

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Senate Democratic Caucus 6-2257**

By/Representing: **Keckhaver**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Addl. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies: **JTK, RJM, RAC**

Submit via email: **NO**

Requester's email:

Pre Topic:

SDC:.....keckhaver - CN6550,

Topic:

Dissolve the Bradley Center and merge the boards of the Bradley Center and the Midwest Express Center

Instructions:

See Attached. According to John and Doug, the 2 entities should be kept completely separate. This amendment only merges the boards of the 2 entities.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	shoveme 06/18/2001	csicilia 06/18/2001	jfrantze 06/19/2001	_____	gretskl 06/19/2001		

FE Sent For:

<END>

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SDC:.....keckhaver - CN6550,

Topic: Dissolve the Bradley Center and Merge the boards of the Bradley Center and the Midwest Express Center

Instructions:

See Attached. According to John and Doug, the 2 entities should be kept completely separate. This amendment only merges the boards of the 2 entities.

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
1	shoveme	1 cjs 6/18/01					
11 MES	6/18/01			6/19 MJL & MDK			
FE Sent For:							

<END>

yes

06/15/2001 11:34 AM

Agency: Local Government

caucus number 6550

duplicate flag:

Other reference numbers:

LFB Sum #:

duplicate with:

bill number/amendment number:

LRB draft #

LRB P-draft:

other notes Fiscal effect unknown.

Description2: Merge the existing Bradley Center and Midwest Express Center Boards into a new nine-member Board. New Provision.

drafting instructions:

more instructions:

Agency: Local Government

Number of Amendments: 1

RAK
MES

Merge Existing Bradley Center and Midwest Express Center Boards

CN6550

Agency: Local Government

Description: Merge the existing Bradley Center and Midwest Express Center Boards into a new nine-member Board. The new Board is to be comprised of two members to be chosen by the Governor from among the members of current Bradley Center Board, three members to be chosen by the Governor from among the members of the current Midwest Express Center Board, one member each to be chosen by the President of the Senate and the Speaker of the Assembly, respectively, and one member, who must be a resident of the city of Milwaukee, to be chosen by the President of the Milwaukee Common Council and one member, who must be a resident of the city of Milwaukee, to be chosen by the Mayor of Milwaukee. The new board would become effective thirty days after the effective date of the budget act and at that time the two currently existing boards--the Bradley Center Board and the Midwest Express Center Board--would cease to exist.

Fiscal Effect Unknown.

(New Provision)

~~just merge the boards -
keep the entities completely
separate -
per John K. + Doug~~



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb1068/1

MESAY:....

Disolve the Bradley
center and

← UPS:
fix request
sheet

SDC:.....keckhaver – CN6550, Merge the boards of the Bradley Center and
the Midwest Express Center

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS LFB AMENDMENT

to SSA 1

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

D-note

substitute
amendment

1 At the locations indicated, amend the ~~bill~~ as follows:

2 1. Page 1003, line 12: after that line insert:

3 SECTION ^{3057 ea} ~~2037 ea~~. 229.41 (6) of the statutes is amended to read:

4 229.41 (6) "Exposition center" means one or more related structures, including
5 fixtures and equipment, owned, operated, or leased by a district and used primarily
6 for conventions, expositions, trade shows, musical or dramatic events, or other
7 events involving educational, cultural, or commercial activities, and not primarily
8 for recreational or sporting activities, except that with regard to an exposition center
9 whose board is described under s. 229.42 (10), "exposition center" may include
10 fixtures and equipment, owned, operated, or leased by a district and used primarily
11 for recreational or sporting activities.

3037 ec

1 SECTION ~~2097~~ 229.42 (4) (intro.) of the statutes is amended to read:
2 229.42 (4) (intro.) If Except as provided in sub. (10), if the sole sponsoring
3 municipality is a 1st class city, the board of directors shall consist of 15 members, who
4 shall be qualified and appointed, subject to sub. (7) (b), as follows:

History: 1993 a. 263; 1995 a. 134; 1999 a. 9; 1999 a. 150 s. 672.

