



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2739/1
RAC/MES/JK:wlj

ENGROSSED 2015 SENATE BILL 209

July 15, 2015 – Printed by direction of ASSEMBLY CHIEF CLERK.

1 **AN ACT** *to repeal* 16.004 (21), 16.004 (22), 20.855 (4) (cr), 20.855 (4) (cy), 20.855
2 (4) (dr), 66.0615 (1m) (f) 4., 77.983, 77.992, 79.035 (6), 232.07 (1) and 345.28 (4)
3 (g); *to renumber* 229.47; *to renumber and amend* 229.42 (4) (f) and 232.07
4 (2); *to amend* 24.605, 24.61 (2) (cm) (intro.), 24.62 (3), 24.67 (1) (intro.), 24.67
5 (3), 66.0603 (1g) (a), 66.1105 (2) (f) 1. (intro.), 66.1105 (2) (f) 2. (intro.), 70.11 (37),
6 77.22 (1), 77.98 (3), 77.982 (3), 79.035 (5), 229.26 (4), 229.26 (4m), 229.26 (10),
7 229.41 (12), 229.42 (4) (intro.), 229.42 (4) (d), 229.42 (4) (e), 229.435, 229.44 (4)
8 (intro.), 229.44 (4) (a), 229.44 (4) (b), 229.44 (4) (c), 229.44 (4) (d), 229.44 (5),
9 229.44 (6), 229.477, 229.48 (1) (intro.), 229.48 (1) (a), 229.48 (1) (b), 229.48 (1)
10 (c), 229.48 (1) (d), 229.48 (1) (e), 229.48 (1m), 229.48 (2), 229.50 (1) (a) (intro.),
11 229.50 (1) (d), 229.50 (1) (f), 229.50 (7), 232.05 (3) (a), 232.05 (3) (b), 345.28 (2)
12 (c), 345.37 (intro.), 846.16 (1) and 846.17; *to repeal and recreate* 24.61 (2) (a)
13 and 79.035 (5); and *to create* 16.004 (21), 16.004 (22), 16.58 (3), 20.855 (4) (cr),
14 20.855 (4) (cy), 20.855 (4) (dr), 24.60 (2m) (e), 24.61 (3) (a) 14., 24.66 (3y), 24.67

ENGROSSED SENATE BILL 209

1 (1) (q), 24.718, 66.1105 (2) (f) 1. p., 66.1105 (9) (a) 10., 66.1105 (17) (d), 71.05 (1)
2 (c) 6p., 71.26 (1m) (n), 77.54 (62), 77.98 (4), 79.035 (6), 229.40, 229.41 (9e),
3 229.41 (11e), 229.41 (11g), 229.42 (4) (f) 2., 229.42 (4) (g), 229.42 (4) (h), 229.42
4 (4e), 229.42 (7) (b) 1m., 229.44 (4) (f), 229.445, 229.461, 229.47 (2), 229.48 (7),
5 229.54, 232.05 (2) (h), 342.41, 345.28 (2) (d), 349.13 (1d), 349.132, 846.16 (3) and
6 846.167 of the statutes; **relating to:** constructing a sports and entertainment
7 arena and related facilities and making appropriations.

Analysis by the Legislative Reference Bureau

Engrossment information:

The text of Engrossed 2015 Senate Bill 209, as passed by the senate on July 15, 2015, consists of the following documents adopted in the senate on July 15, 2015: the bill as affected by Senate Amendment 1 and Senate Amendment 1 to Senate Amendment 1. The text also includes the July 15, 2015, chief clerk's corrections to the senate bill.

Content of Engrossed 2015 Senate Bill 209

For a comprehensive analysis of this bill, please refer to the July 2, 2015, memorandum on the Milwaukee Sports Arena, which summarizes the provisions of 2015 LRB-2678/1 and 2015 LRB-2703/1, prepared by the Legislative Fiscal Bureau.

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

8 **SECTION 1.** 16.004 (21) of the statutes is created to read:
9 16.004 (21) PAYMENT TO LOCAL EXPOSITION DISTRICT. (a) Annually, as grants, the
10 secretary shall remit the amounts appropriated under s. 20.855 (4) (cr) and (dr) to
11 a local exposition district created under subch. II of ch. 229 to assist in the
12 development and construction of sports and entertainment arena facilities, as
13 defined in s. 229.41 (11g). The secretary may not remit moneys under this subsection
14 or lapse any moneys under s. 20.835 (6) (g) until the secretary has determined that
15 the sponsoring municipality has provided at least \$47,000,000 for the development

ENGROSSED SENATE BILL 209

1 and construction of sports and entertainment arena facilities and the local exposition
2 district has issued debt to fund the development and construction of sports and
3 entertainment arena facilities. The secretary may not remit from the appropriation
4 account under s. 20.855 (4) (dr) to a local exposition district more than a cumulative
5 total of \$80,000,000.

6 (b) The legislature finds and determines that sports and entertainment arena
7 facilities, as defined in s. 229.41 (11g), encourage economic development and tourism
8 in this state, reduce unemployment in this state, preserve business activities within
9 this state, and bring needed capital into this state for the benefit and welfare of
10 people throughout the state. It is therefore in the public interest and will serve a
11 public purpose, and it is the public policy of this state, to assist a local exposition
12 district in the development and construction of sports and entertainment arena
13 facilities under subch. II of ch. 229.

14 **SECTION 2.** 16.004 (21) of the statutes, as created by 2015 Wisconsin Act (this
15 act), is repealed.

16 **SECTION 3.** 16.004 (22) of the statutes is created to read:

17 16.004 (22) PAYMENT TO BRADLEY CENTER SPORTS AND ENTERTAINMENT
18 CORPORATION. During the 2015–17 fiscal biennium, from the appropriation under s.
19 20.855 (4) (cy), the secretary may make one or more grants to the Bradley Center
20 Sports and Entertainment Corporation, created under ch. 232, for the purpose of
21 assisting the corporation in retiring its obligations and any contractual liabilities.

22 **SECTION 4.** 16.004 (22) of the statutes, as created by 2015 Wisconsin Act (this
23 act), is repealed.

24 **SECTION 5.** 16.58 (3) of the statutes is created to read:

ENGROSSED SENATE BILL 209

1 **SECTION 12.** 20.855 (4) (cy) of the statutes, as created by 2015 Wisconsin Act
2 (this act), is repealed.

3 **SECTION 13.** 20.855 (4) (dr) of the statutes is created to read:

4 20.855 (4) (dr) *Transfer to local exposition district.* The amounts in the
5 schedule to make payments to a local exposition district under s. 16.004 (21) (a).

6 **SECTION 14.** 20.855 (4) (dr) of the statutes, as created by 2015 Wisconsin Act
7 (this act), is repealed.

8 **SECTION 15.** 24.60 (2m) (e) of the statutes is created to read:

9 24.60 (2m) (e) It is made to a local exposition district created under subch. II
10 of ch. 229 for the purpose of financing acquisition, construction, and equipment costs
11 for sports and entertainment arena facilities, as defined in s. 229.41 (11g), and is
12 secured by district revenues.

13 **SECTION 16.** 24.605 of the statutes is amended to read:

14 **24.605 Accounts in trust funds for deposit of proceeds from sale of**
15 **certain lands.** The board shall establish in each of the trust funds an account to
16 which are credited the proceeds from the sale of any public lands on or after May 3,
17 2006, that are required by law to be deposited in the funds. Moneys credited to the
18 accounts in the funds may only be used to invest in land under s. 24.61 (2) (a) ~~10.~~ and
19 for the payment of expenses necessarily related to investing in land under s. 24.61
20 (2) (a) ~~10.~~

21 **SECTION 17.** 24.61 (2) (a) of the statutes is repealed and recreated to read:

22 24.61 (2) (a) *Authorized investments by board.* The board shall manage and
23 invest moneys belonging to the trust funds in good faith and with the care an
24 ordinary prudent person in a like position would exercise under similar
25 circumstances, in accordance with s. 112.11 (3).

ENGROSSED SENATE BILL 209**SECTION 18**

1 **SECTION 18.** 24.61 (2) (cm) (intro.) of the statutes is amended to read:

2 24.61 (2) (cm) *Investments in land in this state.* (intro.) The board may not
3 invest moneys in the purchase of any land under par. (a) ~~10~~, unless all of the following
4 occur:

5 **SECTION 19.** 24.61 (3) (a) 14. of the statutes is created to read:

6 24.61 (3) (a) 14. A local exposition district created under subch. II of ch. 229 for
7 the purpose of financing acquisition, construction, and equipment costs for sports
8 and entertainment arena facilities, as defined in s. 229.41 (11g).

