documents adopted in the assembly on September 27 and 28, 1995: Assembly Substitute Amendment 1, as affected by the following Assembly Amendments: Assembly Amendment 9, Assembly Amendment 11, Assembly Amendment 18, Assembly Amendment 19, Assembly Amendment 24, Assembly Amendment 26, Assembly Amendment 29, Assembly Amendment 32, Assembly Amendment 33 and Assembly Amendment 34.

**CREATION AND DISSOLUTION OF A DISTRICT**

This bill creates a professional baseball park district, which is a special purpose district, in each county with a population of at least 500,000 (presently only Milwaukee County) and all counties that are contiguous to that county (in relation to Milwaukee County, these counties are Ozaukee County, Racine County, Washington County and Waukesha County) unless one of the contiguous counties is already included in a district, in which case a single-county jurisdiction is created that consists of the county with a population of more than 500,000. A district is a local unit of government that is a body corporate and politic and that is separate and distinct from, and independent of, the state.

In connection with baseball park facilities, the powers of a district include the construction, maintenance, management and promotion of the baseball park and facilities; the issuance of bonds and imposition of taxes to finance the park and facilities; and the authority to enter into partnerships, joint ventures, common ownership or other arrangements with other persons to further the district's purposes. A district may also set standards governing the use of, and the conduct within, the park and facilities, and may set and collect fees for the use of the facilities.

The district is governed by a board that consists of 6 persons appointed by the governor, 2 persons appointed by the chief executive officer of the most populous county within the district's jurisdiction, one person appointed by the chief executive officer of each of the other counties in the jurisdiction and one person appointed by

the mayor of the most populous city within the jurisdiction. In single-county districts, all county appointments are made by the chief executive officer of that single county.

Once a county is included within the jurisdiction of a district, the county remains in the district until the district is dissolved. A district may dissolve by action of the district board, subject to payment of the district's bonds and fulfillment of its other contractual obligations. If a district is dissolved, its property must be transferred to the counties in the district's jurisdiction, based on the tax revenues derived from each county.

### **BONDING**

This bill grants a district the power to issue bonds for purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility, which is defined to include a local professional baseball park. The district is generally subject to the provisions which govern revenue bonding of municipalities for public utilities. Under the bill, bonds issued by the district must be secured only by the district's interest in any baseball park facilities, including any interest in a lease with the department of administration, by income from these facilities, and by certain specified taxes that the district is authorized to levy. The district may not pledge its full faith and credit on the bonds and the bonds are not a liability of the district.

A district may designate one or more accounts as special debt service reserve funds, if, prior to each issuance of bonds to be secured by the special debt service reserve fund, the secretary of administration makes certain determinations. In order to create a special debt service reserve fund, the secretary must find that the bond proceeds must be used in connection with a baseball park facility that is used primarily to support the activities of a baseball park. The secretary must also find that there is a reasonable likelihood that the bonds will be repaid without the necessity of drawing on funds in the special debt service reserve fund and that the amount of all bonds that would be secured by all special debt service reserve funds of the district does not exceed \$160,000,000. This limit does not include refunding bonds or bonds whose proceeds are used to make a deposit into a special debt service reserve fund or to pay issuance costs or capitalized interest costs. The secretary must also find that the bonds, other than refunding bonds, will be issued no later than December 31, 2000.

The bill establishes a formula for calculating the special debt service reserve fund requirement for a special debt service reserve fund. If the special debt service reserve fund requirement for a special debt service reserve fund is not met, the bill expresses the legislature's expectation and aspiration that, if certain conditions are met, the legislature would appropriate to the district the funds necessary to restore the special debt service reserve fund to an amount equal to its special debt service reserve fund requirement. This expression of legislative expectation and aspiration has been referred to as a state moral obligation pledge. In addition to the state moral obligation pledge, under the bill the state pledges that it will not limit or alter the rights vested in a district under the bill before the district has fully performed its contracts and has fully met and discharged its bonds.

In addition to provisions regarding bond issuance and security, the bill contains a number of other provisions relating to bonds issued by a district. The bill also contains provisions authorizing certain state funds and certain regulated financial institutions to invest in bonds issued by the district. The bill provides that all moneys received by a district, including proceeds from the sale of bonds, are trust funds to be held and applied solely for the purposes provided in the bill, but limits the personal liability of members of a district's board of directors with respect to the issuance of bonds.

Under current law, the Wisconsin Housing and Economic Development Authority (WHEDA) may issue bonds and notes for certain economic development projects involving sports and entertainment home stadiums in an amount not to exceed \$35,000,000 plus such additional amounts as WHEDA considers necessary or appropriate to fund a deposit into the capital reserve fund. The bill increases this amount to \$50,000,000 and also allows WHEDA to add, along with the capital reserve fund deposits, the costs of issuing the bonds or notes and capitalized interest.

Under current law, these economic development projects are included in determining compliance with an overall \$200,000,000 cap on WHEDA economic development loans. This bill amends this overall cap to exclude bonds issued for these economic development projects involving sports and entertainment home stadiums.

The bill however, prohibits WHEDA from issuing bonds to finance any single professional baseball park in an amount exceeding \$50,000,000, excluding bonds issued to fund a deposit into a capital reserve fund, to pay costs of issuing the bonds or to pay capitalized interest. In addition, the bill prohibits WHEDA from making an economic development project loan to any professional baseball team unless WHEDA determines that collateral adequate to cover the amount of the loan has been pledged as security for the loan, exclusive of any ownership interest of the team in a stadium.

#### **TAXATION**

The bill authorizes a district to impose a sales tax and a use tax at a rate of no more than 0.1%.

The bill exempts the income of a district from the income tax and the franchise tax, and it exempts the interest on a district's bonds from the income tax.

#### **PROVISION OF SERVICES**

The bill permits DOA to provide any services to a district, including engineering, design and building construction services, upon request of the district, for compensation agreed upon between DOA and the district, if the district has entered into an agreement with DOA for the lease of land or other property granted to the state, especially dedicated by the grant to use for a professional baseball park. Other state agencies may provide assistance to the district, if a lease with DOA has been entered into.

#### **CONTRACTING**

The bill provides that a local professional baseball park district may enter into contracts without limitation or restriction and, if the district has entered into an agreement with DOA for the lease of land or other property granted to the state,

especially dedicated by the grant to use for a professional baseball park, the district may utilize the services of DOA to let contracts for engineering, architectural or construction work, except that DOA may not serve as a general contractor for such work. Whether the district contracts independently or through DOA, the district is not subject to any state requirements for public notice of proposed contracts, competitive bidding, contractual service procurement procedures, preference for procurements from Wisconsin firms, preferences for purchases of American-made or recycled or recovered materials or preferences for purchases from the department of corrections or from handicapped work centers or nondiscrimination in contracting.

Regarding the construction of baseball park facilities, a district and DOA are required to ensure that, for construction work and professional services contracts, a person who receives such a contract agrees that his or her goal shall be to ensure that at least 25% of the employees hired because of the contract will be minority group members and at least 5% of the employees hired because of the contract will be women. It is also a goal of the district and DOA to ensure that at least 25% of the aggregate dollar value of contracts awarded by the district and DOA, in the areas of construction of baseball park facilities, professional services related to such construction and services for the development of baseball park facilities are awarded to minority businesses and at least 5% of the aggregate dollar value of such contracts are awarded to women's businesses. The district is also required to hire a person to monitor the district's and DOA's compliance with minority contracting goals.

#### **FINANCES**

The bill permits a local professional baseball park district to invest its moneys in any investment it considers appropriate. Under the bill, a district is permitted to invest its moneys in the local government pooled-investment fund, which is managed by the state investment board.

#### **OPEN MEETINGS AND RECORDS, AUDITS, ETHICS**

Laws requiring, with certain exceptions, open meetings of governmental bodies and public access to public records apply to a district. The legislative audit bureau is permitted to audit the records of a district. Members of the board of directors of a district are subject to the statutory code of ethics for local public officials. The bill also creates additional standards of conduct applicable to district board members that are similar to the standards of conduct applicable to state public officials. The bill expressly prohibits district board members from accepting free or discounted admission to professional baseball games.

#### **OTHER**

Current law provides that, if a tenant who is required to construct improvements exceeding \$50,000 at the tenant's own expense on land leased to the tenant under a lease with a term of 30 years or more defaults or breaches a condition of the lease, the landlord may commence an action to recover the property after a one-year redemption period free from all liens, claims or demands of the tenant in the same manner as a mortgage foreclosure except without a sale of the property. The bill creates an exception under that statute for leases to which a district is a party.

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 13.94 (4) (a) 1. of the statutes is amended to read:

2           13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
3           credentialing board, commission, independent agency, council or office in the  
4           executive branch of state government; all bodies created by the legislature in the  
5           legislative or judicial branch of state government; any public body corporate and  
6           politic created by the legislature including specifically a professional baseball park  
7           district; every provider of medical assistance under ch. 49; technical college district  
8           boards; development zones designated under s. 560.71; every county department  
9           under s. 51.42 or 51.437; every nonprofit corporation or cooperative to which moneys  
10          are specifically appropriated by state law; and every corporation, institution,  
11          association or other organization which receives more than 50% of its annual budget  
12          from appropriations made by state law, including subgrantee or subcontractor  
13          recipients of such funds.

