



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4790/1
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2019 ASSEMBLY BILL 885

February 11, 2020 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Rules.

1 **AN ACT to renumber and amend** 85.093; **to amend** 13.48 (20m) (c); and **to**
2 **create** 13.48 (20m) (d), 85.093 (1) and 85.093 (3) of the statutes; **relating to:**
3 the intermodal freight assistance program and a grant to the Incommune
4 Community Foundation for the construction of an economic development and
5 community hub (suggested as remedial legislation by the Department of
6 Administration).

Analysis by the Legislative Reference Bureau

Incommune Community Foundation grant

Under current law, the Building Commission may authorize up to \$25,000,000 in general fund supported borrowing to assist construction of projects having a public purpose. This bill authorizes the Building Commission to use that borrowing authority to award a grant of up to \$3,000,000 to the Incommune Community Foundation to assist in the construction of an economic and community hub in the city of Wisconsin Rapids.

Intermodal freight assistance program

Current law authorizes the Department of Transportation to make grants to public or private applicants for intermodal freight facilities that the department determines have a public purpose. This bill provides that DOT may not make such a grant unless the grantee agrees to provide adequate intermodal freight services at

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the facility funded by the grant, subject to remedial transfer of the facility to DOT. The bill also states that the program has a public purpose.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Administration and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 13.48 (20m) (c) of the statutes, as created by 2019 Wisconsin Act 9,
2 is amended to read:

3 13.48 **(20m)** (c) The building commission may authorize up to \$25,000,000 in
4 general fund supported borrowing under par. (b), including up to \$3,000,000 for the
5 project described in par. (d).

6 **SECTION 2.** 13.48 (20m) (d) of the statutes is created to read:

7 13.48 **(20m)** (d) 1. The legislature finds and determines that supporting
8 entrepreneurs and innovators, providing facilities for job training, and promoting
9 dynamic community revitalization and development are of vital importance in
10 creating jobs and contributing to economic development and tourism in this state
11 and are statewide responsibilities of statewide dimension. It is therefore in the
12 public interest, and it is the public policy of this state, to assist the Incentive
13 Community Foundation, Inc., in redeveloping the former Daily Tribune building in
14 the city of Wisconsin Rapids into an economic and community hub.

15 2. The building commission may under this subsection assist the Incentive
16 Community Foundation, Inc., in redeveloping the former Daily Tribune building in
17 the city of Wisconsin Rapids into an economic and community hub. The state funding

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1 commitment shall be in the form of a grant to the Incourage Community Foundation,
2 Inc. Before approving any state funding commitment for redeveloping the former
3 Daily Tribune building, the building commission shall determine that the Incourage
4 Community Foundation, Inc., has secured additional funding for the project from
5 nonstate revenue sources at least equal to the state's grant.

6 3. If the building commission authorizes a grant to the Incourage Community
7 Foundation, Inc., under subd. 2., and if, for any reason, the facility that is
8 redeveloped with funds from the grant is not used for an economic and community
9 hub, the state shall retain an ownership interest in the facility equal to the amount
10 of the state's grant.

NOTE: This SECTION provides a legislative determination of public purpose for a grant to Incourage Community Foundation, Inc., for redevelopment of the Daily Tribune building into an economic and community hub, which was authorized under 2019 Wisconsin Act 9 (biennial budget). The SECTION also provides the state with an ownership interest in the facility up to the amount of the state grant, if the facility is not used for its stated purpose.

11 **SECTION 3.** 85.093 of the statutes, as created by 2019 Wisconsin Act 9, is
12 renumbered 85.093 (2) and amended to read:

13 85.093 (2) The Subject to sub. (3), the department may make grants to public
14 or private applicants for intermodal freight facilities ~~that the department~~
15 ~~determines have a public purpose.~~

16 (4) In the 2019-21 fiscal biennium, a grant made under this section shall be
17 paid from the appropriation under s. 20.395 (2) (bu). After July 1, 2021, a grant made
18 under this section shall be paid from the appropriation under s. 20.866 (2) (uw).

19 (5) For the 2019-21 fiscal biennium, grants under this section cannot exceed
20 \$1,500,000.

21 **SECTION 4.** 85.093 (1) of the statutes is created to read:

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1 85.093 (1) The legislature finds and determines that intermodal freight
2 facilities provide a vital connection between the freight rail industry and harbors and
3 the commercial trucking industry in this state by allowing for the efficient movement
4 of goods and supplies. The legislature further finds and determines that these
5 facilities boost economic development and connect citizens of the state with products
6 from across the world, and that supporting these facilities and thereby preserving
7 and improving the development of freight rail service in the state are statewide
8 responsibilities of statewide dimension. The legislature further finds that private
9 capital and local government financial and technical resources are unable to fully
10 meet the transportation and infrastructure needs of the state. It is therefore in the
11 public interest, and it is the public policy of this state, to support the development
12 of intermodal freight facilities through grants awarded under sub. (2).

NOTE: This SECTION provides a legislative determination of public purpose for grants to public or private applicants for intermodal freight facilities, which were authorized under the biennial budget.

13 **SECTION 5.** 85.093 (3) of the statutes is created to read:

14 85.093 (3) The department may not make a grant under this section unless the
15 grantee agrees to provide adequate intermodal freight services at the facility funded
16 by the grant, subject to remedial transfer of the facility to the department. If, without
17 the approval of the department, intermodal freight service is discontinued or
18 inadequate at the facility or the grantee disposes of any portion of the facility, the
19 intermodal freight facility for which financial assistance was provided under this
20 section shall transfer to the ownership and control of the department. The
21 department may elect to accept repayment from the grantee of the full amount of all
22 grants received from the department for the facility in lieu of transfer under this
23 subsection.

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NOTE: This SECTION provides a state reversionary interest in the private intermodal facilities constructed with grant funds, if the facility no longer provides intermodal freight service.

1

(END)