9 **SECTION 20.** 24.62 (3) of the statutes is amended to read:

10 24.62 (3) If any land purchased under s. 24.61 (2) (a) ~~10~~, was at the time of
11 purchase subject to assessment or levy of a real property tax, the board shall make
12 annual payments in lieu of property taxes from the proceeds from the sale of timber
13 or from appropriate trust fund incomes to the appropriate local governmental unit
14 in an amount equal to property taxes levied on the land in the year prior to the year
15 in which the board purchased the land.

16 **SECTION 21.** 24.66 (3y) of the statutes is created to read:

17 24.66 (3y) LOCAL EXPOSITION DISTRICT. An application for a loan by a local
18 exposition district created under subch. II of ch. 229 shall be accompanied by a
19 certified copy of a resolution of the district board of the local exposition district
20 approving the loan.

21 **SECTION 22.** 24.67 (1) (intro.) of the statutes is amended to read:

22 24.67 (1) (intro.) If the board approves the application, it shall cause
23 certificates of indebtedness to be prepared in proper form and transmitted to the
24 municipality, cooperative educational service agency, local exposition district
25 created under subch. II of ch. 229, local professional baseball park district created

ENGROSSED SENATE BILL 209

1 under subch. III of ch. 229, or federated public library system submitting the
2 application. The certificate of indebtedness shall be executed and signed:

3 **SECTION 23.** 24.67 (1) (q) of the statutes is created to read:

4 24.67 (1) (q) For a local exposition district created under subch. II of ch. 229,
5 by the chairperson of the district board.

6 **SECTION 24.** 24.67 (3) of the statutes is amended to read:

7 24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that
8 fact to the board. Upon receiving a certification from a municipality, or upon
9 direction of the board if a loan is made to a cooperative educational service agency,
10 drainage district created under ch. 88, local exposition district created under subch.
11 II of ch. 229, local professional baseball park district created under subch. III of ch.
12 229, or ~~a~~ federated public library system, the board shall disburse the loan amount,
13 payable to the treasurer of the municipality, cooperative educational service agency,
14 drainage district, or federated public library system making the loan or as the
15 treasurer of the municipality, cooperative educational service agency, drainage
16 district, local exposition district, local professional baseball park district, or
17 federated public library system directs. The certificate of indebtedness shall then be
18 conclusive evidence of the validity of the indebtedness and that all the requirements
19 of law concerning the application for the making and acceptance of the loan have
20 been complied with.

21 **SECTION 25.** 24.718 of the statutes is created to read:

22 **24.718 Collections from local exposition districts. (1) APPLICABILITY.** This
23 section applies to all outstanding trust fund loans to local exposition districts created
24 under subch. II of ch. 229.

ENGROSSED SENATE BILL 209**SECTION 25**

1 **(2) CERTIFIED STATEMENT.** If a local exposition district has a state trust fund
2 loan, the board shall transmit to the local exposition district board a certified
3 statement of the amount due on or before October 1 of each year until the loan is paid.
4 The board shall furnish a copy of each certified statement to the department of
5 administration.

6 **(3) PAYMENT TO BOARD.** The local exposition district board shall remit to the
7 board on its own order the full amount due for state trust fund loans within 15 days
8 after March 15. Any payment not made by March 30 is delinquent and is subject to
9 a penalty of 1 percent per month or fraction thereof, to be paid to the board with the
10 delinquent payment.

11 **SECTION 30.** 66.0603 (1g) (a) of the statutes is amended to read:

12 66.0603 **(1g)** (a) In this section, “governing board” has the meaning given under
13 s. 34.01 (1) but does not include a local exposition district board created under subch.
14 II of ch. 229 or a local cultural arts district board created under subch. V of ch. 229.

15 **SECTION 31.** 66.0615 (1m) (f) 4. of the statutes is repealed.

16 **SECTION 32.** 66.1105 (2) (f) 1. (intro.) of the statutes is amended to read:

17 66.1105 **(2)** (f) 1. (intro.) “Project costs” mean any expenditures made or
18 estimated to be made or monetary obligations incurred or estimated to be incurred
19 by the city which are listed in a project plan as costs of public works or improvements
20 within a tax incremental district or, to the extent provided in this subd. 1. (intro.) or
21 subds. 1. k., 1. m., and 1. n., without the district, plus any incidental costs, diminished
22 by any income, special assessments, or other revenues, including user fees or
23 charges, other than tax increments, received or reasonably expected to be received
24 by the city in connection with the implementation of the plan. For any tax
25 incremental district for which a project plan is approved on or after July 31, 1981,

ENGROSSED SENATE BILL 209

1 only a proportionate share of the costs permitted under this subdivision may be
2 included as project costs to the extent that they benefit the tax incremental district,
3 except that expenditures made or estimated to be made or monetary obligations
4 incurred or estimated to be incurred by a 1st class city, to fund parking facilities
5 ancillary to and within one mile from public entertainment facilities, including a
6 sports and entertainment arena, shall be considered to benefit any tax incremental
7 district located in whole or in part within a one-mile radius of such parking facilities.

8 To the extent the costs benefit the municipality outside the tax incremental district,
9 a proportionate share of the cost is not a project cost. “Project costs” include:

10 **SECTION 33.** 66.1105 (2) (f) 1. p. of the statutes is created to read:

11 66.1105 (2) (f) 1. p. Notwithstanding subd. 2. a., a grant, loan, or appropriation
12 of funds to assist a local exposition district created under subch. II of ch. 229 in the
13 development and construction of sports and entertainment arena facilities, as
14 defined in s. 229.41 (11g), provided that the city and the local exposition district enter
15 into a development agreement.

16 **SECTION 34.** 66.1105 (2) (f) 2. (intro.) of the statutes is amended to read:

17 66.1105 (2) (f) 2. (intro.) Notwithstanding subd. 1., except subd. 1. p., none of
18 the following may be included as project costs for any tax incremental district for
19 which a project plan is approved on or after July 31, 1981:

20 **SECTION 35.** 66.1105 (9) (a) 10. of the statutes is created to read:

21 66.1105 (9) (a) 10. With regard to a tax incremental district created by a 1st
22 class city, payment out of the proceeds of revenue bonds issued by a redevelopment
23 authority acting in concert with the city pursuant to a contract under s. 66.0301.

24 **SECTION 36.** 66.1105 (17) (d) of the statutes is created to read:

ENGROSSED SENATE BILL 209**SECTION 36**

1 66.1105 (17) (d) *First class city exception.* If a 1st class city creates a tax
2 incremental district and approves a project plan after July 1, 2015, with project costs
3 that include those described under sub. (2) (f) 1. p., the 12 percent limit specified in
4 sub. (4) (gm) 4. c. does not apply to that district.

5 **SECTION 37.** 70.11 (37) of the statutes is amended to read:

6 70.11 (37) LOCAL EXPOSITION DISTRICT. The property of a local exposition district
7 under subch. II of ch. 229, including sports and entertainment arena facilities, as
8 defined in s. 229.41 (11g), except that any portion of the sports and entertainment
9 arena facilities, excluding the outdoor plaza area, that is used, leased, or subleased
10 for use as a restaurant or for any use licensed under ch. 125, and is regularly open
11 to the general public at times when the sports and entertainment arena, as defined
12 in s. 229.41 (11e), is not being used for events that involve the arena floor and seating
13 bowl, is not exempt under this subsection.

14 **SECTION 38.** 71.05 (1) (c) 6p. of the statutes is created to read:

15 71.05 (1) (c) 6p. A sponsoring municipality borrowing to assist a local
16 exposition district created under subch. II of ch. 229.

17 **SECTION 39.** 71.26 (1m) (n) of the statutes is created to read:

18 71.26 (1m) (n) Those issued by a sponsoring municipality to assist a local
19 exposition district created under subch. II of ch. 229.

20 **SECTION 44.** 77.22 (1) of the statutes is amended to read:

21 77.22 (1) There is imposed on the grantor of real estate a real estate transfer
22 fee at the rate of 30 cents for each \$100 of value or fraction thereof on every
23 conveyance not exempted or excluded under this subchapter. In regard to land
24 contracts the value is the total principal amount that the buyer agrees to pay the
25 seller for the real estate. This fee shall be collected by the register at the time the

ENGROSSED SENATE BILL 209

1 instrument of conveyance is submitted for recording. Except as provided in s. 77.255,
2 at the time of submission the grantee or his or her duly authorized agent or other
3 person acquiring an ownership interest under the instrument, or the clerk of court
4 or judgment creditor in the case of a foreclosure under s. 846.16 (1), shall execute a
5 return, signed by both grantor and grantee, on the form prescribed under sub. (2).
6 The register shall enter the fee paid on the face of the deed or other instrument of
7 conveyance before recording, and, except as provided in s. 77.255, submission of a
8 completed real estate transfer return and collection by the register of the fee shall
9 be prerequisites to acceptance of the conveyance for recording. The register shall
10 have no duty to determine either the correct value of the real estate transferred or
11 the validity of any exemption or exclusion claimed. If the transfer is not subject to
12 a fee as provided in this subchapter, the reason for exemption shall be stated on the
13 face of the conveyance to be recorded by reference to the proper subsection under s.
14 77.25.