14          **SECTION 2.** 13.94 (10) of the statutes is created to read:

15          13.94 (10) FINANCIAL STATUS OF LOCAL PROFESSIONAL BASEBALL PARK DISTRICTS.  
16          As promptly as possible following the end of each state fiscal biennium in which there  
17          are outstanding bonds or notes issued by a local professional baseball park district  
18          created under subch. III of ch. 229 that are subject to s. 229.74 (7), the legislative  
19          audit bureau shall submit a report to the cochairpersons of the joint committee on  
20          finance concerning the financial status of that district.

21          **SECTION 3.** 16.70 (14) of the statutes is amended to read:

1           16.70 (14) “State” does not include a district created under subch. II or III of  
2 ch. 229.

3           **SECTION 4.** 16.82 (6) of the statutes is created to read:

4           16.82 (6) May provide any services to a local professional baseball park district  
5 created under subch. III of ch. 229, for compensation to be agreed upon between the  
6 department and the district, if the district has entered into a lease agreement with  
7 the department under sub. (7), except that the department shall not act as a general  
8 contractor for any construction work undertaken by the district. No order or contract  
9 to provide any such services is subject to s. 16.705, 16.75 (1) to (5) and (8) to (10),  
10 16.752, 16.754 or 16.765.

11           **SECTION 5.** 16.82 (7) of the statutes is created to read:

12           16.82 (7) May enter into a lease agreement with a local professional baseball  
13 park district created under subch. III of ch. 229 for the lease of land or other property  
14 granted to the state and especially dedicated by the grant to use for a professional  
15 baseball park. The lease agreement may be for such rental payments and for such  
16 term as the secretary determines.

17           **SECTION 6.** 16.854 of the statutes is created to read:

18           **16.854 Services provided to professional baseball park districts. (1)**

19           In this section:

20           (a) “Minority business” has the meaning given in s. 560.036 (1) (e).

21           (b) “Minority group member” has the meaning given in s. 560.036 (1) (f).

22           (c) “Women’s business” means a sole proprietorship, partnership, joint venture  
23 or corporation that is at least 51% owned, controlled and actively managed by  
24 women.

1           (2) Subject to the requirements of s. 16.82 (7), the department may, upon  
2 request of any local professional baseball park district, if the district has entered into  
3 a lease agreement with the department under s. 16.82 (7), take charge of and  
4 supervise engineering or architectural services or construction work, as defined in  
5 s. 16.87, performed by, or for, the district for compensation to be agreed upon between  
6 the department and the district. In connection with such services or work, the  
7 department may furnish engineering, architectural, project management and other  
8 building construction services whenever requisitions therefor are presented to the  
9 department by the district. If the district has entered into a lease agreement with  
10 the department under s. 16.82 (7), the department may also assist the district, upon  
11 request of the district, in letting contracts for engineering, architectural or  
12 construction work authorized by law and in supervising the work done thereunder.  
13 The department may award any such contract for any combination or division of  
14 work it designates and may consider any factors in awarding a contract including  
15 price, time for completion of work and the qualifications and past performance of a  
16 contractor. In awarding contracts under this section for the construction of baseball  
17 park facilities, as defined in s. 229.65 (1), the department shall ensure that any  
18 person who is awarded a contract agrees, as a condition to receiving the contract, that  
19 his or her goal shall be to ensure that at least 25% of the employees hired because of  
20 the contract will be minority group members and at least 5% of the employees hired  
21 because of the contract will be women. It shall also be a goal of the department to  
22 ensure that at least 25% of the aggregate dollar value of contracts awarded for the  
23 construction of such facilities in the following areas are awarded to minority  
24 businesses and at least 5% of the aggregate dollar value of contracts awarded for the



1 construction of such facilities in the following areas are awarded to women's  
2 businesses:

3 (a) Contracts for the construction of baseball park facilities.

4 (b) Contracts for professional services related to the construction of baseball  
5 park facilities.

6 (c) Contracts for the development of baseball park facilities.

7 **(3)** It shall be a goal of the department, with regard to each of the contracts  
8 described under sub. (2) (a), (b) and (c), to award at least 25% of the dollar value of  
9 such contracts to minority businesses and at least 5% of the dollar value of such  
10 contracts to women's businesses. Sections 16.85, 16.855 and 16.87 do not apply to  
11 services provided or contracted by the department under this section.

12 **SECTION 7.** 18.03 (5s) of the statutes is created to read:

13 18.03 **(5s)** Upon the request of a local professional baseball park district  
14 created under subch. III of ch. 229, the commission may serve as financial consultant  
15 to assist and coordinate the issuance of the bonds of a district.

16 **SECTION 8.** 19.42 (13) (a) of the statutes is amended to read:

17 19.42 **(13)** (a) All positions to which individuals are regularly appointed by the  
18 governor, except the position of trustee of any private higher educational institution  
19 receiving state appropriations and the position of member of the district board of a  
20 local professional baseball park district created under subch. III of ch. 229.

21 **SECTION 9.** 19.59 (1) (a) of the statutes is amended to read:

22 19.59 **(1)** (a) No local public official may use his or her public position or office  
23 to obtain financial gain or anything of substantial value for the private benefit of  
24 himself or herself or his or her immediate family, or for an organization with which  
25 he or she is associated. A violation of this paragraph includes the acceptance of free

1 or discounted admissions to a professional baseball game by a member of the district  
2 board of a local professional baseball park district created under subch. III of ch. 229.

3 This paragraph does not prohibit a local public official from using the title or prestige  
4 of his or her office to obtain campaign contributions that are permitted and reported  
5 as required by ch. 11.

6 **SECTION 10.** 19.59 (1) (g) of the statutes is created to read:

7 19.59 (1) (g) 1. In this paragraph:

8 a. “District” means a local professional baseball park district created under  
9 subch. III of ch. 229.

10 b. “District board member” means a member of the district board of a district.

11 2. No district board member may accept or retain any transportation, lodging,  
12 meals, food or beverage, or reimbursement therefor, except in accordance with this  
13 paragraph.

14 3. A district board member may receive and retain reimbursement or payment  
15 of actual and reasonable expenses for a published work or for the presentation of a  
16 talk or participation in a meeting related to processes, proposals and issues affecting  
17 a district if the payment or reimbursement is paid or arranged by the organizer of  
18 the event or the publisher of the work.

19 4. A district board member may receive and retain anything of value if the  
20 activity or occasion for which it is given is unrelated to the member’s use of the time,  
21 facilities, services or supplies of the district not generally available to all residents  
22 of the district and the member can show by clear and convincing evidence that the  
23 payment or reimbursement was unrelated to and did not arise from the recipient’s  
24 holding or having held a public office and was paid for a purpose unrelated to the  
25 purposes specified in subd. (3).

1           5. A district board member may receive and retain from the district or on behalf  
2 of the district transportation, lodging, meals, food or beverage, or reimbursement  
3 therefor or payment or reimbursement of actual and reasonable costs that the  
4 member can show by clear and convincing evidence were incurred or received on  
5 behalf of the district and primarily for the benefit of the district and not primarily  
6 for the private benefit of the member or any other person.

7           6. No district board member may intentionally use or disclose information  
8 gained in the course of or by reason of his or her official position or activities in any  
9 way that could result in the receipt of anything of value for himself or herself, for his  
10 or her immediate family, or for any other person, if the information has not been  
11 communicated to the public or is not public information.

12           7. No district board member may use or attempt to use the position held by the  
13 member to influence or gain unlawful benefits, advantages or privileges personally  
14 or for others.

15           8. No district board member, member of a district board member's immediate  
16 family, nor any organization with which the district board member or a member of  
17 the district board member's immediate family owns or controls at least 10% of the  
18 outstanding equity, voting rights, or outstanding indebtedness may enter into any  
19 contract or lease involving a payment or payments of more than \$3,000 within a  
20 12-month period, in whole or in part derived from district funds unless the district  
21 board member has first made written disclosure of the nature and extent of such  
22 relationship or interest to the ethics board and to the district. Any contract or lease  
23 entered into in violation of this subdivision may be voided by the district in an action  
24 commenced within 3 years of the date on which the ethics board, or the district, knew

1 or should have known that a violation of this subdivision had occurred. This  
2 subdivision does not affect the application of s. 946.13.

3 9. No former district board member, for 12 months following the date on which  
4 he or she ceases to be a district board member, may, for compensation, on behalf of  
5 any person other than a governmental entity, make any formal or informal  
6 appearance before, or negotiate with, any officer or employe of the district with which  
7 he or she was associated as a district board member within 12 months prior to the  
8 date on which he or she ceased to be a district board member.

9 10. No former district board member, for 12 months following the date on which  
10 he or she ceases to be a district board member, may, for compensation, on behalf of  
11 any person other than a governmental entity, make any formal or informal  
12 appearance before, or negotiate with, any officer or employe of a district with which  
13 he or she was associated as a district board member in connection with any judicial  
14 or quasi-judicial proceeding, application, contract, claim, or charge which might give  
15 rise to a judicial or quasi-judicial proceeding which was under the former member's  
16 responsibility as a district board member within 12 months prior to the date on which  
17 he or she ceased to be a member.

18 11. No former district board member may, for compensation, act on behalf of  
19 any party other than the district with which he or she was associated as a district  
20 board member in connection with any judicial or quasi-judicial proceeding,  
21 application, contract, claim, or charge which might give rise to a judicial or  
22 quasi-judicial proceeding in which the former member participated personally and  
23 substantially as a district board member.