5 SECTION ~~2097~~ 229.42 (7) (a) of the statutes is amended to read:
3037 ee

6 229.42 (7) (a) Appointments by the chief executive officer under subs. (5) and
7 (6), and (10) shall be subject to confirmation by the governing body of the sponsoring
8 municipality. The Subject to sub. (10), the terms of office of the public sector members
9 of the board of directors shall be 3 years and shall expire upon the earlier of a date
10 specified in the enabling resolution or the expiration of their respective terms of
11 public office. The Subject to sub. (10), the terms of office of the members who are
12 officers or employees of a private sector entity shall be 3 years, except that for the
13 initial appointments for a newly created district one-third of the appointments of
14 such members shall be for one year, one-third shall be for 2 years and one-third shall
15 be for 3 years. If the number of members who are officers or employees of a private
16 sector entity is not divisible by 3, for the initial appointments of such members for
17 a newly created district, approximately one-third of the appointments shall be for
18 one year, approximately one-third shall be for 2 years and approximately one-third
19 shall be for 3 years. No members who are officers or employees of a private sector
20 entity may serve more than 2 consecutive full terms. Members may be removed from
21 the board of directors prior to the expiration of their terms only by the chief executive
22 officer and only for malfeasance or nonfeasance in office.

History: 1993 a. 263; 1995 a. 134; 1999 a. 9; 1999 a. 150 s. 672.

23 SECTION ~~2097~~ 229.42 (7) (b) 1. of the statutes is amended to read:
3037 eg



1 229.42 (7) (b) 1. Subject to subds. 2. and 3., and except as provided in sub. (10),
 2 the terms of office of the members of the board shall be 3 years, except that for the
 3 initial appointments for a newly created district, as specified in the enabling
 4 resolution, 4 of the appointments shall be for one year, 4 appointments, including the
 5 3 members appointed under sub. (4) (d), shall be for 2 years and 4 appointments shall
 6 be for 3 years. The cochairpersons of the joint committee on finance or their
 7 designees shall serve on the board for a term that is concurrent with their terms in
 8 office and the comptroller's appointment shall be for the comptroller's tenure in his
 9 or her position.

History: 1993 a. 263; 1995 a. 134; 1999 a. 9; 1999 a. 150 s. 672.

10 **SECTION 229.42 (10)** of the statutes is created to read: ✓

11 229.42 (10) (a) Notwithstanding the provisions of sub. (4), with regard to a
 12 district whose sole sponsoring municipality is a 1st class city and that is in existence
 13 on the effective date of this subsubsection ^{paragraph} [revisor inserts date], the board of directors
 14 of such a district that is in office on that date shall be dissolved on the first day of the
 15 second month beginning after the effective date of this subsubsection ^{paragraph} [revisor inserts
 16 date] or the date on which the members of the district board as described under par.
 17 (b) are appointed and qualified, whichever is later.

18 (b) The board of directors of a district that replaces a board of directors that is
 19 described and dissolved under par. (a) shall consist of 9 members. Subject to par. (d),
 20 the members of the board shall be:

21 1. Two members chosen by the governor from among the members of the
 22 Bradley Center Sports and Entertainment Corporation under s. 232.03 (2) who are ✓
 23 serving on that board on the effective date of this subsubsection [revisor inserts date].

Subdivision

subdivision

1 2. Three members chosen by the governor from among the members of the
2 board of directors of the district described under par. (a) who are serving on that
3 board on the effective date of this subdivision [revisor inserts date].

4 3. One member chosen by the president of the senate

5 4. One member chosen by the speaker of the assembly.

6 5. One member, who shall be a resident of the city of Milwaukee, chosen by the
7 mayor of Milwaukee.

8 6. One member, who shall be a resident of the city of Milwaukee, chosen by the
9 president of the Milwaukee common council.

