



2019 ASSEMBLY BILL 233

May 22, 2019 - Introduced by Representatives NEYLON, KUGLITSCH, ALLEN, KITCHENS, KULP, MURSAU, PETRYK, SKOWRONSKI, SPIROS and TAUCHEN, cosponsored by Senator COWLES. Referred to Committee on Energy and Utilities.

1 **AN ACT** *to amend* 20.855 (4) (h); and *to create* 16.047 (4s), 20.395 (6) (az) and
2 196.025 (8) of the statutes; **relating to:** charging facility grant program and
3 making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Public Service Commission to establish a program for awarding grants to businesses for installing electric vehicle charging facilities along a clean energy corridor that the PSC must designate. The corridor must consist of contiguous state trunk highways that connect Wisconsin to Minnesota, Michigan, Iowa, and Illinois. For the designation, the PSC must attempt to connect the corridor with similar corridors in those other states and to designate heavily-travelled highways. The funding source for the grants is moneys received under a settlement that the state received from a legal action against Volkswagen. The bill allows the PSC to award not more than \$10,065,000 in total grants. An individual grant may not exceed 50 percent of the cost to purchase, install, and maintain an electric vehicle charging facility. The PSC may award multiple grants to an individual applicant. In addition, the bill allows a business that is awarded a grant and installs an electric vehicle charging facility to charge a parking fee determined by the business to any person who uses the facility. However, the parking fee must be based on the time length of a session of use and not on the amount of electricity consumed by a person during a session of use.

The bill provides that the awarding of grants does not confer any ownership interest to the PSC or the state in electric vehicle charging facilities installed under

ASSEMBLY BILL 233

the grants. In addition, the bill provides that a business that is awarded a grant is responsible for the operation and maintenance of a charging station installed under the grant.

Also under the bill, if an electric utility receives revenue collected from rates charged to users of electric vehicle charging facilities for which grants are awarded, the electric utility must remit 20 percent of that revenue to the PSC for deposit in the transportation fund to repay transportation-related bonds. The bill requires the PSC to ensure in rate-making orders that electric utilities recover the amounts remitted to the PSC from their ratepayers.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 16.047 (4s) of the statutes is created to read:

2 16.047 (4s) CHARGING FACILITY GRANT PROGRAM. (a) In this subsection:

3 1. “Charging facility” means electric vehicle charging equipment, including
4 Level 1, Level 2, and fast charging equipment and analogous successor technologies,
5 that is available to the general public.

6 2. “Commission” means the public service commission.

7 3. “Eligible applicant” means a business that has a place of business located
8 along a clean energy corridor designated under par. (b).

9 (b) The commission shall designate a clean energy corridor consisting of
10 contiguous state trunk highways connecting this state to Minnesota, Michigan,
11 Iowa, and Illinois. In designating this corridor, the commission shall attempt to
12 connect with any similar corridors existing in the states of Minnesota, Michigan,
13 Iowa, and Illinois and shall attempt to designate heavily-travelled highways.

14 (c) 1. The commission shall establish a program to award grants of settlement
15 funds from the appropriation under s. 20.855 (4) (h) to eligible applicants for the
16 installation of charging facilities at places of business located along a clean energy

ASSEMBLY BILL 233

1 corridor designated under par. (b). An eligible applicant that is awarded a grant and
2 installs a charging facility may charge a parking fee determined by the eligible
3 applicant to any person who uses the facility if the fee is based on the time length of
4 a session of use and not on the amount of electricity consumed by the user during a
5 session of use.

6 2. A grant under this subsection may not exceed 50 percent of the cost to
7 purchase, install, and maintain a charging facility.

8 3. The commission may award multiple grants under this subsection to a single
9 eligible applicant.

10 4. The commission may not award more than \$10,065,000 in grants under this
11 subsection.

12 (d) The awarding of grants under this subsection does not confer any ownership
13 interest to the commission or the state in charging facilities that are installed under
14 the grants. An eligible applicant that is awarded a grant is responsible for the
15 operation and maintenance of a charging station installed under the grant.

16 **SECTION 2.** 20.395 (6) (az) of the statutes is created to read:

17 20.395 (6) (az) *Transportation facilities and highway projects, debt retirement.*

18 All moneys received under s. 196.027 (8) (b) for the purpose of retiring revenue
19 obligations issued under s. 84.59.

20 **SECTION 3.** 20.855 (4) (h) of the statutes is amended to read:

21 20.855 (4) (h) *Volkswagen settlement funds.* All moneys received from the
22 trustee of the settlement funds, as defined in s. 16.047 (1) (a), for the replacement of
23 vehicles in the state fleet under s. 16.047 (2) and for the grants under s. 16.047 (4m)
24 and (4s). ~~No more than \$21,000,000 may be expended from this appropriation in~~

ASSEMBLY BILL 233**SECTION 3**

1 ~~fiscal year 2017-18.~~ No moneys may be expended from this appropriation after June
2 30, 2027.

3 **SECTION 4.** 196.025 (8) of the statutes is created to read:

4 196.025 (8) CHARGING FACILITY REVENUE. (a) In this subsection, “charging
5 facility” means a charging facility, as defined in s. 16.047 (4s) (a) 1., for which the
6 commission has awarded a grant under the program established under s. 16.047 (4s)
7 (c) 1.

8 (b) The commission shall require each electric public utility that receives
9 revenue collected from rates charged to users of charging facilities to remit to the
10 commission 20 percent of that revenue. The commission shall deposit the amounts
11 remitted under this paragraph into the transportation fund and credit those
12 amounts to the appropriation account under s. 20.395 (6) (az). The commission shall
13 ensure in rate-making orders that an electric public utility recovers from its
14 ratepayers the amounts remitted under this paragraph.

15 (END)