15 **SECTION 45.** 77.54 (62) of the statutes is created to read:

16 77.54 (62) The sales price from the sale of building materials, supplies, and
17 equipment and the sale of services described in s. 77.52 (2) (a) 20. to; and the storage,
18 use, or other consumption of the same property and services by; owners, lessees,
19 contractors, subcontractors, or builders if that property or service is acquired solely
20 for or used solely in, the construction or development of sports and entertainment
21 arena facilities, as defined in s. 229.41 (11g), but not later than one year after the
22 secretary of administration issues the certification under s. 229.42 (4e) (d).

23 **SECTION 45d.** 77.98 (3) of the statutes is amended to read:

24 77.98 (3) ~~For~~ Except as provided in sub. (4), for purposes of sub. (1) (a),
25 “premises” shall be broadly construed and shall include the lobby, aisles, and

ENGROSSED SENATE BILL 209

1 auditorium of a theater or the seating, aisles, and parking area of an arena, a rink,
2 or a stadium, or the parking area of a drive-in or an outdoor theater. The premises
3 of a caterer with respect to catered meals or beverages shall be the place where
4 served.

5 **SECTION 45e.** 77.98 (4) of the statutes is created to read:

6 77.98 (4) (a) Except as provided in par. (b), the tax imposed under this section
7 shall not be imposed on the sale of alcoholic beverages, candy, prepared food, or soft
8 drinks sold by a person engaged in the retail trade as a food and beverage store, as
9 classified under sector 44–45, subsector 445, of the North American Industry
10 Classification System, 1997 edition, published by the U.S. office of management and
11 budget, beginning on the first day of the calendar quarter that is at least 120 days
12 after the date on which the bonds issued by the district under subch. II of ch. 229
13 during the first 60 months after April 26, 1994, and any debt issued to fund or refund
14 those bonds, are retired. The district shall notify the department of revenue, in the
15 manner prescribed by the department, when such bonds and debt are retired.

16 (b) Notwithstanding par. (a), the district board may, by a majority vote of its
17 members, reimpose the tax under this section on a person engaged in a retail trade,
18 as described under par. (a).

19 **SECTION 45f.** 77.982 (3) of the statutes is amended to read:

20 77.982 (3) From the appropriation under s. 20.835 (4) (gg), the department of
21 revenue shall distribute 97.45% of the taxes collected under this subchapter for each
22 district to that district and shall indicate to the district the taxes reported by each
23 taxpayer in that district, no later than the end of the month following the end of the
24 calendar quarter in which the amounts were collected. The taxes distributed shall
25 be increased or decreased to reflect subsequent refunds, audit adjustments, and all

ENGROSSED SENATE BILL 209

1 other adjustments. Interest paid on refunds of the tax under this subchapter shall
2 be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1)
3 (a). Those taxes ~~may~~ shall first be used ~~only~~ for the district's debt service on its bond
4 obligations, as described in s. 77.98 (4). After such obligations are retired, the district
5 may use the taxes for any lawful purpose. Any district that receives a report along
6 with a payment under this subsection is subject to the duties of confidentiality to
7 which the department of revenue is subject under s. 77.61 (5) and (6).

8 **SECTION 46.** 77.983 of the statutes is repealed.

9 **SECTION 47.** 77.992 of the statutes is repealed.

10 **SECTION 48.** 79.035 (5) of the statutes is amended to read:

11 79.035 (5) ~~For~~ Except as provided in sub. (6), for the distribution in 2013 and
12 subsequent years, each county and municipality shall receive a payment under this
13 section that is equal to the amount of the payment determined for the county or
14 municipality under this section for 2012.

15 **SECTION 48d.** 79.035 (5) of the statutes, as affected by 2015 Wisconsin Act
16 (this act), is repealed and recreated to read:

17 79.035 (5) For the distribution in 2013 and subsequent years, each county and
18 municipality shall receive a payment under this section that is equal to the amount
19 of the payment determined for the county or municipality under this section for 2012.

20 **SECTION 49.** 79.035 (6) of the statutes is created to read:

21 79.035 (6) Beginning with the distributions in 2016 and ending with the
22 distributions in 2035, the annual payment under this section to a county in which
23 a sports and entertainment arena, as defined in s. 229.41 (11e), is located shall be the
24 amount otherwise determined for the county under this section, minus \$4,000,000.

ENGROSSED SENATE BILL 209

1 **SECTION 49d.** 79.035 (6) of the statutes, as created by 2015 Wisconsin Act ...
2 (this act), is repealed.

3 **SECTION 50.** 229.26 (4) of the statutes is amended to read:

4 229.26 (4) Title to all property real or personal of the convention institution
5 shall be in the name of such city and shall, except as provided in s. 229.47 (1), be held
6 by such city for such purposes, but the board shall determine the use to which such
7 property shall be devoted as provided for in this section.

8 **SECTION 51.** 229.26 (4m) of the statutes is amended to read:

9 229.26 (4m) A common council that creates a convention institution under this
10 section may dissolve the convention institution and the convention institution's
11 board and transfer all of the assets and liabilities owned or administered by the
12 convention institution if the common council enters into a transfer agreement under
13 s. 229.47 (1) with a district that has jurisdiction over the territory in which the
14 convention institution is located.

15 **SECTION 52.** 229.26 (10) of the statutes is amended to read:

16 229.26 (10) If the employees who perform services for the board are included
17 within one or more collective bargaining units under subch. IV of ch. 111 that do not
18 include other employees of the sponsoring municipality, and a collective bargaining
19 agreement exists between the sponsoring municipality and the representative of
20 those employees in any such unit, and if the common council enters into a transfer
21 agreement under s. 229.47 (1), the board shall transfer its functions under that
22 collective bargaining agreement to a local exposition district under subch. II in
23 accordance with the transfer agreement. Upon the effective date of the transfer, the
24 local exposition district shall carry out the functions of the employer under that
25 agreement. Notwithstanding s. 111.70 (4) (d), during the term of any such collective

ENGROSSED SENATE BILL 209

1 bargaining agreement that is in effect at the time of the transfer, the existing
2 collective bargaining unit to which the agreement applies shall not be altered.

3 **SECTION 53.** 229.40 of the statutes is created to read:

4 **229.40 Legislative declaration.** (1) The legislature finds and determines
5 that the provision of assistance by state agencies, in conjunction with local units of
6 government, to a district under this subchapter and any expenditure of funds to
7 assist a district under this subchapter serve a statewide public purpose by assisting
8 the development and construction of sports and entertainment arena facilities in the
9 state for providing recreation, by encouraging economic development and tourism,
10 by reducing unemployment, by preserving business activities within the state, and
11 by bringing needed capital into the state for the benefit and welfare of people
12 throughout the state.

13 (2) The legislature finds and determines that a district serves a public purpose
14 in the district's jurisdiction to the local units of government in which it is located by
15 providing recreation, by encouraging economic development and tourism, by
16 reducing unemployment, by preserving business activities within the district's
17 jurisdiction, and by bringing needed capital into the district's jurisdiction for the
18 benefit and welfare of people in the district's jurisdiction.

19 **SECTION 54.** 229.41 (9e) of the statutes is created to read:

20 229.41 (9e) "Professional basketball team" means a team that is a member of
21 a league of professional basketball teams that have home arenas approved by the
22 league in at least 10 states and a collective average attendance for all league
23 members of at least 10,000 persons per game over the 5 years immediately preceding
24 the year in which a district is created.

25 **SECTION 55.** 229.41 (11e) of the statutes is created to read:

ENGROSSED SENATE BILL 209**SECTION 55**

1 229.41 (11e) “Sports and entertainment arena” means the arena structure and
2 the land necessary for its location that is used as the home arena of a professional
3 basketball team and for other sports, recreation, and entertainment activities.

4 **SECTION 56.** 229.41 (11g) of the statutes is created to read:

5 229.41 (11g) “Sports and entertainment arena facilities” means the sports and
6 entertainment arena and structures, including all fixtures, equipment, and tangible
7 personal property that are used primarily to support the operation of the sports and
8 entertainment arena or are functionally related to the sports and entertainment
9 arena, located on land not to exceed 9 contiguous acres in area. Such sports and
10 entertainment arena facilities shall include such land and may include offices of the
11 professional basketball team or its affiliate, parking spaces and garages, storage or
12 loading facilities, access ways, sidewalks, a skywalk, plazas, transportation
13 facilities, and sports team stores located on such land. In addition, “sports and
14 entertainment arena facilities” also includes a parking structure to be constructed
15 by a professional basketball team or its affiliate in conjunction with the construction
16 of the sports and entertainment arena and to be owned by the sponsoring
17 municipality.

