

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4065/P1dni
ALL.....

From this decision, we can conclude that the courts will probably construe this term very liberally. Under art. XI, sec. 3 (5), the indebtedness must be secured “solely by the property or income of such public utility [cultural arts facilities]”. The draft permits a cultural arts district to “...issue debt [in the constitutional sense] and to enter into any agreements relating thereto” (see proposed s.). The draft further contemplates that the district may become indebted to the Wisconsin health and educational facilities authority to retire bonds that may be issued by WHEFA to finance the district’s cultural arts facilities (see s. 231.09, stats. and the treatment of ss. 231.01 (4m) and (5w), 231.05 (1), 231.08 (5) and 231.23, stats.). Provided that the courts agree that the cultural arts facilities are a public utility and the income of the facilities is sufficient to retire the district’s debts, this should not be a problem.