10 (c) Subject to sub. (7) (b) 2. and 3., the terms of the members of the board shall
11 be 3 years, except ~~that the initial terms shall be~~ as follows:

12 1. The terms of office of the members appointed under par. (b) 1. shall be the
13 same as the term^s to which they were appointed under s. 232.03 (2).

14 2. The terms of office of the members appointed under par. (b) 2. shall be the
15 same as the terms to which they were appointed under sub. (4).

16 3. The initial term of office of the members appointed under par. (b) 3. and 4.
17 shall be 2 years.

18 4. The initial term of office of the members appointed under par. (b) 5. and 6.
19 shall be 3 years.

20 (d) Upon the expiration of the terms of the members ~~initially~~ appointed under
21 par. (b) 1. and 2., the governor shall appoint ~~continue to appoint~~ members to replace
22 those members whose terms expired, but such members need not have any
23 connection with the Bradley Center or the district described under par. (a).

24 (e) The 2 members of the board of directors described under par. (b) 1. shall be
25 a subcommittee of the board of directors who shall be the only members of the board

close bracket] comma

232.05

1 who may negotiate the terms and conditions of the next lease or the next extension
2 of a lease relating to the continued tenancy of a professional basketball team that on
3 the effective date of this paragraph [revisor inserts] date uses the Bradley Center,
4 as that term is used in s. 229.05(2) (a), as its home ^g ^{basketball} stadium. Any lease or extension
5 of a lease that is negotiated by the subcommittee may not take effect until it is
6 approved by a majority vote of the entire board of directors. This paragraph does not
7 apply after the sooner of the following: ✓

8 1. A lease or extension of a lease between the district and the professional
9 basketball team described in this paragraph is entered into.

10 2. The terms of at least one of the members described under par. (b) 1. expires. ✓

11 (f) The board of directors described under par. (b) shall accept all of the assets,
12 debts, liabilities, ^{tangible personal property, pending matters,} and obligations of the Bradley Center Sports and Entertainment
13 Corporation that is dissolved under s. 232.10, and shall accept an assignment of all
14 contracts with other persons, with respect to the Bradley Center, that are in force at
15 the time of the dissolution.

16 SECTION ^{3037ek} 229.44 (4) (a) of the statutes is amended to read:

17 229.44 (4) (a) Acquire, construct, equip, maintain, improve, operate and
18 manage the exposition center and exposition center facilities, or engage other
19 persons to do these things, except that a district that has within its control the
20 Bradley Center, as that term is used in s. 232.05 (2) (a), 1999 stats., may not change
21 the name of that facility. ✓

#. Page 1011 line 6: abta that line insert
History: 1993 a. 263; 1999 a. 150 s. 672.

22 SECTION ^{3095m} 232.10 of the statutes is created to read:

23 232.10 Dissolution of the corporation, transfer of assets and liabilities. ✓

24 The corporation shall be dissolved on the first day of the second month beginning

section

1 after the effective date of this subsection [revisor inserts date] or the date on which
 2 the members of the district board as described under s. 229.42 (10) (b) are appointed
 3 and qualified, whichever is later. Upon its dissolution, all of its assets, debts,
 4 liabilities and obligations, including any judgment, order or decree which may be
 5 entered against it in any pending legal action, shall transfer to the local exposition
 6 district described in s. 229.42 (10) (a). "

(END)

, tangible personal property, including records, pending matters,

D-NOTE

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1068/1dn

MES:Y:....

g
gs

*local exposition district
known as the*

John Keckhaver:

I had very few details to guide me in the preparation of this ~~draft~~ ^{amendment}. The few details I have were provided by Dan Rossmiller. Dan told me that the sole sponsoring municipality of the Midwest Express Center (MEC) ~~was~~ ^{is} the City of Milwaukee, under s. 229.42 (4). If this is not the case, the amendment will not meet Senator George's intent.