18 **SECTION 57.** 229.41 (12) of the statutes is amended to read:

19 229.41 (12) “Transfer agreement” means the contract between a district and
20 a sponsoring municipality under s. 229.47 (1), or a contract between a district and
21 the Bradley Center Sports and Entertainment Corporation under s. 229.47 (2), that
22 provides the terms and conditions upon which the ownership and operation of an
23 exposition center and exposition center facilities are or ownership of the Bradley
24 Center or any part of the center, including real property, is transferred from a

ENGROSSED SENATE BILL 209

1 sponsoring municipality or the Bradley Center Sports and Entertainment
2 Corporation to the district.

3 **SECTION 58.** 229.42 (4) (intro.) of the statutes is amended to read:

4 229.42 (4) (intro.) If Subject to sub. (4e), if the sole sponsoring municipality is
5 a 1st class city, the board of directors shall consist of ~~15~~ 17 members, who shall be
6 qualified and appointed, subject to sub. (7) (b), as follows:

7 **SECTION 59.** 229.42 (4) (d) of the statutes is amended to read:

8 229.42 (4) (d) Three members, 2 of whom shall be primarily employees or
9 officers of a private sector entity, shall be appointed by the county executive of the
10 most populous county in which the sponsoring municipality is located and the 2
11 private sector entity members shall reside in the county but may not reside in the
12 sponsoring municipality. The 3rd member shall be the chief executive officer of a
13 municipality that contributes a minimum of five-fourteenths of its room tax to an
14 entity which promotes tourism and conventions within the jurisdiction of the
15 district, as that term is used in s. 229.43, except that if no municipality makes this
16 minimum contribution the 3rd member shall be a resident of the district. The room
17 tax contribution shall be at least \$150,000 each year. The chief executive officer
18 appointed under this paragraph shall serve a term that expires 2 years after his or
19 her appointment, or shall serve until the expiration of his or her term of elective
20 office, whichever occurs first. This paragraph does not apply, and no appointments
21 may be made under this paragraph, after the secretary of administration issues the
22 certification described in sub. (4e) (d).

23 **SECTION 60.** 229.42 (4) (e) of the statutes is amended to read:

24 229.42 (4) (e) Four members, one of whom shall be the secretary of
25 administration, ~~or the secretary's designee,~~ and 3 of whom shall be primarily

ENGROSSED SENATE BILL 209**SECTION 60**

1 employees or officers of a private sector entity, who shall be appointed by the
2 governor. Of the 3 members who are officers or employees of a private sector entity,
3 at least one of the appointees shall own, operate or manage an enterprise that is
4 located within the district's jurisdiction and that has significant involvement with
5 the food and beverage industry and at least one of the appointees shall own, operate
6 or manage an enterprise that is located within the district's jurisdiction and that has
7 significant involvement with the lodging industry. At least 2 of the appointees under
8 this paragraph shall reside in the district's jurisdiction but may not reside in the
9 sponsoring municipality. Upon the secretary of administration issuing the
10 certification described in sub. (4e) (d), the secretary may continue to serve on the
11 board of directors or may select a designee to serve in his or her place, and the 3
12 members previously appointed by the governor under this paragraph shall be
13 appointed by the county executive of the most populous county in which the
14 sponsoring municipality is located, subject to the other provisions of this paragraph.

15 **SECTION 61.** 229.42 (4) (f) of the statutes is renumbered 229.42 (4) (f) 1. and
16 amended to read:

17 229.42 (4) (f) 1. ~~Two members, each of whom shall be a cochairperson of the joint~~
18 ~~committee on finance~~ one of whom shall be the speaker of the assembly, or his or her
19 designee, and one of whom shall be the senate majority leader, or his or her designee,
20 if the designee is a member of the same house of the legislature as the ~~cochairperson~~
21 speaker or majority leader who makes the designation.

22 **SECTION 61e.** 229.42 (4) (f) 2. of the statutes is created to read:

23 229.42 (4) (f) 2. Two members, one of whom shall be the minority leader of the
24 assembly, or his or her designee, and one of whom shall be the senate minority leader,

ENGROSSED SENATE BILL 209

1 or his or her designee, if the designee is a member of the same house of the legislature
2 as the minority leader who makes the designation.

3 **SECTION 62.** 229.42 (4) (g) of the statutes is created to read:

4 229.42 (4) (g) Upon the secretary of administration issuing the certification
5 described in sub. (4e) (d):

6 1. One member who shall be appointed by the county executive of the most
7 populous county in which the sponsoring municipality is located and who shall be
8 either primarily an employee or officer of a private sector entity. The appointee shall
9 own, operate, or manage an enterprise that is located within the district's
10 jurisdiction and that has either significant involvement with the food and beverage
11 industry or significant involvement with the lodging industry. The appointee under
12 this subdivision shall reside in the district's jurisdiction but may not reside in the
13 sponsoring municipality.

14 2. One member who shall be appointed by the county executive of the most
15 populous county in which the sponsoring municipality is located and who is the chief
16 executive officer, or his or her designee, of a municipality that contributes a
17 minimum of five-fourteenths of its room tax to an entity that promotes tourism and
18 conventions within the jurisdiction of the district, as that term is used in s. 229.43.
19 If no municipality makes this minimum contribution, the county executive shall
20 appoint an additional member who shall be a resident of the district. The room tax
21 contribution shall be at least \$150,000 each year. The chief executive officer
22 described under this subdivision shall serve a term that is concurrent with his or her
23 term of elective office.

24 **SECTION 63.** 229.42 (4) (h) of the statutes is created to read:

ENGROSSED SENATE BILL 209**SECTION 63**

1 229.42 (4) (h) Upon the secretary of administration issuing the certification
2 described in sub. (4e) (d), one member shall be the comptroller of the most populous
3 county in which the sponsoring municipality is located, except that if that county
4 does not have a comptroller, one member shall be the chief financial officer of the
5 most populous county in which the sponsoring municipality is located.

6 **SECTION 64.** 229.42 (4e) of the statutes is created to read:

7 229.42 (4e) (a) With regard to a district that exists on the effective date of this
8 paragraph [LRB inserts date], notwithstanding the provisions of subs. (4) (a) to
9 (f) and (7) (b), the terms of office of all members of the board of directors shall expire
10 on the effective date of this paragraph [LRB inserts date], except that the
11 secretary of administration shall continue as a board member and he or she shall
12 become chairperson of the board of directors, notwithstanding sub. (8).

13 (b) Not later than 30 days after the effective date of this paragraph [LRB
14 inserts date], each appointing authority under sub. (4) (a) to (e) shall appoint and
15 certify new members of the board of directors as provided in sub. (4) and s. 229.435,
16 except that the secretary of administration who continues in office as provided in par.
17 (a) need not be reappointed under sub. (4) (e). The members described in sub. (4) (c)
18 and (f) shall become members of the board of directors on the effective date of this
19 paragraph [LRB inserts date].

20 (c) Notwithstanding the provisions of sub. (3), the secretary of administration
21 may act before all board members appointed as provided in par. (b) are certified.

22 (d) The secretary of administration shall serve as chairperson of the board of
23 directors until the secretary certifies that a sports and entertainment arena, the
24 construction of which commences on or after the effective date of this paragraph
25 [LRB inserts date], is completed. The secretary of administration shall make the

ENGROSSED SENATE BILL 209

1 certification described under this paragraph as soon as he or she determines that the
2 sports and entertainment arena is completed, but not later than the first game
3 played in the sports and entertainment arena by the professional basketball team
4 that uses the arena as its home arena.

5 (e) The terms of board members appointed under par. (b) shall expire or
6 terminate upon the earliest occurrence of one of the following:

7 1. Two years after the member is certified under s. 229.435.

8 2. The secretary of administration makes the certification described in par. (d).

9 3. One of the provisions described in sub. (7) (b) 2. or 3. occurs.

10 (f) Upon the secretary of administration issuing the certification described in
11 par. (d), which shall cause the expiration or termination of the terms of all board
12 members as provided in this subsection, each appointing authority under sub. (4)
13 shall appoint and certify new members of the board of directors, as provided in sub.
14 (4) and s. 229.435, not later than 30 days after the secretary issues the certification.
15 The secretary of administration or the secretary's designee, and the persons
16 described in sub. (4) (c), (f), and (h), are considered to be certified upon the secretary
17 issuing the certification described in par. (d). A board of directors consisting of
18 members whose appointments are described under this paragraph may not take any
19 action until a majority of board members so appointed are certified. No individual
20 appointive board member may act until he or she is appointed and certified.