24 **SECTION 11.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
25 insert the following amounts for the purposes indicated:

1 **1995-96**      **1996-97**

2 **20.566 Revenue, department of**

3 (1) COLLECTION OF TAXES

4 (gd) Administration of special district

5 taxes PR A -0- -0-

6 **SECTION 12.** 20.505 (1) (ka) of the statutes, as affected by 1995 Wisconsin Act  
7 27, is amended to read:

8 20.505 (1) (ka) (title) *Materials and services to state agencies and certain*  
9 *districts.* The amounts in the schedule to provide services primarily to state agencies  
10 or local professional baseball park districts created under subch. III of ch. 229, other  
11 than services specified in pars. (im), (is) and (kb) to (kr) and subs. (2) (k) and (5) (ka),  
12 and to repurchase inventory items sold primarily to state agencies or such districts.  
13 All moneys received from the provision of services primarily to state agencies and  
14 such districts and from the sale of inventory items primarily to state agencies and  
15 such districts, other than moneys received and disbursed under pars. (im), (is) and  
16 (kb) to (kr) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation  
17 account.

18 **SECTION 13.** 20.505 (1) (kc) of the statutes, as affected by 1995 Wisconsin Act  
19 27, is amended to read:

20 20.505 (1) (kc) *Capital planning and building construction services.* The  
21 amounts in the schedule to provide capital planning services under s. 13.48 (5) and  
22 building construction services under subch. V of ch. 16 on behalf of state agencies and  
23 local professional baseball park districts created under subch. III of ch. 229. The  
24 secretary of administration may credit moneys received for the provision of building

1 construction and capital planning services on behalf of state agencies and such  
2 districts to this appropriation account.

3 **SECTION 14.** 20.566 (1) (gd) of the statutes is created to read:

4 20.566 (1) (gd) *Administration of special district taxes.* From the moneys  
5 received from the appropriation account under s. 20.835 (4) (gb), the amounts in the  
6 schedule for the purpose of administering the special district taxes imposed under  
7 s. 77.705 by a district created under subch. III of ch. 229.

8 **SECTION 15.** 20.835 (4) (g) of the statutes is amended to read:

9 20.835 (4) (g) *County taxes.* All moneys received from the taxes imposed under  
10 ~~subch. V of ch. 77 s. 77.70~~ for distribution to the counties that enact an ordinance  
11 imposing taxes under that ~~subchapter section~~ and for interest payments on refunds  
12 under s. 77.76 (3), except that 1.5% of those tax revenues collected under that  
13 ~~subchapter section~~ shall be credited to the appropriation account under s. 20.566 (1)  
14 (g).

15 **SECTION 16.** 20.835 (4) (gb) of the statutes is created to read:

16 20.835 (4) (gb) *Special district taxes.* All moneys received from the taxes  
17 imposed under s. 77.705, for the purpose of distribution to the special districts that  
18 adopt a resolution imposing taxes under subch. V of ch. 77, and for the purpose of  
19 financing a local professional baseball park district, except that of those tax revenues  
20 collected under subch. V of ch. 77 3% for the first 2 years of collection and 1.5%  
21 thereafter shall be credited to the appropriation account under s. 20.566 (1) (gd).

22 **SECTION 17.** 24.61 (2) (a) 7. of the statutes is created to read:

23 24.61 (2) (a) 7. Bonds issued by a local professional baseball park district  
24 created under subch. III of ch. 229.

25 **SECTION 18.** 25.17 (3) (b) 10. of the statutes is created to read:

1           25.17 (3) (b) 10. Bonds issued by a local professional baseball park district  
2           created under subch. III of ch. 229.

3           **SECTION 19.** 25.50 (1) (d) of the statutes, as affected by 1995 Wisconsin Act 27,  
4           is amended to read:

5           25.50 (1) (d) “Local government” means any county, town, village, city, power  
6           district, sewerage district, drainage district, town sanitary district, public inland  
7           lake protection and rehabilitation district, local professional baseball park district  
8           created under subch. III of ch. 229, public library system, school district or technical  
9           college district in this state, any commission, committee, board or officer of any  
10          governmental subdivision of this state, any court of this state, other than the court  
11          of appeals or the supreme court, or any authority created under s. 231.02, 233.02 or  
12          234.02.

13          **SECTION 20.** 66.04 (2) (a) 3p. of the statutes is created to read:

14          66.04 (2) (a) 3p. Bonds issued by a local professional baseball park district  
15          created under subch. III of ch. 229.

16          **SECTION 21.** 66.066 (1) (a) of the statutes is amended to read:

17          66.066 (1) (a) “Municipality” means any city, village, town, county, commission  
18          created by contract under s. 66.30, public inland lake protection and rehabilitation  
19          district established under s. 33.23, 33.235 or 33.24, metropolitan sewerage district  
20          created under ss. 66.20 to 66.26 or 66.88 to 66.918, town sanitary district under  
21          subch. IX of ch. 60, a local professional baseball park district created under subch.  
22          III of ch. 229 or a municipal water district or power district under ch. 198 and any  
23          other public or quasi-public corporation, officer, board or other public body  
24          empowered to borrow money and issue obligations to repay the same out of revenues.

1 “Municipality” does not include the state or a local exposition district created under  
2 subch. II of ch. 229.

3 **SECTION 22.** 66.066 (1) (c) of the statutes is amended to read:

4 66.066 (1) (c) “Revenue” means all moneys received from any source by a public  
5 utility and all rentals and fees and in the case of a local professional baseball park  
6 district created under subch. III of ch. 229 includes tax revenues deposited into a  
7 special fund under s. 229.685 and payments made into a special debt service reserve  
8 fund under s. 229.74.

9 **SECTION 23.** 66.066 (5) of the statutes is created to read:

10 66.066 (5) Revenue bonds issued by a local professional baseball park district  
11 created under subch. III of ch. 229 are subject to the provisions in ss. 229.72 to 229.81.

12 **SECTION 24.** 66.067 of the statutes is amended to read:

13 **66.067 Public works projects.** For financing purposes, garbage  
14 incinerators, toll bridges, swimming pools, tennis courts, parks, playgrounds, golf  
15 links, bathing beaches, bathhouses, street lighting, city halls, village halls, town  
16 halls, courthouses, jails, schools, cooperative educational service agencies, hospitals,  
17 homes for the aged or indigent, regional projects, waste collection and disposal  
18 operations, systems of sewerage, local professional baseball park facilities and any  
19 and all other necessary public works projects undertaken by any municipality are  
20 public utilities within the meaning of s. 66.066.

21 **SECTION 25.** 66.30 (1) (a) of the statutes is amended to read:

22 66.30 (1) (a) In this section “municipality” means the state or any department  
23 or agency thereof, or any city, village, town, county, school district, public library  
24 system, public inland lake protection and rehabilitation district, sanitary district,  
25 farm drainage district, metropolitan sewerage district, sewer utility district, solid



1 waste management system created under s. 59.07 (135), local exposition district  
2 created under subch. II of ch. 229, local professional baseball park district created  
3 under subch. III of ch. 229, water utility district, mosquito control district, municipal  
4 electric company, county or city transit commission, commission created by contract  
5 under this section, taxation district or regional planning commission.

6 **SECTION 26.** 71.05 (1) (c) of the statutes is renumbered 71.05 (1) (c) (intro.) and  
7 amended to read:

8 71.05 (1) (c) *Certain interest income.* (intro.) Interest received on bonds or  
9 notes issued by the any of the following:

10 1. The Wisconsin housing and economic development authority under s.  
11 234.65, if the bonds are used to fund an economic development loan to finance  
12 construction, renovation or development of property that would be exempt under s.  
13 70.11 (36).

14 **SECTION 27.** 71.05 (1) (c) 4. of the statutes is created to read:

15 71.05 (1) (c) 4. A local professional baseball park district created under subch.  
16 III of ch. 229.

17 **SECTION 28.** 71.05 (1) (d) (title) of the statutes is repealed.

18 **SECTION 29.** 71.05 (1) (d) of the statutes is renumbered 71.05 (1) (c) 2. and  
19 amended to read:

20 71.05 (1) (c) 2. ~~Interest received on bonds issued by the~~ The Wisconsin housing  
21 and economic development authority, if the bonds are to fund a loan under s. 234.935.

22 **SECTION 30.** 71.05 (1) (e) (title) of the statutes is repealed.

23 **SECTION 31.** 71.05 (1) (e) of the statutes is renumbered 71.05 (1) (c) 3. and  
24 amended to read:

1           71.05 (1) (c) 3. ~~Interest received on bonds issued by a~~ A local exposition district  
2 created under subch. II of ch. 229.

3           **SECTION 32.** 71.26 (1) (bm) of the statutes is amended to read:

4           71.26 (1) (bm) (title) *Certain local districts*. Income of a local exposition district  
5 created under subch. II of ch. 229 or a local professional baseball park district created  
6 under subch. III of ch. 229.

7           **SECTION 33.** 71.26 (1m) (g) of the statutes is created to read:

8           71.26 (1m) (g) Those issued under s. 66.066 by a local professional baseball  
9 park district.