The dissolution of the Bradley Center corporation, which is a "public body corporate and politic" that is organized as a nonstock non-profit corporation under ch. 181 of the statutes and the MEC, which is ^a local exposition district, a special purpose local unit of government under subch. II of ch. 229, gives rise to a number of significant legal and constitutional issues. Although I have raised a number of these issues in the drafter's note, you should be aware that, because of the limited amount of time that is available to draft the amendment and because of the lack of review by outside counsel that accompanied the creation of the local exposition districts subchapter of the statutes, the "Brewers bill", the "Packers bill", and the local cultural arts district subchapter, there are undoubtedly a number of significant legal issues ^{is} ~~have not been addressed~~ ^{that} sufficiently by the amendment.

Because of the makeup of the new board of directors, I believe that there is a constitutional problem with this amendment. Currently, the MEC board contains 15 members, 9 of whom are local officials ^{is} or appointees of local officials. A clear majority of this local unit of government ~~are~~ ^{or} local officials, ~~or~~ appointees. This local unit of government imposes taxes within its jurisdiction and spends the taxes raised within its jurisdiction. This comports with a number of state supreme court decisions which require that the unit of government that raises a tax must be the one that spends the tax. See, for example, *Warren v. Nusbaum*, 59 Wis. 2d 421 (1973).

Under the new board, however, 7 of the 9 members are appointed by the state; 5 by the governor and one each by the speaker of the assembly and the president of the senate. I think that a strong argument could be made that this local exposition district is no longer "local" and is, in fact, a state entity. It is not permissible for the state to impose a tax that applies to an area less than the entire state. Such a provision would violate the equal protection clause of the U.S. constitution and the related provisions of the state constitution. If the district is found to be part of the state government, there is

a risk that the taxing power granted to the district would be found to be unconstitutional.

Another problem may arise with contracts entered into between the Bradley Center and private entities. Essentially, the amendment assigns such contracts to the MEC board. Some private entities who were perfectly willing to enter into a contract with a nonstock non-profit corporation may have been unwilling to enter into a contract with a local unit of government, yet under the amendment these private entities are now parties to a contracts with an entity with which they ~~would not~~ ^{may not} have wanted to do business, or would have wanted to do so only under different terms. It is possible that someone could bring suit and allege that this amendment constitutes an impairment of contract in violation of the federal and state constitutions. See, for example, *Laskaris v. City of Wisconsin Dells*, 131 Wis. 2d 525 (Ct. Apps., 1986) and *Energy Reserves Group, Inc. v. Kansas Power and Light Co.*, 459 U.S. 400 (1983). But see also *State ex rel. Cannon v. Moran*, 111 Wis. 2d 544, 553 (1983), for the proposition that the prohibitions on the impairment of contracts is not absolute.

Because of the lack of detailed instructions and the extremely short period of time I had to complete the amendment, there were quite a few issues I resolved without the benefit of an explicit instruction. Please review this amendment very carefully to determine whether the amendment reflects your intent.

1. Please review s. 229.42 (10) very carefully. Are the initial terms of the members of the board consistent with your intent?
2. Dan wants the 2 members of the new board who are currently on the Bradley Center board to be the only people who can negotiate the next lease of the Bradley Center with the Milwaukcc Bucks. I have no way of knowing when the lease might be up for renewal, and when the terms of those members will expire. It's possible that their terms will expire before the next lease is even being discussed. Does s. 229.42 (10) (e) meet your intent?
3. It is my understanding that the Bradley Center has a number of employees, and that these individuals are employees at will. Consequently, upon the dissolution of the Bradley Center, they will lose their positions unless you require the MEC board to offer them employment.

INS
JTK

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

#5, Due to time constraints, I have not deleted the statutory cross-references which ~~are~~ ^{will} be superfluous upon the dissolution of the Bradley Center.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1068/1dnins
JTK.....