21 **SECTION 65.** 229.42 (7) (b) 1m. of the statutes is created to read:

22 229.42 (7) (b) 1m. Subject to subds. 2. and 3. and sub. (4) (g), the terms of office
23 of the members of the board of directors shall be 3 years, except that for the initial
24 appointments that occur following the secretary of administration issuing the
25 certification described in sub. (4e) (d), 3 of the appointments shall be for one year, 3

ENGROSSED SENATE BILL 209**SECTION 65**

1 appointments shall be for 2 years, and 3 appointments shall be for 3 years. The
2 comptroller's appointments shall be for the comptroller's tenure in his or her
3 position. The term of the secretary of administration or his or her designee shall be
4 concurrent with the secretary's term in office, and the terms of the persons described
5 in sub. (4) (f) shall be their terms in office or the term of the person who designated
6 the board members under sub. (4) (f). The length of the initial terms shall be
7 determined jointly by the secretary of administration and the county executive of the
8 most populous county in which the sponsoring municipality is located. With regard
9 to appointed board members to whom this subdivision applies, no individual may
10 serve on the board of directors for more than 6 years.

11 **SECTION 66.** 229.435 of the statutes is amended to read:

12 **229.435 Certification of board members.** Within 30 days after a sponsoring
13 ~~municipality files an enabling resolution under s. 229.42 (1) (b),~~ following the
14 expiration of terms as described in s. 229.42 (4e) (a), and upon the secretary of
15 administration issuing the certification described in s. 229.42 (4e) (d), each person
16 who may appoint members to a board of directors under s. 229.42 (4), (5) or (6) shall
17 certify to the department of administration the names of the persons appointed to
18 the board of directors under s. 229.42 (5) or (6) or, if the sole sponsoring municipality
19 is a 1st class city, the names of the persons appointed to the board of directors under
20 s. 229.42 (4).

21 **SECTION 67.** 229.44 (4) (intro.) of the statutes is amended to read:

22 229.44 (4) (intro.) Do any of the following in connection with an exposition
23 center and exposition center facilities and sports and entertainment arena and
24 sports and entertainment arena facilities:

25 **SECTION 68.** 229.44 (4) (a) of the statutes is amended to read:

ENGROSSED SENATE BILL 209

1 229.44 (4) (a) Acquire, construct, equip, maintain, improve, operate and
2 manage the exposition center and exposition center facilities, or engage other
3 persons to do these things. Acquire, construct, and equip the sports and
4 entertainment arena and sports and entertainment arena facilities, or engage other
5 persons to do these things. If the professional basketball team or its affiliate
6 breaches the non-relocation agreement or lease under s. 229.461, the district may
7 equip, maintain, improve, operate, and manage the sports and entertainment arena
8 and sports and entertainment arena facilities, or engage other persons to do these
9 things, but only from moneys received from the parent company of the professional
10 basketball team, the professional basketball team, or its affiliate resulting from the
11 breach of the non-relocation agreement or lease.

12 **SECTION 69.** 229.44 (4) (b) of the statutes is amended to read:

13 229.44 (4) (b) ~~Acquire, lease, use or transfer; lease, as lessor or lessee; use; or~~
14 transfer or accept transfers of property. With the approval of all sponsoring
15 municipalities of the district, the district may acquire property by condemnation
16 using the procedure under s. 32.05 or 32.06.

17 **SECTION 70.** 229.44 (4) (c) of the statutes is amended to read:

18 229.44 (4) (c) ~~Improve, maintain, and repair~~ real property, ~~except that the~~
19 district may only improve, maintain, and repair the sports and entertainment arena
20 facilities, or engage other persons to do these things, if the professional basketball
21 team or its affiliate breaches the non-relocation agreement or lease under s. 229.461
22 and only from moneys received from the parent company of the professional
23 basketball team, the professional basketball team, or its affiliate resulting from the
24 breach of the non-relocation agreement or lease.

25 **SECTION 71.** 229.44 (4) (d) of the statutes is amended to read:

ENGROSSED SENATE BILL 209**SECTION 71**

1 229.44 (4) (d) Enter into contracts. ~~All~~ Except as provided in s. 229.461, all
2 contracts, the estimated costs of which exceed \$30,000 \$100,000, except contracts
3 subject to s. 229.46 (5) and contracts for personal or professional services, shall be
4 subject to bid and shall be awarded to the lowest qualified and competent bidder. The
5 district may reject any bid that is submitted under this paragraph.

6 **SECTION 72.** 229.44 (4) (f) of the statutes is created to read:

7 229.44 (4) (f) Sell or otherwise dispose of unneeded or unwanted property.

8 **SECTION 73.** 229.44 (5) of the statutes is amended to read:

9 229.44 (5) Employ personnel, and fix and regulate their compensation; and
10 provide, either directly or subject to an agreement under s. 66.0301 or 229.47 (1) as
11 a participant in a benefit plan of another governmental entity, any employee
12 benefits, including an employee pension plan.

13 **SECTION 74.** 229.44 (6) of the statutes is amended to read:

14 229.44 (6) Purchase insurance, establish and administer a plan of
15 self-insurance or, subject to an agreement with another governmental entity under
16 s. 66.0301 or 229.47 (1), participate in a governmental plan of insurance or
17 self-insurance.

18 **SECTION 74e.** 229.445 of the statutes is created to read:

19 **229.445 Ticket surcharge.** The board of directors shall require the sponsor
20 of an event held at a sports and entertainment arena to impose a \$2 surcharge on
21 each ticket that is sold to the event. The event sponsor shall forward to the board of
22 directors any surcharges collected under this section. The board of directors shall
23 submit 25 percent of the amount received under this section to the department of
24 administration for deposit into the general fund and shall retain the remainder for
25 the district.

ENGROSSED SENATE BILL 209

1 **SECTION 75.** 229.461 of the statutes is created to read:

2 **229.461 Development agreement, non-relocation agreement, lease. (1)**

3 A district shall enter into a development agreement with a professional basketball
4 team or its affiliate to require the professional basketball team or affiliate to develop
5 and construct sports and entertainment arena facilities that will be financed in part
6 by the district and, subject to sub. (3) (d), leased to the professional basketball team
7 or its affiliate as provided in this subchapter. Before a district may sign the
8 development agreement, the secretary of administration shall certify that the
9 professional basketball team or its affiliate has agreed to fund at least \$250,000,000
10 to the development and construction of the sports and entertainment arena facilities.
11 In addition, the professional basketball team or its affiliate must have entered into
12 the non-relocation agreement under sub. (2) before the district may sign the
13 development agreement.

14 **(2)** In consideration of the district, this state, a sponsoring municipality, and
15 the most populous county in which the sponsoring municipality is located promising
16 to commit \$250,000,000 of financial assistance to the development and construction
17 of the sports and entertainment arena facilities and granting a professional
18 basketball team, or its affiliate, the right to operate and manage the sports and
19 entertainment arena facilities, the professional basketball team shall enter into a
20 non-relocation agreement with the district, before it or its affiliate enters into a
21 development agreement with the district under sub. (1), that contains all of the
22 following provisions and commitments during the term of the lease:

23 (a) The professional basketball team shall play substantially all of its home
24 games at the sports and entertainment arena, once it is constructed.

ENGROSSED SENATE BILL 209**SECTION 75**

1 (b) The professional basketball team shall maintain its membership in the
2 National Basketball Association or a successor league.

3 (c) The professional basketball team shall maintain its headquarters in this
4 state.

5 (d) The professional basketball team shall maintain in its official team name
6 the name of the sponsoring municipality.

7 (e) The professional basketball team shall not relocate to another political
8 subdivision during the term of the lease.

9 (f) If the professional basketball team is sold or ownership is transferred to
10 another person, the professional basketball team shall ensure that any person who
11 acquires the professional basketball team, including upon foreclosure, commits to
12 acquire the professional basketball team subject to the team's obligations under the
13 non-relocation agreement.

14 (g) During the last 5 years of the original 30-year lease, and during any 5-year
15 extension of the lease, the professional basketball team may negotiate, and enter into
16 agreements, with 3rd parties regarding the professional basketball team playing its
17 home games at a site different from the site to which the lease applies after the
18 conclusion of the lease.

19 **(3)** The lease between the district and the professional basketball team or its
20 affiliate shall contain at least all of the following:

21 (a) The term of the lease shall be for 30 years, plus 2 extensions of 5 years each,
22 both extensions at the professional basketball team's or its affiliate's option.

23 (b) The lease shall contain provisions concerning the transfer of the Bradley
24 Center and the land on which it is located from the district to the professional
25 basketball team or its affiliate and, following that transfer, subsequent demolition

ENGROSSED SENATE BILL 209

1 of the Bradley Center arena structure, consistent with s. 229.47 (2) (c). The district
2 shall convey fee title to the professional basketball team or its affiliate free and clear
3 of all liens, encumbrances, and obligations, except for easements or similar
4 restrictions that do not include a monetary component. Provided that the Bradley
5 Center arena structure is transferred as provided under this paragraph, the lease
6 shall require the professional basketball team or its affiliate to pay for all costs
7 related to the demolition of the Bradley Center arena structure.