10          **SECTION 34.** 71.36 (1m) of the statutes, as affected by 1995 Wisconsin Act 27,  
11 is amended to read:

12          71.36 (1m) A tax-option corporation may deduct from its net income all  
13 amounts included in the Wisconsin adjusted gross income of its shareholders, the  
14 capital gain deduction under s. 71.05 (6) (b) 9. and all amounts not taxable to  
15 nonresident shareholders under ss. 71.04 (1) and (4) to (9) and 71.362. For purposes  
16 of this subsection, interest on federal obligations, obligations issued under s. 66.066  
17 by a local professional baseball park district, obligations issued under ss. 66.40,  
18 66.431 and 66.4325, obligations issued under s. 234.65 to fund an economic  
19 development loan to finance construction, renovation or development of property  
20 that would be exempt under s. 70.11 (36) and obligations issued under subch. II of  
21 ch. 229 is not included in shareholders' income. The proportionate share of the net  
22 loss of a tax-option corporation shall be attributed and made available to  
23 shareholders on a Wisconsin basis but subject to the limitation and carry-over rules  
24 as prescribed by section 1366 (d) of the internal revenue code. Net operating losses  
25 of the corporation to the extent attributed or made available to a shareholder may

1 not be used by the corporation for further tax benefit. For purposes of computing the  
2 Wisconsin adjusted gross income of shareholders, tax-option items shall be reported  
3 by the shareholders and those tax-option items, including capital gains and losses,  
4 shall retain the character they would have if attributed to the corporation, including  
5 their character as business income. In computing the tax liability of a shareholder,  
6 no credit against gross tax that would be available to the tax-option corporation if  
7 it were a nontax-option corporation may be claimed.

8 **SECTION 35.** 71.45 (1t) (g) of the statutes is created to read:

9 71.45 (1t) (g) Those issued under s. 66.066 by a local professional baseball park  
10 district.

11 **SECTION 36.** Chapter 77 (title) of the statutes is amended to read:

12 **CHAPTER 77**

13 **TAXATION OF FOREST CROPLANDS;**

14 **REAL ESTATE TRANSFER FEES;**

15 **SALES AND USE TAXES;**

16 **COUNTY AND SPECIAL DISTRICT**

17 **SALES AND USE TAXES;**

18 **MANAGED FOREST LAND;**

19 **TEMPORARY RECYCLING SURCHARGE;**

20 **LOCAL FOOD AND BEVERAGE TAX;**

21 **LOCAL RENTAL CAR TAX**

22 **SECTION 37.** Subchapter V (title) of chapter 77 [precedes 77.70] of the statutes  
23 is amended to read:

24 **CHAPTER 77**

1 SUBCHAPTER V

2 COUNTY AND SPECIAL DISTRICT

3 SALES AND USE TAXES

4 **SECTION 38.** 77.705 of the statutes is created to read:

5 **77.705 Adoption by resolution.** A local professional baseball park district  
6 created under subch. III of ch. 229, by resolution under s. 229.68 (15), may impose  
7 a sales tax and a use tax under this subchapter at a rate of no more than 0.1% of the  
8 gross receipts or sales price. Those taxes may be imposed only in their entirety. The  
9 resolution shall be effective on the first day of the first month that begins at least 30  
10 days after the adoption of the resolution.

11 **SECTION 39.** 77.707 of the statutes is created to read:

12 **77.707 Sunset.** Retailers and the department of revenue may not collect a tax  
13 under s. 77.705 for any local professional baseball park district created under subch.  
14 III of ch. 229 after the calendar quarter during which the local professional baseball  
15 park district board makes a certification to the department of revenue under s.  
16 229.685 (2), except that the department of revenue may collect from retailers taxes  
17 that accrued before that calendar quarter and fees, interest and penalties that relate  
18 to those taxes.

19 **SECTION 40.** 77.71 (intro.) and (1) of the statutes are amended to read:

20 **77.71** (title) **Imposition of county and special district sales and use**  
21 **taxes.** (intro.) Whenever a county sales and use tax ordinance is adopted under s.  
22 77.70 or a special district resolution is adopted under s. 77.705, the following taxes  
23 are imposed:

24 (1) For the privilege of selling, leasing or renting tangible personal property  
25 and for the privilege of selling, performing or furnishing services a sales tax is

1 imposed upon retailers at the rate of 0.5% in the case of a county tax or at the rate  
2 under s. 77.705 in the case of a special district tax of the gross receipts from the sale,  
3 lease or rental of tangible personal property, except property taxed under sub. (4),  
4 sold, leased or rented at retail in the county or special district or from selling,  
5 performing or furnishing services described under s. 77.52 (2) in the county or special  
6 district.

7 **SECTION 41.** 77.71 (2) of the statutes, as affected by 1995 Wisconsin Act 27, is  
8 amended to read:

9 77.71 (2) An excise tax is imposed at the rate of 0.5% in the case of a county tax  
10 or at the rate under s. 77.705 in the case of a special district tax of the sales price upon  
11 every person storing, using or otherwise consuming in the county or special district  
12 tangible personal property or services if the property or service is subject to the state  
13 use tax under s. 77.53, except that a receipt indicating that the tax under sub. (1),  
14 (3) or (4) has been paid relieves the buyer of liability for the tax under this subsection  
15 and except that if the buyer has paid a similar local tax in another state on a purchase  
16 of the same property or services that tax shall be credited against the tax under this  
17 subsection and except that for motor vehicles that are used for a purpose in addition  
18 to retention, demonstration or display while held for sale in the regular course of  
19 business by a dealer the tax under this subsection is imposed not on the sales price  
20 but on the amount under s. 77.53 (1m).

21 **SECTION 42.** 77.71 (3) and (4) of the statutes are amended to read:

22 77.71 (3) An excise tax is imposed upon a contractor engaged in construction  
23 activities within the county or special district, at the rate of 0.5% in the case of a  
24 county tax or at the rate under s. 77.705 in the case of a special district tax of the sales  
25 price of tangible personal property that is used in constructing, altering, repairing

1 or improving real property and that becomes a component part of real property in  
2 that county or special district, unless the contractor has paid the sales tax of a county  
3 in the case of a county tax or of a special district in the case of a special district tax  
4 in this state on that property, and except that if the buyer has paid a similar local  
5 sales tax in another state on a purchase of the same property that tax shall be  
6 credited against the tax under this subsection.

7 (4) An excise tax is imposed at the rate of 0.5% in the case of a county tax or  
8 at the rate under s. 77.705 in the case of a special district tax of the sales price upon  
9 every person storing, using or otherwise consuming a motor vehicle, boat,  
10 snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer,  
11 all-terrain vehicle or aircraft, if that property must be registered or titled with this  
12 state and if that property is to be customarily kept in a county that has in effect an  
13 ordinance under s. 77.70 or in a special district that has in effect a resolution under  
14 s. 77.705, except that if the buyer has paid a similar local sales tax in another state  
15 on a purchase of the same property that tax shall be credited against the tax under  
16 this subsection.

17 **SECTION 43.** 77.73 of the statutes is amended to read:

18 **77.73 Jurisdiction to tax.** (1) Retailers making deliveries in their  
19 company-operated vehicles of tangible personal property, or of property on which  
20 taxable services were performed, to purchasers in a county or special district are  
21 doing business in that county or special district, and that county or special district  
22 has jurisdiction to impose the taxes under this subchapter on them.

23 (2) Counties and special districts do not have jurisdiction to impose the tax  
24 under s. 77.71 (2) in regard to tangible personal property purchased in a sale that is  
25 consummated in another county or special district in this state that does not have

1 in effect an ordinance or resolution imposing the taxes under this subchapter and  
2 later brought by the buyer into the county or special district that has imposed a tax  
3 under s. 77.71 (2).

4 **SECTION 44.** 77.75 of the statutes is amended to read:

5 **77.75 Reports.** Every person subject to county or special district sales and use  
6 taxes shall, for each reporting period, record that person's sales made in the ~~enacting~~  
7 county or special district that has imposed those taxes separately from sales made  
8 elsewhere in this state and report the measure of the county or special district sales  
9 and use taxes and the tax due thereon separately to the department of revenue on  
10 forms to be provided by the department.

11 **SECTION 45.** 77.76 (1) of the statutes is amended to read:

12 77.76 (1) The department of revenue shall have full power to levy, enforce and  
13 collect county and special district sales and use taxes and may take any action,  
14 conduct any proceeding, impose interest and penalties and in all respects proceed as  
15 it is authorized to proceed for the taxes imposed by subch. III. The department of  
16 transportation and the department of natural resources may administer the county  
17 and special district sales and use taxes in regard to items under s. 77.61 (1).

18 **SECTION 46.** 77.76 (2) of the statutes is amended to read:

19 77.76 (2) Judicial and administrative review of departmental determinations  
20 shall be as provided in subch. III for state sales and use taxes, and no county or  
21 special district may intervene in any matter related to the levy, enforcement and  
22 collection of the taxes under this subchapter.