INS JTK

4. Presently, there is an open class of municipalities that may potentially qualify to sponsor an exposition district under subch. II of ch. 229, stats. Under the amendment, a closed class is created consisting of the existing exposition district, which is solely entitled to engage in recreational and sporting activities. To insulate the draft from an equal protection challenge, you may wish to consider allowing other districts in the existing class to engage in recreational and sporting activities.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1068/1dn
MES:cjs:jf

June 19, 2001

John Keckhaver:

I had very few details to guide me in the preparation of this amendment. The few details I have were provided by Dan Rossmiller. Dan told me that the sole sponsoring municipality of the local exposition district known as the Midwest Express Center (MEC) is the City of Milwaukee, under s. 229.42 (4). If this is not the case, the amendment will not meet Senator George's intent.

The dissolution of the Bradley Center corporation, which is a "public body corporate and politic" that is organized as a nonstock non-profit corporation under ch. 181 of the statutes and the MEC, which is a local exposition district, a special purpose local unit of government under subch. II of ch. 229, gives rise to a number of significant legal and constitutional issues. Although I have raised a number of these issues in the drafter's note, you should be aware that, because of the limited amount of time that is available to draft the amendment and because of the lack of review by outside counsel that accompanied the creation of the local exposition districts subchapter of the statutes, the "Brewers bill", the "Packers bill", and the local cultural arts district subchapter, there are undoubtedly a number of significant legal issues that have not been addressed sufficiently by the amendment.

Because of the makeup of the new board of directors, I believe that there is a constitutional problem with this amendment. Currently, the MEC board contains 15 members, 9 of whom are local officials or appointees of local officials. A clear majority of this local unit of government is local officials or appointees. This local unit of government imposes taxes within its jurisdiction and spends the taxes raised within its jurisdiction. This comports with a number of state supreme court decisions which require that the unit of government that raises a tax must be the one that spends the tax. See, for example, *Warren v. Nusbaum*, 59 Wis. 2d 421 (1973).

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a risk that the taxing power granted to the district would be found to be unconstitutional.

Another problem may arise with contracts entered into between the Bradley Center and private entities. Essentially, the amendment assigns such contracts to the MEC board. Some private entities who were perfectly willing to enter into a contract with a nonstock non-profit corporation may have been unwilling to enter into a contract with a local unit of government, yet under the amendment these private entities are now parties to a contract with an entity with which they may not have wanted to do business, or would have wanted to do so only under different terms. It is possible that someone could bring suit and allege that this amendment constitutes an impairment of contract in violation of the federal and state constitutions. See, for example, *Laskaris v. City of Wisconsin Dells*, 131 Wis. 2d 525 (Ct. Apps., 1986) and *Energy Reserves Group, Inc. v. Kansas Power and Light Co.*, 459 U.S. 400 (1983). But see also *State ex rel. Cannon v. Moran*, 111 Wis. 2d 544, 553 (1983), for the proposition that the prohibitions on the impairment of contracts is not absolute.

Because of the lack of detailed instructions and the extremely short period of time I had to complete the amendment, there were quite a few issues I resolved without the benefit of an explicit instruction. Please review this amendment very carefully to determine whether the amendment reflects your intent.

1. Please review s. 229.42 (10) very carefully. Are the initial terms of the members of the board consistent with your intent?
2. Dan wants the 2 members of the new board who are currently on the Bradley Center board to be the only people who can negotiate the next lease of the Bradley Center with the Milwaukee Bucks. I have no way of knowing when the lease might be up for renewal, and when the terms of those members will expire. It's possible that their terms will expire before the next lease is even being discussed. Does s. 229.42 (10) (e) meet your intent?
3. It is my understanding that the Bradley Center has a number of employees, and that these individuals are employees at will. Consequently, upon the dissolution of the Bradley Center, they will lose their positions unless you require the MEC board to offer them employment.
4. Presently, there is an open class of municipalities that may potentially qualify to sponsor an exposition district under subch. II of ch. 229, stats. Under the amendment, a closed class is created consisting of the existing exposition district, which is solely entitled to engage in recreational and sporting activities. To insulate the draft from an equal protection challenge, you may wish to consider allowing other districts in the existing class to engage in recreational and sporting activities.
5. Due to time constraints, I have not deleted the statutory cross-references which will be superfluous upon the dissolution of the Bradley Center.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