8 (c) The professional basketball team or its affiliate shall be responsible for
9 equipping, maintaining, operating, improving, and repairing sports and
10 entertainment arena facilities that are constructed pursuant to a development
11 agreement entered into under sub. (1). If the professional basketball team or its
12 affiliate breaches the development agreement or non-relocation agreement, the
13 parent company of the professional basketball team shall be jointly and severally
14 responsible with the professional basketball team or its affiliate for the costs of
15 equipping, maintaining, operating, and repairing the sports and entertainment
16 arena facilities during the term of the lease. In addition, the professional basketball
17 team or its affiliate shall be entitled to receive all revenues, other than surcharges
18 collected under s. 229.445, related to the operation or use of the sports and
19 entertainment arena facilities, including, but not limited to, ticket revenues,
20 licensing or user fees, sponsorship revenues, revenues generated from events that
21 are held on the plaza that is part of the sports and entertainment arena facilities,
22 revenues from the sale of food, beverages, merchandise, and parking, and revenues
23 from naming rights.

24 (d) The lease shall allow for a separate agreement between the sponsoring
25 municipality and the professional basketball team or its affiliate that addresses the

ENGROSSED SENATE BILL 209**SECTION 75**

1 development and construction, leasing, operation, maintenance, and repair of a
2 parking structure constructed as part of the sports and entertainment arena
3 facilities and the ownership of and revenues from the parking structure.

4 (4) (a) If the professional basketball team or its affiliate breaches the lease, the
5 district may enforce the lease.

6 (b) If the professional basketball team or its affiliate breaches the
7 non-relocation agreement, the state, the district, the sponsoring municipality, and
8 the most populous county in which the sponsoring municipality is located may act
9 individually or collectively to enforce the non-relocation agreement and, if they
10 prevail, are entitled to all of the following:

11 1. Injunctive relief.

12 2. a. Liquidated damages from the parent company of the professional
13 basketball team, the professional basketball team, or its affiliate in an amount equal
14 to the outstanding balance of principal and accrued unpaid interest remaining on
15 any debt issued or incurred by the district, this state, a sponsoring municipality, and
16 the most populous county in which the sponsoring municipality is located for the
17 development and construction of the sports and entertainment arena facilities.

18 b. If the professional basketball team or its affiliate, at the time of its breach
19 of the non-relocation agreement, is also in breach of its obligations under the lease
20 to equip, maintain, operate, and repair the sports and entertainment arena facilities,
21 liquidated damages from the parent company of the professional basketball team,
22 the professional basketball team, or its affiliate shall also include an amount equal
23 to the cost of performing these obligations during the term of the lease.

24 c. Liquidated damages awarded under this subdivision shall be apportioned
25 among the district, this state, a sponsoring municipality, and the most populous

ENGROSSED SENATE BILL 209

1 county in which the sponsoring municipality is located in proportion to that entity's
2 financial contributions towards the development and construction of the sports and
3 entertainment arena facilities.

4 (5) The secretary of administration, in his or her capacity as chairperson of the
5 board of directors, shall negotiate the development agreement, the lease, and the
6 non-relocation agreement under this section on behalf of the district and may enter
7 into any such development agreement, non-relocation agreement, or lease without
8 the approval of the board of directors. Any subsequent amendments to, or renewal
9 or extensions of, the development agreement, the non-relocation agreement, or the
10 lease shall require the approval of the board of directors.

11 **SECTION 76.** 229.47 of the statutes is renumbered 229.47 (1).

12 **SECTION 77.** 229.47 (2) of the statutes is created to read:

13 229.47 (2) (a) Subject to s. 232.05 (3) (a), a district shall enter into one or more
14 transfer agreements with the Bradley Center Sports and Entertainment
15 Corporation regarding the transfer of the Bradley Center or any part of the center,
16 including land that cannot be transferred under par. (b). Any such transfer shall be
17 for nominal financial consideration.

18 (b) Following execution of a lease under s. 229.461 (3) and forgiveness by the
19 professional basketball team of any outstanding debt owed to the professional
20 basketball team by the Bradley Center Sports and Entertainment Corporation, the
21 Bradley Center Sports and Entertainment Corporation shall transfer to the district
22 the land described in s. 229.41 (11e) that is owned by the Bradley Center Sports and
23 Entertainment Corporation. The transfer shall occur pursuant to transfer
24 agreements and a parcel transfer schedule certified by the secretary of
25 administration.

ENGROSSED SENATE BILL 209**SECTION 77**

1 (c) A transfer agreement shall specify that demolition of the Bradley Center
2 will commence not later than 180 days after the center is transferred to the district,
3 as described in s. 232.05 (2) (h) and that the Bradley Center parking structure may
4 continue to exist and operate.

5 **SECTION 78.** 229.477 of the statutes is amended to read:

6 **229.477 Dissolution of a district.** Subject to providing for the payment of
7 its bonds, including interest on the bonds, and the performance of its other
8 contractual obligations, a district may be dissolved by the joint action of the district's
9 board of directors and sponsoring municipality. If the district is dissolved, the
10 property of the district that does not include sports and entertainment arena
11 facilities shall be transferred to its sponsoring municipality. Subject to the terms of
12 any lease under s. 229.461 (3), the property of the district that does include sports
13 and entertainment arena facilities shall be transferred to the local units of
14 government that compose the district's jurisdiction in such proportions as the
15 secretary of administration determines fairly and reasonably represent the
16 contributions of each local unit of government to the development, construction,
17 operation, maintenance, or improvement of the property that contains sports and
18 entertainment arena facilities. If the district was created by more than one
19 sponsoring municipality, the municipalities shall agree on the apportioning of the
20 district's property before the district may be dissolved.

21 **SECTION 79.** 229.48 (1) (intro.) of the statutes is amended to read:

22 229.48 (1) (intro.) A district may issue bonds for costs and purposes that are
23 related to an exposition center or an exposition center facility or sports and
24 entertainment arena or sports and entertainment arena facilities, including all of
25 the following:

ENGROSSED SENATE BILL 209

1 **SECTION 80.** 229.48 (1) (a) of the statutes is amended to read:

2 229.48 (1) (a) Costs of acquiring, constructing, equipping, maintaining or
3 improving an exposition center or an exposition center facility or initially developing
4 and constructing a sports and entertainment arena or sports and entertainment
5 arena facilities.

6 **SECTION 81.** 229.48 (1) (b) of the statutes is amended to read:

7 229.48 (1) (b) Costs of acquiring or improving an exposition center site or sports
8 and entertainment arena facilities site.

9 **SECTION 82.** 229.48 (1) (c) of the statutes is amended to read:

10 229.48 (1) (c) Engineering, architectural or consultant fees, costs of
11 environmental or feasibility studies, permit and license fees and similar planning or
12 preparatory costs, that are related to an exposition center or exposition center
13 facility or sports and entertainment arena or sports and entertainment arena
14 facilities.

15 **SECTION 83.** 229.48 (1) (d) of the statutes is amended to read:

16 229.48 (1) (d) Funding budgeted costs for an exposition center or exposition
17 center facility or sports and entertainment arena or sports and entertainment arena
18 facilities for the 6-month period immediately following the completion of its
19 construction or acquisition.

20 **SECTION 84.** 229.48 (1) (e) of the statutes is amended to read:

21 229.48 (1) (e) Interest on bonds or on any debt that is retired with the proceeds
22 of bonds, if the interest is incurred or is reasonably expected to be incurred during
23 the time period beginning a reasonable time period prior to the construction or
24 acquisition of an exposition center or exposition center facility or sports and

ENGROSSED SENATE BILL 209**SECTION 84**

1 entertainment arena or sports and entertainment arena facilities and ending 6
2 months after the completion of the construction or acquisition.

3 **SECTION 85.** 229.48 (1m) of the statutes is amended to read:

4 229.48 (1m) For financing purposes, exposition centers and exposition center
5 facilities and sports and entertainment arenas and sports and entertainment arena
6 facilities are public utilities and tax revenues imposed under s. 66.0615 (1m) (a) and
7 (b) and subchs. VIII and IX of ch. 77 are property or income of the public utility.

8 **SECTION 86.** 229.48 (2) of the statutes is amended to read:

9 229.48 (2) All bonds are negotiable for all purposes, notwithstanding their
10 payment from a limited source. A district may retain the building commission, the
11 department of administration, or any other person as its financial consultant to
12 assist with and coordinate the issuance of bonds and shall use the building
13 commission as its financial consultant for bonds secured by a special debt service
14 reserve fund under s. 229.50.

15 **SECTION 87.** 229.48 (7) of the statutes is created to read:

16 229.48 (7) The maximum amount of bond proceeds that a district may receive
17 from bonds issued to fund the development and construction of sports and
18 entertainment arena facilities is \$203,000,000. The district may receive additional
19 proceeds from the bonds to pay issuance or administrative costs related to the bonds,
20 to make deposits in reserve funds related to the bonds, to pay accrued or funded
21 interest on the bonds, and to pay the costs of credit enhancement for the bonds.