23 **SECTION 47.** 77.76 (3m) of the statutes is created to read:

24 77.76 (3m) From the appropriation under s. 20.835 (4) (gb) the department, for  
25 the first 2 years of collection, shall distribute 97% of the special district taxes

1 reported for each special district that has imposed taxes under this subchapter,  
2 minus the special district portion of the retailers' discounts, to the special district no  
3 later than the end of the 3rd month following the end of the calendar quarter in which  
4 such amounts were reported. From the appropriation under s. 20.835 (4) (gb) the  
5 department, after the first 2 years of collection, shall distribute 98.5% of the special  
6 district taxes reported for each special district that has imposed taxes under this  
7 subchapter, minus the special district portion of the retailers' discount, to the special  
8 district no later than the end of the 3rd month following the end of the calendar  
9 quarter in which such amounts were reported. At the time of distribution the  
10 department shall indicate the taxes reported by each taxpayer. In this subsection,  
11 the "special district portion of the retailers' discount" is the amount determined by  
12 multiplying the total retailers' discount by a fraction the numerator of which is the  
13 gross special district sales and use taxes payable and the denominator of which is the  
14 sum of the gross state and special district sales and use taxes payable. The special  
15 district taxes distributed shall be increased or decreased to reflect subsequent  
16 refunds, audit adjustments and all other adjustments of the special district taxes  
17 previously distributed. Interest paid on refunds of special district sales and use taxes  
18 shall be paid from the appropriation under s. 20.835 (4) (gb) at the rate paid by this  
19 state under s. 77.60 (1) (a). Any special district receiving a report under this  
20 subsection is subject to the duties of confidentiality to which the department of  
21 revenue is subject under s. 77.61 (5).

22 **SECTION 48.** 77.77 of the statutes is amended to read:

23 **77.77 Transitional provisions.** (1) The gross receipts from services subject  
24 to the tax under s. 77.52 (2) are not subject to the ~~county~~ taxes under this subchapter,  
25 and the incremental amount of tax caused by a rate increase applicable to those



1 services is not due, if those services are billed to the customer and paid for before the  
2 effective date of the county ordinance, special district resolution or rate increase,  
3 whether the service is furnished to the customer before or after that date.

4 (2) Lease or rental receipts from tangible personal property that the lessor is  
5 obligated to furnish at a fixed price under a contract entered into before the effective  
6 date of a county ordinance or special district resolution are subject to the county taxes  
7 under this subchapter on the effective date of the ordinance or resolution, as provided  
8 for the state sales tax under s. 77.54 (18).

9 (3) The sale of building materials to contractors engaged in the business of  
10 constructing, altering, repairing or improving real estate for others is not subject to  
11 the county taxes under this subchapter, and the incremental amount of tax caused  
12 by the rate increase applicable to those materials is not due, if the materials are  
13 affixed and made a structural part of real estate, and the amount payable to the  
14 contractor is fixed without regard to the costs incurred in performing a written  
15 contract that was irrevocably entered into prior to the effective date of the county  
16 ordinance, special district resolution or rate increase or that resulted from the  
17 acceptance of a formal written bid accompanied by a bond or other performance  
18 guaranty that was irrevocably submitted before that date.

19 **SECTION 49.** 77.78 of the statutes is amended to read:

20 **77.78 Registration.** No motor vehicle, boat, snowmobile, mobile home not  
21 exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft that is  
22 required to be registered by this state may be registered or titled by this state unless  
23 the registrant files a sales and use tax report and pays the county tax and special  
24 district tax at the time of registering or titling to the state agency that registers or

1 titles the property. That state agency shall transmit those tax revenues to the  
2 department of revenue.

3 **SECTION 50.** 219.09 (1) (c) of the statutes is created to read:

4 219.09 (1) (c) A local professional baseball park district created under subch.  
5 III of ch. 229.

6 **SECTION 51.** Subchapter III of chapter 229 [precedes 229.64] of the statutes is  
7 created to read:

8 **CHAPTER 229**

9 **SUBCHAPTER III**

10 **LOCAL PROFESSIONAL**

11 **BASEBALL PARK DISTRICTS**

12 **229.64 Legislative declaration.** The legislature determines that the  
13 provision of assistance by state agencies to a district under this subchapter, any  
14 appropriation of funds to a district under this subchapter and the moral obligation  
15 pledge under s. 229.74 (7) serve a statewide public purpose by assisting the  
16 development of a professional baseball park in the state for providing recreation, by  
17 encouraging economic development and tourism, by reducing unemployment and by  
18 bringing needed capital into the state for the benefit and welfare of people  
19 throughout the state. The legislature determines that the taxes that may be imposed  
20 by a district under subch. V of ch. 77 are special taxes that are generated apart from  
21 any direct annual tax on taxable property.

22 **229.65 Definitions.** In this subchapter:

23 (1) "Baseball park facilities" means property, tangible or intangible, owned in  
24 whole or in substantial part, operated or leased by a district that is principally for  
25 professional baseball including parking lots, garages, restaurants, parks, concession

1 facilities, entertainment facilities and transportation facilities, and other  
2 functionally related or auxiliary facilities or structures.

3 (2) “Bond” means any bond, note or other obligation issued under s. 66.066 by  
4 a district.

5 (3) “Bond resolution” means a resolution of the district board authorizing the  
6 issuance of, or providing terms and conditions related to, bonds and includes, where  
7 appropriate, any trust agreement, trust indenture, indenture of mortgage or deed of  
8 trust providing terms and conditions for bonds.

9 (4) “Chief executive officer” means the county executive of a county or, if the  
10 county does not have a county executive, the chairperson of the county board of  
11 supervisors.

12 (5) “District” means a special district created under this subchapter.

13 (6) “District board” means the governing board of a district.

14 **229.66 Creation and organization.** (1) There is created, for each  
15 jurisdiction under s. 229.67, a special district that is a local governmental unit, that  
16 is a body corporate and politic, that is separate and distinct from, and independent  
17 of, the state, that has the powers under s. 229.68 and the name of which includes  
18 “Professional Baseball Park District”.

19 (2) A district is governed by its district board. The district board may adopt  
20 bylaws to govern the district’s activities, subject to this subchapter. Subject to sub.  
21 (3), the district board shall consist of the following members:

22 (a) Six persons appointed by the governor, one of whom does not reside within  
23 the district’s jurisdiction and, of the remaining appointees, at least one of whom  
24 resides within each of the counties that are within the jurisdiction of the district. A  
25 person appointed under this paragraph may take his or her seat immediately upon

1 appointment, subject to confirmation or rejection by the senate. At least one person  
2 appointed under this paragraph shall be a minority group member, as defined in s.  
3 560.036 (1) (f).

4 (b) Two persons appointed by the chief executive officer of the most populous  
5 county within the jurisdiction of a district, who shall serve at the pleasure of the chief  
6 executive officer. A person appointed under this paragraph may take his or her seat  
7 immediately upon appointment, subject to confirmation or rejection by a majority of  
8 the members-elect of the county board.

9 (c) One person appointed by the chief executive officer of the 2nd most populous  
10 county within the jurisdiction of a district, who shall serve at the pleasure of the chief  
11 executive officer, except that in single-county jurisdictions the person under this  
12 paragraph shall be appointed by the chief executive officer of that county and serve  
13 at the chief executive officer's pleasure. A person appointed under this paragraph  
14 may take his or her seat immediately upon appointment, subject to confirmation or  
15 rejection by a majority of the members-elect of the county board.

16 (d) One person appointed by the chief executive officer of the 3rd most populous  
17 county within the jurisdiction of a district, who shall serve at the pleasure of the chief  
18 executive officer, except that in single-county jurisdictions the person under this  
19 paragraph shall be appointed by the chief executive officer of that county and serve  
20 at the chief executive officer's pleasure. A person appointed under this paragraph  
21 may take his or her seat immediately upon appointment, subject to confirmation or  
22 rejection by a majority of the members-elect of the county board.

23 (e) One person appointed by the chief executive officer of the 4th most populous  
24 county within the jurisdiction of a district, who shall serve at the pleasure of the chief  
25 executive officer, except that in single-county jurisdictions the person under this

1 paragraph shall be appointed by the chief executive officer of that county and serve  
2 at the chief executive officer's pleasure. A person appointed under this paragraph  
3 may take his or her seat immediately upon appointment, subject to confirmation or  
4 rejection by a majority of the members-elect of the county board.

5 (f) One person appointed by the chief executive officer of the 5th most populous  
6 county within the jurisdiction of a district, who shall serve at the pleasure of the chief  
7 executive officer, except that in single-county jurisdictions the person under this  
8 paragraph shall be appointed by the chief executive officer of that county and serve  
9 at the chief executive officer's pleasure. A person appointed under this paragraph  
10 may take his or her seat immediately upon appointment, subject to confirmation or  
11 rejection by a majority of the members-elect of the county board.

12 (g) One person appointed by the mayor of the most populous city within the  
13 jurisdiction of a district, who shall serve at the pleasure of the mayor. A person  
14 appointed under this paragraph may take his or her seat immediately upon  
15 appointment, subject to confirmation or rejection by a majority of the members-elect  
16 of the common council.

17 **(3)** Upon appointment under sub. (2), the appointing authorities shall certify  
18 the appointees to the secretary of administration. The terms of office of 3 of the  
19 persons appointed under sub. (2) (a) shall be 2 years, and the terms of office of 3 of  
20 the persons appointed under sub. (2) (a) shall be 4 years, except that for the initial  
21 appointments for a newly created district the initial terms shall expire on July 1 of  
22 the 2nd year beginning after creation of a district for persons appointed to 2-year  
23 terms, and the initial terms shall expire on July 1 of the 4th year beginning after  
24 creation of a district for persons appointed to 4-year terms. Persons appointed under  
25 sub. (2) (a) may be removed from the district board before the expiration of their

1 terms by the appointing authority but only for cause, as defined in s. 17.16 (2).  
2 Vacancies for persons appointed under sub. (2) (a) shall be filled by the appointing  
3 authority who appointed the person whose office is vacant. A person appointed to  
4 fill a vacancy under sub. (2) (a) shall serve for the remainder of the term to which he  
5 or she is appointed. All of the appointing authorities shall ensure, to the greatest  
6 extent possible, that the membership of the board is diverse with respect to race. Of  
7 the persons appointed under sub. (2), not more than 4 may reside in any one county.

