



2005 ASSEMBLY BILL 116

February 22, 2005 - Introduced by Representatives MURSAU, GARD, AINSWORTH, ALBERS, BALLWEG, BERCEAU, FRISKE, GUNDERSON, HAHN, HINES, HUNDERTMARK, JESKEWITZ, KERKMAN, LEMAHIEU, OTT, PETROWSKI, PRIDEMORE, STASKUNAS and VAN ROY, cosponsored by Senators HANSEN and LASSA. Referred to Committee on Small Business.

1 **AN ACT to amend** 59.57 (2) (c) 3. and 59.57 (2) (f) (intro.); and **to create** 59.57
2 (2) (fm) of the statutes; **relating to:** changing the definition of industrial
3 development project, and limiting the scope of certain projects, under the
4 Industrial Development Law.

Analysis by the Legislative Reference Bureau

Under current law, a county board may appropriate money for and create a county industrial development agency, or may appropriate money to a nonprofit agency, to foster industrial development in the county. An agency created by the county is a separate and distinct public instrumentality from the county. An agency may engage in a number of activities to promote industrial development in the county, including the following:

1. Grant financial aid to any industrial development project.
2. Acquire real or personal property; improve, clear, and redevelop the property; or sell, lease, or subdivide the property and make it available for industrial use.
3. Borrow money and issue debt, or loan money, to foster an industrial development project.

Currently, an "industrial development project" is defined as any site, structure, facility, or undertaking comprising or connected with an industrial or manufacturing enterprise that is established, or will be established, by an industrial development agency. Under this bill, the definition of "industrial development project" is expanded to include commercial, retail, agribusiness, or service enterprises. Also

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under this bill, an industrial development agency may not take any action that is described in item 2., above, for an industrial development project that is a commercial, retail, agribusiness, or service-related enterprise.

For further information see the *local* 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.** 59.57 (2) (c) 3. of the statutes is amended to read:

2 59.57 (2) (c) 3. “Industrial development project” means any site, structure,
3 facility, or undertaking comprising or being connected with or being a part of an
4 industrial or, manufacturing, commercial, retail, agribusiness, or service-related
5 enterprise established or to be established by an industrial development agency.

6 **SECTION 2.** 59.57 (2) (f) (intro.) of the statutes is amended to read:

7 59.57 (2) (f) *Operating authority of industrial development agencies.* (intro.)
8 The Subject to par. (fm), the agency is granted all operating authority necessary or
9 incidental to carrying out and effectuating the purposes of this subsection including,
10 without limitation because of enumeration, the following:

11 **SECTION 3.** 59.57 (2) (fm) of the statutes is created to read:

12 59.57 (2) (fm) *Limitations on authority of industrial development agencies.* No
13 agency may take any action under par. (f) 2. for an industrial development project
14 that is a commercial, retail, agribusiness, or service-related enterprise.

15

(END)