22 **SECTION 88.** 229.50 (1) (a) (intro.) of the statutes is amended to read:

23 229.50 (1) (a) *Substantial statewide public purpose.* (intro.) The proceeds of
24 the bonds, other than refunding bonds, will be used in connection with an exposition
25 center, or an exposition center facility used primarily to support the activities of an

ENGROSSED SENATE BILL 209

1 exposition center, or a sports and entertainment arena, or sports and entertainment
2 arena facilities, that serves a substantial statewide public purpose. An exposition
3 center serves a substantial statewide public purpose if all of the following conditions
4 are met:

5 **SECTION 89.** 229.50 (1) (d) of the statutes is amended to read:

6 229.50 (1) (d) *Use of net proceeds.* Not more than \$170,000,000 of the total net
7 proceeds of all bonds, other than refunding bonds, that would be secured by all
8 special debt service reserve funds of the district will be used for the purposes
9 specified under s. 229.48 (1) (a) to (c), except that no proceeds of the bonds secured
10 by a special debt service reserve fund may be used to remodel or refurbish an existing
11 exposition center or existing exposition center facilities transferred under a transfer
12 agreement under s. 229.47 (1).

13 **SECTION 90.** 229.50 (1) (f) of the statutes is amended to read:

14 229.50 (1) (f) *Transfer agreement.* A sponsoring municipality of the district
15 issuing the bonds has entered into a transfer agreement under s. 229.47 (1) that
16 transfers to the district the sponsoring municipality's interests in an existing
17 exposition center and exposition center facilities created under this subchapter or in
18 an existing convention institution under s. 229.26.

19 **SECTION 91.** 229.50 (7) of the statutes is amended to read:

20 229.50 (7) STATE MORAL OBLIGATION PLEDGE. If at any time the special debt
21 service reserve fund requirement under sub. (5) for a special debt service reserve
22 fund exceeds the amount of moneys in the special debt service reserve fund, the board
23 of directors of the district shall certify to the secretary of administration, the
24 governor, the joint committee on finance and the governing body of the sponsoring
25 municipality the amount necessary to restore the special debt service reserve fund

ENGROSSED SENATE BILL 209**SECTION 91**

1 to an amount equal to the special debt service reserve fund requirement under sub.
2 (5) for the special debt service reserve fund. If this certification is received by the
3 secretary of administration in an even-numbered year prior to the completion of the
4 budget compilation under s. 16.43, the secretary shall include the certified amount
5 in the budget compilation. In any case, the joint committee on finance shall introduce
6 in either house, in bill form, an appropriation of the amount so certified to the
7 appropriate special debt service reserve fund of the district. Recognizing its moral
8 obligation to do so, the legislature hereby expresses its expectation and aspiration
9 that, if ever called upon to do so, it shall make this appropriation. This subsection
10 does not apply to reserve fund shortfalls related to bonds or any refunding bonds
11 issued by the district to fund the construction of sports and entertainment arena
12 facilities.

13 **SECTION 92.** 229.54 of the statutes is created to read:

14 **229.54 Responsibility to sports and entertainment arena facilities. (1)**

15 Neither the state, a sponsoring municipality, nor the most populous county in which
16 the sponsoring municipality is located is responsible for equipping, maintaining,
17 operating, improving, and repairing sports and entertainment arena facilities.

18 **(2)** The district is responsible only for equipping, maintaining, operating,
19 improving, and repairing sports and entertainment arena facilities during the initial
20 development and construction of the sports and entertainment arena facilities. If the
21 professional basketball team or its affiliate breaches the non-relocation agreement
22 or lease under s. 229.461, the district is responsible for equipping, maintaining,
23 operating, and repairing sports and entertainment arena facilities during the
24 remainder of the lease, but only from moneys received from the parent company of

ENGROSSED SENATE BILL 209

1 the professional basketball team, the professional basketball team, or its affiliate
2 resulting from the breach of the non-relocation agreement or lease.

3 **SECTION 93.** 232.05 (2) (h) of the statutes is created to read:

4 232.05 (2) (h) Within 60 days following the later of the secretary of
5 administration issuing the certification described in s. 229.42 (4e) (d) or the
6 expiration of 180 days' written notice delivered by the district to the corporation of
7 the intended construction completion date, complete the sale, exchange, transfer, or
8 divestiture of any part of the Bradley Center that was not previously transferred, as
9 authorized under sub. (3).

10 **SECTION 94.** 232.05 (3) (a) of the statutes is amended to read:

11 232.05 (3) (a) Sell, exchange, transfer, or otherwise divest itself of the Bradley
12 center Center except to a district, as defined in s. 229.41 (4m). The sale, exchange,
13 transfer, or divestiture of the Bradley Center, or any part of the center, to a district,
14 as defined in s. 229.41 (4m), shall satisfy and terminate any obligation of the
15 corporation. Except as provided in s. 229.47 (2) (b), the corporation may not act under
16 this paragraph before the secretary of administration issues the certification
17 described in s. 229.42 (4e) (d).

18 **SECTION 95.** 232.05 (3) (b) of the statutes is amended to read:

19 232.05 (3) (b) Dissolve and wind up its affairs, ~~unless the legislature enacts a~~
20 ~~law ordering dissolution or except as provided in s. 232.07~~ except in connection with
21 the sale, exchange, transfer, or divestment of the Bradley Center upon the secretary
22 of administration issuing the certification described in s. 229.42 (4e) (d).

23 **SECTION 96.** 232.07 (1) of the statutes is repealed.

24 **SECTION 97.** 232.07 (2) of the statutes is renumbered 232.07 and amended to
25 read:

ENGROSSED SENATE BILL 209**SECTION 97**

1 **232.07 Dissolution.** ~~Promptly upon issuance of the certificate of involuntary~~
2 Upon dissolution, the corporation shall pay, discharge, or make adequate provision
3 for discharging its debts, liabilities, and obligations, including any judgment, order
4 or decree which may be entered against it in any pending legal action, and shall,
5 subject to s. 232.05 (3) (a), transfer all remaining assets to the state or to a district,
6 as defined in s. 229.41 (4m). The corporation's existence shall continue, subject to
7 the limitations on its activities under s. 181.1405.

8 **SECTION 98.** 342.41 of the statutes is created to read:

9 **342.41 Identity of buyer. (1)** Notwithstanding s. 342.15, after December 31,
10 2015, no individual may sell a motor vehicle to another individual, including
11 transferring a junk vehicle by bill of sale, unless within 30 days of the sale the seller
12 reports to the department the identification number of the vehicle and the identity
13 of the individual buyer.

14 **(2)** The department shall accept electronically information related to the sale
15 of the motor vehicle, including all of the information required to be reported under
16 sub. (1).

17 **SECTION 99.** 345.28 (2) (c) of the statutes is amended to read:

18 345.28 **(2) (c)** If Subject to par. (d), if the appearance date specified in the
19 citation is inconvenient for the person, he or she may contact the clerk of circuit court
20 or the municipal court, whichever is applicable, to schedule a more convenient time.
21 The revised date may provide for an appearance during an evening session, as
22 required under s. 753.23 or authorized by a court. ~~The~~ Subject to par. (d), the court
23 may revise the appearance date. The date specified in the citation applies unless the
24 person receives written confirmation of the revised appearance date from the court.

25 **SECTION 100.** 345.28 (2) (d) of the statutes is created to read:

ENGROSSED SENATE BILL 209

1 345.28 (2) (d) A city of the 1st class may enact an ordinance establishing the
2 period within which a person charged with a nonmoving violation shall pay the
3 forfeiture or appear in court. An ordinance under this paragraph shall require that
4 a citation issued for a nonmoving violation include the date on which the court may
5 act under s. 345.37 unless the person has paid the forfeiture or appeared in court
6 prior to that date.

7 **SECTION 101.** 345.28 (4) (g) of the statutes is repealed.

8 **SECTION 102.** 345.37 (intro.) of the statutes is amended to read:

9 **345.37 Procedure on default of appearance.** (intro.) If the defendant fails
10 to appear in court at the time fixed in the citation or by subsequent postponement,
11 or, if an ordinance under s. 345.28 (2) (d) applies, not less time than the period
12 established in an ordinance under s. 345.28 (2) (d) has elapsed since the person was
13 charged with a nonmoving violation, the following procedure shall apply:

14 **SECTION 103.** 349.13 (1d) of the statutes is created to read:

15 **349.13 (1d)** A local authority with respect to highways under its jurisdiction,
16 including state trunk highways or connecting highways within corporate limits, may
17 enact an ordinance making the owner of the vehicle involved in a violation under this
18 section jointly liable for the violation.

19 **SECTION 104.** 349.132 of the statutes is created to read:

20 **349.132 Authority to require vehicle registration.** The governing body of
21 any town, city, village, or county may enact an ordinance requiring that no vehicle
22 that has been impounded or towed may be released unless the motor vehicle is
23 registered under ch. 341 or exempt from registration under s. 341.05.