8 (4) The governor shall select the chairperson of the district board and the  
9 district board shall elect from its membership a vice chairperson, a secretary and a  
10 treasurer. A majority of the current membership of the district board constitutes a  
11 quorum to do business. The district may take action based on the affirmative vote  
12 of a majority of those directors who are present at a meeting of the district board.

13 (5) The members of the district board shall be reimbursed for their actual and  
14 necessary expenses incurred in the performance of their duties.

15 (6) Upon the appointment and qualification of a majority of the members of a  
16 district board, the district board may exercise the powers and duties of a district  
17 board under this subchapter.

18 (7) At its first meeting the district board shall name the district.

19 **229.67 Jurisdiction.** A district's jurisdiction is any county with a population  
20 of more than 500,000 and all counties that are contiguous to that county, unless any  
21 of the contiguous counties are already included in a district, in which case the  
22 district's jurisdiction shall consist solely of the county with the population of more  
23 than 500,000. Once a county is included in a district's jurisdiction the county  
24 remains in the district until the district is dissolved under s. 229.71. In this section,  
25 "contiguous" includes a county that touches another county only at a corner.

1           **229.68 Powers of a district.** A district has all of the powers necessary or  
2 convenient to carry out the purposes and provisions of this subchapter. In addition  
3 to all other powers granted by this subchapter, a district may do all of the following:

4           (1) Adopt and alter an official seal.

5           (2) Sue and be sued in its own name, plead and be impleaded.

6           (3) Maintain an office.

7           (4) In connection with baseball park facilities:

8           (a) Acquire, construct, equip, maintain, improve, operate and manage the  
9 baseball park facilities as a revenue-generating enterprise, or engage other persons  
10 to do these things.

11           (b) Acquire; lease, as lessor or lessee; use; or transfer property; except that the  
12 district may not enter into any lease that does not receive the affirmative vote of at  
13 least 8 members of the district board.

14           (c) Improve real property.

15           (d) Enter into contracts, subject to such standards as may be established by the  
16 district board. The district board may award any such contract for any combination  
17 or division of work it designates and may consider any factors in awarding a contract,  
18 including price, time for completion of work and qualifications and past performance  
19 of a contractor.

20           (e) Grant concessions.

21           (f) Make a grant of land or other property to the state, especially dedicated by  
22 the grant to use for a professional baseball park.

23           (5) Employ personnel, and fix and regulate their compensation; and provide,  
24 either directly or subject to an agreement under s. 66.30 as a participant in a benefit

1 plan of another governmental entity, any employe benefits, including an employe  
2 pension plan.

3 (6) Purchase insurance, establish and administer a plan of self-insurance or,  
4 subject to an agreement with another governmental entity under s. 66.30,  
5 participate in a governmental plan of insurance or self-insurance.

6 (7) Mortgage, pledge or otherwise encumber the district's property or funds.

7 (8) Issue revenue bonds under s. 66.066, subject to ss. 229.72 to 229.79, and  
8 enter into agreements related to the issuance of bonds, including liquidity and credit  
9 facilities, remarketing agreements, insurance policies, guaranty agreements, letter  
10 of credit or reimbursement agreements, indexing agreements, interest exchange  
11 agreements and currency exchange agreements, except that the district may issue  
12 bonds under this subsection only if all of the following conditions are met:

13 (a) At least 8 members of the district board vote in favor of issuing bonds.

14 (b) A majority of the members of the district board determines, based on the  
15 best available information, that the total cost of the initial construction of baseball  
16 park facilities does not exceed \$250,000,000.

17 (c) A majority of the members of the district board determines that the district's  
18 lease arrangement with the professional baseball team franchise that uses baseball  
19 park facilities constructed under this subchapter as its home facilities incorporates  
20 a term of at least 30 years.

21 (9) Maintain funds and invest the funds in any investment that the district  
22 board considers appropriate.

23 (11) Promote, advertise and publicize its baseball park facilities and related  
24 activities.



1           **(12)** Set standards governing the use of, and the conduct within, its baseball  
2 park facilities in order to promote public safety and convenience and to maintain  
3 order.

4           **(13)** Establish and collect fees, and establish shared revenue arrangements or  
5 other charges for the use of its baseball park facilities or for services rendered by the  
6 district.

7           **(14)** Enter into partnerships, joint ventures, common ownership or other  
8 arrangements with other persons to further the district’s purposes.

9           **(15)** Impose, by the adoption of a resolution, the taxes under subch. V of ch. 77.  
10 A district may not levy any taxes that are not expressly authorized under subch. V  
11 of ch. 77 and that do not receive the affirmative vote of at least 8 members of the  
12 district board. If a district adopts a resolution which imposes taxes, it shall deliver  
13 a certified copy of the resolution to the secretary of revenue at least 30 days before  
14 its effective date.

15           **(16)** Accept gifts, loans and other aid, which may be used only for the following  
16 purposes:

17           (a) Retiring the bonds used to construct the baseball park facilities.

18           (b) Maintaining the baseball park facilities.

19           (c) Operating the baseball park facilities.

20           (d) Making capital improvements to the baseball park facilities

21           **(17)** Administer the receipt of revenues, and oversee the payment of bonds  
22 issued by the district.

23           **229.682 Special provisions. (1) GIFTS AND DONATIONS.** The district board  
24 shall explore and consider ways to solicit and encourage gifts and donations for the

1 construction of baseball park facilities and, to the extent feasible, implement means  
2 to solicit such gifts and donations.

3 (2) PREVAILING WAGES. The construction of a baseball park facility that is  
4 financed in whole or in part by a district is subject to s. 66.293.

5 (3) SPECIAL DEBT PAYMENTS. The district shall pay, over a 3-year period  
6 beginning on the first day of the 12th month after the effective date of this subsection  
7 .... [revisor inserts date], any outstanding debt on a baseball stadium that has been  
8 used as a home field by a major league professional baseball team, up to a maximum  
9 amount of \$1,500,000.

10 (4) SPECIAL TICKET PROVISIONS. A major league professional baseball team that  
11 uses as its home field baseball park facilities that are constructed under this  
12 subchapter shall annually designate, for each county that is in the district's  
13 jurisdiction, at least one of the team's home games as a discount ticket day for that  
14 county, for which residents of that county may purchase discounted admission  
15 tickets.

16 (5) SMOKING. The district board shall include in any lease negotiated with a  
17 professional baseball club a prohibition on smoking in the general seating areas of  
18 the stadium.

19 (6) USE OF STADIUM. The district board shall consider during the design review  
20 process the utilization of the facility for events in addition to baseball, which are  
21 consistent with the program statement and design for the stadium complex, and do  
22 not adversely affect the design, construction schedule or budget.

23 **229.685 Special fund tax revenues.** (1) The district board shall maintain  
24 a special fund into which it deposits only the revenue received from the department

1 of revenue, that is derived from the taxes imposed under subch. V of ch. 77, and may  
2 use this revenue only for purposes related to baseball park facilities.

3 (2) If the district board determines that the revenues in the special fund under  
4 this section exceed current operating expenses for the operation of baseball park  
5 facilities, the district board shall apply the excess to either fund a fund for  
6 maintenance costs and capital improvements or to retire bonds issued for the initial  
7 construction of baseball park facilities, and any bonds issued to fund or refund those  
8 bonds, prior to their maturity. As soon as practicable after the retirement of all bonds  
9 issued for the initial construction of baseball park facilities and all bonds issued to  
10 fund or refund those bonds and after funding a fund for maintenance costs and  
11 capital improvements sufficiently to meet any maintenance or capital improvement  
12 obligations between the district and any professional baseball team using baseball  
13 park facilities constructed under this subchapter as a home stadium, the district  
14 board shall make a certification to the department of revenue to that effect.

15 **229.69 Powers granted to a city or a county in a district.** In addition to  
16 any powers that it may otherwise have, a city or a county within a district's  
17 jurisdiction may do any of the following:

18 (1) Make grants or loans to a district upon terms that the city or county  
19 considers appropriate.

20 (2) Expend public funds to subsidize a district.

21 (3) Borrow money under ss. 67.04 and 67.12 (12) for baseball park facilities or  
22 to fund grants, loans or subsidies to a district.

23 (4) Grant to the state land or other property, especially dedicated by the grant  
24 to use for a professional baseball park.

25 **229.70 Minority contracting goals.** (1) In this section:

1 (a) “Minority business” has the meaning given in s. 560.036 (1) (e).

2 (b) “Minority group member” has the meaning given in s. 560.036 (1) (f).

3 (c) “Women’s business” means a sole proprietorship, partnership, joint venture  
4 or corporation that is at least 51% owned, controlled and actively managed by  
5 women.

6 (2) The district shall ensure that, for construction work and professional  
7 services contracts, a person who is awarded such a contract by a district shall agree,  
8 as a condition to receiving the contract, that his or her goal shall be to ensure that  
9 at least 25% of the employes hired because of the contract will be minority group  
10 members and at least 5% of the employes hired because of the contract will be women  
11 if the contract is for the construction of any part of baseball park facilities.