SDC:.....keckhaver – CN6550, Dissolve the Bradley Center and merge the boards of the Bradley Center and the Midwest Express Center

FOR 2001–03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1003, line 12: after that line insert:

3 “**SECTION 3037ea.** 229.41 (6) of the statutes is amended to read:

4 229.41 (6) “Exposition center” means one or more related structures, including
5 fixtures and equipment, owned, operated, or leased by a district and used primarily
6 for conventions, expositions, trade shows, musical or dramatic events, or other
7 events involving educational, cultural, or commercial activities, and not primarily
8 for recreational or sporting activities, except that with regard to an exposition center
9 whose board is described under s. 229.42 (10), “exposition center” may include

1 fixtures and equipment, owned, operated, or leased by a district and used primarily
2 for recreational or sporting activities.

3 **SECTION 2037ec.** 229.42 (4) (intro.) of the statutes is amended to read:

4 229.42 (4) (intro.) If Except as provided in sub. (10), if the sole sponsoring
5 municipality is a 1st class city, the board of directors shall consist of 15 members, who
6 shall be qualified and appointed, subject to sub. (7) (b), as follows:

7 **SECTION 2037ee.** 229.42 (7) (a) of the statutes is amended to read:

8 229.42 (7) (a) Appointments by the chief executive officer under subs. (5) and,
9 (6), and (10) shall be subject to confirmation by the governing body of the sponsoring
10 municipality. The Subject to sub. (10), the terms of office of the public sector members
11 of the board of directors shall be 3 years and shall expire upon the earlier of a date
12 specified in the enabling resolution or the expiration of their respective terms of
13 public office. The Subject to sub. (10), the terms of office of the members who are
14 officers or employees of a private sector entity shall be 3 years, except that for the
15 initial appointments for a newly created district one-third of the appointments of
16 such members shall be for one year, one-third shall be for 2 years and one-third shall
17 be for 3 years. If the number of members who are officers or employees of a private
18 sector entity is not divisible by 3, for the initial appointments of such members for
19 a newly created district, approximately one-third of the appointments shall be for
20 one year, approximately one-third shall be for 2 years and approximately one-third
21 shall be for 3 years. No members who are officers or employees of a private sector
22 entity may serve more than 2 consecutive full terms. Members may be removed from
23 the board of directors prior to the expiration of their terms only by the chief executive
24 officer and only for malfeasance or nonfeasance in office.

25 **SECTION 2037eg.** 229.42 (7) (b) 1. of the statutes is amended to read:

1 229.42 (7) (b) 1. Subject to subds. 2. and 3., and except as provided in sub. (10),
2 the terms of office of the members of the board shall be 3 years, except that for the
3 initial appointments for a newly created district, as specified in the enabling
4 resolution, 4 of the appointments shall be for one year, 4 appointments, including the
5 3 members appointed under sub. (4) (d), shall be for 2 years and 4 appointments shall
6 be for 3 years. The cochairpersons of the joint committee on finance or their
7 designees shall serve on the board for a term that is concurrent with their terms in
8 office and the comptroller's appointment shall be for the comptroller's tenure in his
9 or her position.

10 **SECTION 2037ei.** 229.42 (10) of the statutes is created to read:

11 229.42 (10) (a) Notwithstanding the provisions of sub. (4), with regard to a
12 district whose sole sponsoring municipality is a 1st class city and that is in existence
13 on the effective date of this paragraph [revisor inserts date], the board of directors
14 of such a district that is in office on that date shall be dissolved on the first day of the
15 second month beginning after the effective date of this paragraph [revisor inserts
16 date], or the date on which the members of the district board as described under par.
17 (b) are appointed and qualified, whichever is later.