24 **SECTION 109m.** 846.16 (1) of the statutes is amended to read:

ENGROSSED SENATE BILL 209

1 846.16 (1) The sheriff or referee who makes sale of mortgaged premises, under
2 a judgment therefor, shall give notice of the time and place of sale in the manner
3 provided by law for the sale of real estate upon execution or in such other manner
4 as the court shall in the judgment direct; where the department of veterans affairs
5 is also a party in the foreclosure action, the judgment shall direct that notice of sale
6 be given by registered mail, return receipt requested, to the department at Madison,
7 Wisconsin, at least 3 weeks prior to the date of sale, but such requirement does not
8 affect any other provision as to giving notice of sale. The Except as provided in sub.
9 (3) and s. 846.167, the sheriff or referee shall, within 10 days thereafter, file with the
10 clerk of the court a report of the sale, and shall also immediately after the sale first
11 deduct any fee due under s. 77.22 (1); then deposit that fee, a return under s. 77.22
12 and the deed with the clerk of the court for transmittal to the register of deeds; then
13 deduct the costs and expenses of the sale, unless the court orders otherwise, and then
14 deposit with the clerk of the court the proceeds of the sale ordered by the court. The
15 sheriff may accept from the purchaser at such sale as a deposit or down payment
16 upon the same not less than \$100, in which case such amount shall be so deposited
17 with the clerk of the court as above provided, and the balance of the sale price shall
18 be paid to the clerk by the purchaser at such sale upon the confirmation thereof. If
19 the highest bid is less than \$100, the whole amount thereof shall be so deposited.

20 **SECTION 110m.** 846.16 (3) of the statutes is created to read:

21 846.16 (3) If the mortgaged premises are located in a county having a
22 population of 750,000 or more, no later than 10 days after the sale of the mortgaged
23 premises, the sheriff or referee shall do all of the following:

24 (a) File a report of the sale with the clerk of court.

25 (b) Deliver to the clerk of court all of the following:

ENGROSSED SENATE BILL 209

1 1. The deed to the mortgaged premises.

2 2. After deducting the costs and expenses of the sale, unless the court orders
3 otherwise, the proceeds of the sale ordered by the court.

4 **SECTION 111m.** 846.167 of the statutes is created to read:

5 **846.167 Confirmation of sale and transmittal of deed in populous**
6 **counties.** (1) In this section, “county” means a county having a population of
7 750,000 or more.

8 (2) If a sheriff or referee makes a sale of mortgaged premises located in a county
9 under a judgment of foreclosure and sale, all of the following apply:

10 (a) If the purchaser is not the judgment creditor, before the court may confirm
11 the sale, the purchaser shall provide the judgment creditor with any information
12 required for the judgment creditor to complete the real estate transfer return under
13 s. 77.22 and, if applicable, any information required for a certificate, waiver, or
14 stipulation required under s. 101.122.

15 (b) No later than 10 days after the court confirms the sale, the purchaser shall
16 pay to the court all of the following:

17 1. The amount of the transfer fee under s. 77.22, if any.

18 2. The amount of the fee under s. 59.43 (2) to record all of the following:

19 a. The deed to the mortgaged premises delivered under s. 846.16.

20 b. Any other document required for the register of deeds to record the deed,
21 including any certificate, waiver, or stipulation required under s. 101.122.

22 (c) No later than 10 days after the court confirms the sale, the judgment creditor
23 shall provide to the court the receipt for submitting a transfer return under s. 77.22
24 and any certificate, waiver, or stipulation required under s. 101.122.

ENGROSSED SENATE BILL 209

1 (3) Upon the court confirming the sale of mortgaged premises located in a
2 county and upon compliance by the purchaser with the terms of the sale and the
3 payment of any balance of the sale price to be paid, unless otherwise ordered by the
4 court, the clerk of the court shall transmit the deed to the mortgaged premises
5 received under s. 846.16, the receipt for submitting a transfer return under s. 77.22,
6 any certificate, waiver, or stipulation required under s. 101.122, the amount due
7 under s. 59.43 (2) to record the deed and any other document required to record the
8 deed, and the transfer fee, if any, to the register of deeds of the county.

9 **SECTION 112m.** 846.17 of the statutes is amended to read:

10 **846.17 Deed, execution and effect of.** Upon any such sale being made the
11 sheriff or referee making the same, on compliance with its terms, shall make and
12 execute to the purchaser, the purchaser's assigns or personal representatives, a deed
13 of the premises sold, setting forth each parcel of land sold to the purchaser and the
14 sum paid therefor, which deed, upon confirmation of such sale, shall vest in the
15 purchaser, the purchaser's assigns or personal representatives, all the right, title
16 and interest of the mortgagor, the mortgagor's heirs, personal representatives and
17 assigns in and to the premises sold and shall be a bar to all claim, right of equity of
18 redemption therein, of and against the parties to such action, their heirs and
19 personal representatives, and also against all persons claiming under them
20 subsequent to the filing of the notice of the pendency of the action in which such
21 judgment was rendered; and the purchaser, the purchaser's heirs or assigns shall be
22 let into the possession of the premises so sold on production of such deed or a duly
23 certified copy thereof, and the court may, if necessary, issue a writ of assistance to
24 deliver such possession. Such deed or deeds so made and executed by the sheriff as
25 above set forth shall be forthwith delivered by the sheriff to the clerk of the court to

ENGROSSED SENATE BILL 209

1 be held by the clerk until the confirmation of the sale, and upon the confirmation
2 thereof the clerk of the court shall thereupon pay to the parties entitled thereto, or
3 to their attorneys, the proceeds of the sale, and, except as provided in s. 846.167, shall
4 deliver to the purchaser, the purchaser's assigns or personal representatives, at the
5 sale such deed upon compliance by such purchaser with the terms of such sale, and
6 the payment of any balance of the sale price to be paid. In the event of the failure
7 of such purchaser to pay any part of the purchase price remaining to be paid within
8 10 days after the confirmation of such sale, the amount so deposited shall be forfeited
9 and paid to the parties who would be entitled to the proceeds of such sale as ordered
10 by the court, and a resale shall be had of said premises, and in such event such deed
11 so executed to the defaulting purchaser shall be destroyed by said clerk, and shall
12 be of no effect. In the event that such sale is not confirmed by the court, the clerk shall
13 forthwith refund to the purchaser at such sale the amount so paid or deposited by
14 the purchaser, and shall likewise destroy such sheriff's deed so executed, and the
15 same shall be of no effect, and a resale of the premises shall be had upon due notice
16 thereof.

SECTION 115. Nonstatutory provisions.

17
18 (1) CERTAIN MILWAUKEE COUNTY PROPERTY. As soon as practicable, Milwaukee
19 County shall transfer, unencumbered, to a district created under subchapter II of
20 chapter 229 of the statutes, the property known as 929 North Water Street,
21 Milwaukee, Wisconsin, which is bounded by the Milwaukee River on the west; East
22 State Street on the north; North Water Street on the east; and East Kilbourn Avenue
23 on the south. The transfer shall take effect upon the adoption of a resolution
24 requesting the transfer by the board of directors under section 229.41 (2) of the
25 statutes and a written proclamation of the Milwaukee County executive supporting

ENGROSSED SENATE BILL 209

1 the transfer, notwithstanding any policies issued, ordinances enacted, or resolutions
2 adopted by the Milwaukee County board to the contrary. The transfer may take place
3 without the approval of the Milwaukee County board.

4 (2m) FORECLOSURE PROCESS IN POPULOUS COUNTIES. The treatment of sections
5 846.16 (1) and (3), 846.167, and 846.17 of the statutes first applies to a foreclosure
6 action commenced on the effective date of this subsection.

7 **SECTION 116. Effective dates.** This act takes effect on the day after
8 publication, except as follows:

9 (1) PAYMENT TO BRADLEY CENTER SPORTS AND ENTERTAINMENT CORPORATION. The
10 repeal of sections 16.004 (22) and 20.855 (4) (cy) of the statutes takes effect on June
11 30, 2017.

12 (2) COUNTY DEBT COLLECTIONS. The repeal and recreation of sections 20.835 (6)
13 (g) and 71.93 (8) (c) of the statutes take effect on June 30, 2036.

14 (2d) SHARED REVENUE. The repeal and recreation of section 79.035 (5) of the
15 statutes and the repeal of section 79.035 (6) of the statutes take effect on June 30,
16 2036.

17 (2m) FORECLOSURE PROCESS IN POPULOUS COUNTIES. The treatment of sections
18 846.16 (1) and (3), 846.167, and 846.17 of the statutes and SECTION 115 (2m) of this
19 act take effect on the first day of the 5th month beginning after publication.

20 (3) PAYMENT TO A LOCAL EXPOSITION DISTRICT. The repeal of sections 16.004 (21)
21 and 20.855 (4) (cr) and (dr) of the statutes takes effect on June 30, 2036.

22 (END)