12 (3) It shall be a goal of the district to ensure that at least 25% of the aggregate  
13 dollar value of contracts awarded by the district in the following areas shall be  
14 awarded to minority businesses and at least 5% of the aggregate dollar value of  
15 contracts awarded by the district in the following areas shall be awarded to women’s  
16 businesses:

17 (a) Contracts for the construction of baseball park facilities.

18 (b) Contracts for professional services related to the construction of baseball  
19 park facilities.

20 (c) Contracts for the development of baseball park facilities.

21 (4) It shall be a goal of a district, with regard to each of the contracts described  
22 under sub. (3) (a), (b) and (c), to award at least 25% of the dollar value of such  
23 contracts to minority businesses and at least 5% of the dollar value of such contracts  
24 to women’s businesses.

1           **(5)** (a) The district shall hire an independent person to monitor the district's  
2 compliance with minority contracting goals under subs. (2), (3) and (4) and the  
3 department of administration's compliance with minority contracting goals under s.  
4 16.854 (2) and (3). The person hired shall have previous experience working with  
5 minority group members. The district shall develop a mechanism to receive regular  
6 reports from the person hired with respect to the results of the person's studies of  
7 compliance with minority contracting goals.

8           (b) If the district or a contractor is unable to meet the goals under sub. (2), (3)  
9 or (4), the person hired under par. (a) shall assess whether the district or contractor  
10 made a good faith effort to reach the goals. In determining whether a good faith effort  
11 was made to meet the goals, the person hired shall consider all of the following:

12           1. The supply of eligible minority businesses and women's businesses that have  
13 the financial capacity, technical capacity and previous experience in the areas in  
14 which contracts were awarded.

15           2. The competing demands for the services provided by eligible minority  
16 businesses and women's businesses, as described in subd. 1., in areas in which  
17 contracts were awarded.

18           3. The extent to which the district or contractors advertised for and  
19 aggressively solicited bids from eligible minority businesses and women's  
20 businesses, as described in subd. 1., and the extent to which eligible minority  
21 businesses and women's businesses submitted bids.

22           **(6)** The district shall solicit from any major league baseball club to whom the  
23 district leases baseball park facilities its minority hiring goals in connection with the  
24 operation of a baseball stadiums and its minority contracting goals in connection  
25 with vending contractors at a baseball stadium.

1           **229.71 Dissolution of a district.** Subject to providing for the payment of its  
2 bonds, including interest on the bonds, and the performance of its other contractual  
3 obligations, a district may be dissolved by the action of the district board. If the  
4 district is dissolved, the property of the district shall be transferred to the counties  
5 in the jurisdiction, based on the tax revenues derived from each county, as  
6 determined by the secretary of administration.

7           **229.72 Issuance and negotiability of bonds. (1m) NEGOTIABILITY.** All  
8 bonds are negotiable for all purposes, notwithstanding their payment from a limited  
9 source.

10           **(2) EMPLOYMENT OF FINANCIAL CONSULTANT.** A district may retain the building  
11 commission or any other person as its financial consultant to assist with and  
12 coordinate the issuance of bonds.

13           **(6) LIABILITY.** Neither the members of the district board nor any person  
14 executing the bonds is liable personally on the bonds or subject to any personal  
15 liability or accountability by reason of the issuance of the bonds, unless the personal  
16 liability or accountability is the result of wilful misconduct.

17           **229.74 Special debt service reserve funds. (1) DESIGNATION OF SPECIAL**  
18 **DEBT SERVICE RESERVE FUNDS.** A district may designate one or more accounts in funds  
19 created under s. 66.066 (2) (e) as special debt service reserve funds, if, prior to each  
20 issuance of bonds to be secured by the special debt service reserve fund, the secretary  
21 of administration determines that all of the following conditions are met with respect  
22 to the bonds:

23           (a) *Purpose.* The proceeds of the bonds, other than refunding bonds, will be  
24 used for baseball park facilities.

1           (b) *Feasibility*. The proceeds of bonds, other than refunding bonds, will be used  
2 for feasible projects and there is a reasonable likelihood that the bonds will be repaid  
3 without the necessity of drawing on funds in the special debt service reserve fund  
4 that secures the bonds. The secretary of administration may make the  
5 determinations required under this paragraph only after considering all of the  
6 following:

7           1. Whether a pledge of the tax revenues of the district is made under the bond  
8 resolution.

9           2. How the tax revenues of the district are pledged to the payment of the bonds.

10          3. Revenue projections for the project to be financed by the bonds, including tax  
11 revenues, and the reasonableness of the assumptions on which these revenue  
12 projections are based.

13          4. The proposed interest rates of the bonds and the resulting cash-flow  
14 requirements.

15          5. The projected ratio of annual tax revenues to annual debt service of the  
16 district, taking into account capitalized interest.

17          6. Whether an understanding exists providing for repayment by the district to  
18 the state of all amounts appropriated to the special debt service reserve fund  
19 pursuant to sub. (7).

20          8. Whether the district has agreed that the department of administration will  
21 have direct and immediate access, at any time and without notice, to all records of  
22 the district.

23           (c) *Limit on bonds issued*. The amount of all bonds, other than refunding bonds,  
24 that would be secured by all special debt service reserve funds of the district will not  
25 exceed \$160,000,000. In determining compliance with the limitation under this

1 paragraph, the secretary of administration need not include bonds that are secured  
2 by a special debt service reserve fund to the extent that proceeds of the bonds are for  
3 the following purposes:

4 1. To make a deposit into a special debt service reserve fund.

5 2. To pay issuance costs of bonds secured by a special debt service reserve fund.

6 3. To pay capitalized interest costs on bonds secured by a special debt service  
7 reserve fund.

8 4. To pay any original issue discount.

9 (d) *Date of issuance.* The bonds, other than refunding bonds, will be issued no  
10 later than December 31, 2000.

11 (e) *Refunding bonds.* All refunding bonds to be secured by the special debt  
12 service reserve fund meet all of the following conditions:

13 1. The refunding bonds are to be issued to fund, refund or advance refund bonds  
14 secured by a special debt service reserve fund.

15 2. The refunding of bonds by the refunding bonds will not adversely affect the  
16 risk that the state will be called on to make a payment under sub. (7).

17 (f) *Approval of outstanding debt.* All outstanding debt of the district has been  
18 reviewed and approved by the secretary of administration. In determining whether  
19 to approve outstanding debt under this paragraph, the secretary may consider any  
20 factor which the secretary determines to have a bearing on whether the state moral  
21 obligation pledge under sub. (7) should be granted with respect to an issuance of  
22 bonds.

23 (g) *Financial reports.* The district has agreed to provide to the department of  
24 administration, the legislative fiscal bureau and the legislative audit bureau all



1 financial reports of the district and all regular monthly statements of any trustee of  
2 the bonds on a direct and ongoing basis.

3 **(2) PAYMENT OF FUNDS INTO A SPECIAL DEBT SERVICE RESERVE FUND.** A district shall  
4 pay into any special debt service reserve fund of the district any moneys appropriated  
5 and made available by the state for the purposes of the special debt service reserve  
6 fund, any proceeds of a sale of bonds to the extent provided in the bond resolution  
7 authorizing the issuance of the bonds and any other moneys that are made available  
8 to the district for the purpose of the special debt service reserve fund from any other  
9 source.

10 **(3) USE OF MONEYS IN THE SPECIAL DEBT SERVICE RESERVE FUND.** All moneys held  
11 in any special debt service reserve fund of a district, except as otherwise specifically  
12 provided, shall be used, as required, solely for the payment of the principal of bonds  
13 secured in whole or in part by the special debt service reserve fund, the making of  
14 sinking fund payments with respect to these bonds, the purchase or redemption of  
15 these bonds, the payment of interest on these bonds or the payment of any  
16 redemption premium required to be paid when these bonds are redeemed prior to  
17 maturity. If moneys in a special debt service reserve fund at any time are less than  
18 the special debt service reserve fund requirement under sub. (5) for the special debt  
19 service reserve fund, the district may not use these moneys for any optional purchase  
20 or optional redemption of the bonds. Any income or interest earned by, or increment  
21 to, any special debt service reserve fund due to the investment of moneys in the  
22 special debt service reserve fund may be transferred by the district to other funds or  
23 accounts of the district to the extent that the transfer does not reduce the amount of  
24 the special debt service reserve fund below the special debt service reserve fund  
25 requirement under sub. (5) for the special debt service reserve fund.

1           **(4) LIMITATION ON BONDS SECURED BY A SPECIAL DEBT SERVICE RESERVE FUND.** A  
2 district shall accumulate in each special debt service reserve fund an amount equal  
3 to the special debt service reserve fund requirement under sub. (5) for the special  
4 debt service reserve fund. A district may not at any time issue bonds secured in whole  
5 or in part by a special debt service reserve fund if upon the issuance of these bonds  
6 the amount in the special debt service reserve fund will be less than the special debt  
7 service reserve fund requirement under sub. (5) for the special debt service reserve  
8 fund.