18 (b) The board of directors of a district that replaces a board of directors that is
19 described and dissolved under par. (a) shall consist of 9 members. Subject to par. (d),
20 the members of the board shall be:

21 1. Two members chosen by the governor from among the members of the
22 Bradley Center Sports and Entertainment Corporation under s. 232.03 (2) who are
23 serving on that board on the effective date of this subdivision [revisor inserts
24 date].

1 2. Three members chosen by the governor from among the members of the
2 board of directors of the district described under par. (a) who are serving on that
3 board on the effective date of this subdivision [revisor inserts date].

4 3. One member chosen by the president of the senate.

5 4. One member chosen by the speaker of the assembly.

6 5. One member, who shall be a resident of the city of Milwaukee, chosen by the
7 mayor of Milwaukee.

8 6. One member, who shall be a resident of the city of Milwaukee, chosen by the
9 president of the Milwaukee common council.

10 (c) Subject to sub. (7) (b) 2. and 3., the terms of the members of the board shall
11 be 3 years, except as follows:

12 1. The terms of office of the members appointed under par. (b) 1. shall be the
13 same as the terms to which they were appointed under s. 232.03 (2).

14 2. The terms of office of the members appointed under par. (b) 2. shall be the
15 same as the terms to which they were appointed under sub. (4).

16 3. The initial term of office of the members appointed under par. (b) 3. and 4.
17 shall be 2 years.

18 4. The initial term of office of the members appointed under par. (b) 5. and 6.
19 shall be 3 years.

20 (d) Upon the expiration of the terms of the members appointed under par. (b)
21 1. and 2., the governor shall appoint members to replace those members whose terms
22 expired, but such members need not have any connection with the Bradley Center
23 or the district described under par. (a).

24 (e) The 2 members of the board of directors described under par. (b) 1. shall be
25 a subcommittee of the board of directors who shall be the only members of the board

1 who may negotiate the terms and conditions of the next lease or the next extension
2 of a lease relating to the continued tenancy of a professional basketball team that on
3 the effective date of this paragraph ... [revisor inserts date], uses the Bradley Center,
4 as that term is used in s. 232.05 (2) (a), as its home basketball stadium. Any lease
5 or extension of a lease that is negotiated by the subcommittee may not take effect
6 until it is approved by a majority vote of the entire board of directors. This paragraph
7 does not apply after the sooner of the following:

8 1. A lease or extension of a lease between the district and the professional
9 basketball team described in this paragraph is entered into.

10 2. The terms of at least one of the members described under par. (b) 1. expires.

11 (f) The board of directors described under par. (b) shall accept all of the assets,
12 debts, liabilities, tangible personal property, pending matters, and obligations of the
13 Bradley Center Sports and Entertainment Corporation that is dissolved under s.
14 232.10, and shall accept an assignment of all contracts with other persons, with
15 respect to the Bradley Center, that are in force at the time of the dissolution.

16 **SECTION 3037ek.** 229.44 (4) (a) of the statutes is amended to read:

17 229.44 (4) (a) Acquire, construct, equip, maintain, improve, operate and
18 manage the exposition center and exposition center facilities, or engage other
19 persons to do these things, except that a district that has within its control the
20 Bradley Center, as that term is used in s. 232.05 (2) (a), 1999 stats., may not change
21 the name of that facility.”

22 **2.** Page 1011, line 6: after that line insert:

23 **“SECTION 3095m.** 232.10 of the statutes is created to read:

1 **232.10 Dissolution of the corporation, transfer of assets and liabilities.**

2 The corporation shall be dissolved on the first day of the second month beginning
3 after the effective date of this section [revisor inserts date], or the date on which
4 the members of the district board as described under s. 229.42 (10) (b) are appointed
5 and qualified, whichever is later. Upon its dissolution, all of its assets, debts,
6 liabilities, tangible personal property, including records, pending matters, and
7 obligations, including any judgment, order, or decree which may be entered against
8 it in any pending legal action, shall transfer to the local exposition district described
9 in s. 229.42 (10) (a).”

10

(END)