9           **(5) SPECIAL DEBT SERVICE RESERVE FUND REQUIREMENT.** The special debt service  
10 reserve fund requirement for a special debt service reserve fund, as of any particular  
11 date of computation, is equal to an amount of money, as provided in the bond  
12 resolution authorizing the bonds with respect to which the special debt service  
13 reserve fund is established, that may not exceed the maximum annual debt service  
14 on the bonds of the district for that fiscal year or any future fiscal year of the district  
15 secured in whole or in part by that special debt service reserve fund. In computing  
16 the annual debt service for any fiscal year, bonds deemed to have been paid in  
17 accordance with the defeasance provisions of the bond resolution authorizing the  
18 issuance of the bonds shall not be included in bonds outstanding on such date of  
19 computation. The annual debt service for any fiscal year is the amount of money  
20 equal to the aggregate of all of the following calculated on the assumption that the  
21 bonds will, after the date of computation, cease to be outstanding by reason, but only  
22 by reason, of the payment of bonds when due, and the payment when due, and  
23 application in accordance with the bond resolution authorizing those bonds, of all of  
24 the sinking fund payments payable at or after the date of computation:

1           (a) All interest payable during the fiscal year on all bonds that are secured in  
2 whole or in part by the special debt service reserve fund and that are outstanding on  
3 the date of computation.

4           (b) The principal amount of all of the bonds that are secured in whole or in part  
5 by the special debt service reserve fund, are outstanding on the date of computation  
6 and mature during the fiscal year.

7           (c) All amounts specified in bond resolutions of the district authorizing any of  
8 the bonds that are secured in whole or in part by the special debt service reserve fund  
9 to be payable during the fiscal year as a sinking fund payment with respect to any  
10 of the bonds that mature after the fiscal year.

11           **(6) VALUATION OF SECURITIES.** In computing the amount of a special debt service  
12 reserve fund for the purposes of this section, securities in which all or a portion of the  
13 special debt service reserve fund is invested shall be valued at par, or, if purchased  
14 at less than par, at their cost to the district.

15           **(7) STATE MORAL OBLIGATION PLEDGE.** If at any time of valuation the special debt  
16 service reserve fund requirement under sub. (5) for a special debt service reserve  
17 fund exceeds the amount of moneys in the special debt service reserve fund, the  
18 district board shall certify to the secretary of administration, the governor, the joint  
19 committee on finance and the governing body of each county in the district the  
20 amount necessary to restore the special debt service reserve fund to an amount equal  
21 to the special debt service reserve fund requirement under sub. (5) for the special  
22 debt service reserve fund. If this certification is received by the secretary of  
23 administration in an even-numbered year prior to the completion of the budget  
24 compilation under s. 16.43, the secretary shall include the certified amount in the  
25 budget compilation. In any case, the joint committee on finance shall introduce in

1 either house, in bill form, an appropriation of the amount so certified to the  
2 appropriate special debt service reserve fund of the district. Recognizing its moral  
3 obligation to do so, the legislature hereby expresses its expectation and aspiration  
4 that, if ever called upon to do so, it shall make this appropriation. This subsection  
5 applies only with respect to bonds the issuance of which has been approved by the  
6 joint committee on finance.

7 (8) INFORMATION TO JOINT COMMITTEE ON FINANCE. The district shall provide to  
8 the cochairpersons of the joint committee on finance information concerning the  
9 district's projected cashflows and security features underlying each issuance of  
10 bonds under this subchapter.

11 **229.75 Bonds not public debt. (1)** The state and each county in the district's  
12 jurisdiction are not liable on bonds and the bonds are not a debt of the state or either  
13 county in the district. All bonds shall contain a statement to this effect on the face  
14 of the bond. A bond issue does not, directly or indirectly or contingently, obligate the  
15 state or a political subdivision of the state to levy any tax or make any appropriation  
16 for payment of the bonds.

17 (2) Nothing in this subchapter authorizes a district to create a debt of the state  
18 or a county in the district's jurisdiction, and all bonds issued by a district are payable,  
19 and shall state that they are payable, solely from the funds pledged for their payment  
20 in accordance with the bond resolution authorizing their issuance or in any trust  
21 indenture or mortgage or deed of trust executed as security for the bonds. The state  
22 and each county in the district's jurisdiction are not liable for the payment of the  
23 principal of or interest on a bond or for the performance of any pledge, mortgage,  
24 obligation or agreement that may be undertaken by a district. The breach of any  
25 pledge, mortgage, obligation or agreement undertaken by a district does not impose

1       pecuniary liability upon the state or a county in the district’s jurisdiction or a charge  
2       upon its general credit or against its taxing power.

3               **(3)** Bonds issued by the district shall be secured only by the district’s interest  
4       in any baseball park facilities, including any interest in a lease with the department  
5       of administration under s. 16.82 (7); by income from these facilities; by proceeds of  
6       bonds issued by the district and other amounts placed in a special redemption fund  
7       and investment earnings on such amounts; and by the taxes imposed by the district  
8       under subch. V of ch. 77. The district may not pledge its full faith and credit on the  
9       bonds and the bonds are not a liability of the district.

10              **229.76 State pledge.** The state pledges to and agrees with the bondholders,  
11       and persons that enter into contracts with a district under this subchapter, that the  
12       state will not limit or alter the rights and powers vested in a district by this  
13       subchapter, including the rights and powers under s. 229.68 (15), before the district  
14       has fully met and discharged the bonds, and any interest due on the bonds, and has  
15       fully performed its contracts, unless adequate provision is made by law for the  
16       protection of the bondholders or those entering into contracts with a district.

17              **229.77 Trust funds.** All moneys received under this subchapter, whether as  
18       proceeds from the sale of bonds or from any other source, are trust funds to be held  
19       and applied solely as provided in this subchapter. Any officer with whom, or any  
20       bank or trust company with which, those moneys are deposited shall act as trustee  
21       of those moneys and shall hold and apply the moneys for the purposes of this  
22       subchapter, subject to this subchapter and the bond resolution authorizing issuance  
23       of the bonds.

24              **229.79 Budgets; rates and charges; audit.** A district shall adopt a calendar  
25       year as its fiscal year for accounting purposes. The district board shall annually

1 prepare a budget for the district. Rates and other charges received by the district  
2 shall be used for the general expenses and capital expenditures of the district and  
3 to pay interest, amortization, and retirement charges on bonds. A district shall  
4 maintain an accounting system in accordance with generally accepted accounting  
5 principles and shall have its financial statements and debt covenants audited  
6 annually by an independent certified public accountant.

7 **229.81 Assistance by state agencies. (1) DEFINITION.** In this section, “state  
8 agency” has the meaning given in s. 20.001 (1).

9 **(2) ASSISTANCE WITH RESPECT TO GRANTED LAND OR PROPERTY.** All state agencies  
10 may provide assistance to a district if the district has entered into a lease agreement  
11 with the department of administration under s. 16.82 (7).

12 **SECTION 52.** 234.65 (1) (c) of the statutes is amended to read:

13 234.65 (1) (c) The authority may not issue more than \$200,000,000 in aggregate  
14 principal amount of bonds and notes under this section, excluding bonds or notes  
15 secured by a capital reserve fund pursuant to sub. (6) (am) and excluding bonds and  
16 notes issued to refund outstanding bonds or notes issued under this section.

17 **SECTION 53.** 234.65 (1) (h) of the statutes is created to read:

18 234.65 (1) (h) Bonds and notes issued by the authority to finance an economic  
19 development loan for a project described under s. 234.01 (4n) (d) are not general  
20 obligations of the authority.

21 **SECTION 54a.** 234.65 (1) (hm) of the statutes is created to read:

22 234.65 (1) (hm) The authority may not make a loan under this section for an  
23 economic development project described under s. 234.01 (4n) (d) to any professional  
24 baseball team unless the authority determines that collateral adequate to cover the

1 amount of the loan has been pledged as security for the loan, exclusive of any  
2 ownership interest of the team in a stadium.

3 **SECTION 55.** 234.65 (6) (b) of the statutes is amended to read:

4 234.65 (6) (b) The Except as provided in sub. (8), the authority may issue bonds  
5 and notes secured by a capital reserve fund pursuant to par. (am) in an aggregate  
6 principal amount not exceeding ~~\$35,000,000~~ \$50,000,000 plus such additional  
7 amount as the authority considers necessary or desirable to fund a deposit into the  
8 capital reserve fund to pay costs of issuing the bonds and notes or to pay capitalized  
9 interest on the bonds and notes.

10 **SECTION 56.** 234.65 (8) and (10) of the statutes are created to read:

11 234.65 (8) The authority shall not issue bonds or notes under this section to  
12 finance the construction of baseball park facilities, as defined in s. 229.65 (1), in  
13 relation to any single professional baseball park in an aggregate principal amount  
14 exceeding \$50,000,000, excluding bonds and notes issued to fund a deposit into the  
15 capital reserve fund, to pay costs of issuing the bonds and notes or to pay capitalized  
16 interest on the bonds and notes.

17 (10) The authority shall provide to the cochairpersons of the joint committee  
18 on finance information concerning the authority's projected cashflows and security  
19 features underlying each issuance of bonds to a business for the purpose of financing  
20 baseball park facilities, as defined in s. 229.65 (1).

21 **SECTION 57.** 704.31 (3) of the statutes is created to read:

22 704.31 (3) This section does not apply to a lease to which a local professional  
23 baseball park district created under subch. III of ch. 229 is a party.

24 **SECTION 58. Appropriation changes; administration.**

