



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4790/P2
MPG&EVM:cdc

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to renumber and amend* 85.093; and *to create* 13.48 (20m) (d), 85.093
2 (1) and 85.093 (3) of the statutes; **relating to:** the intermodal freight assistance
3 program and a grant to the Incourage Community Foundation for the
4 construction of an economic development and community hub.

Analysis by the Legislative Reference Bureau

Incourage 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 Incourage Community Foundation, Inc., to assist in the construction of an economic development and community hub.

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

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

2 13.48 **(20m)** (d) 1. The legislature finds and determines that Wisconsin's rural
3 communities have tended to lag statewide growth in employment and household
4 income. The legislature further finds and determines that there is statewide interest
5 in promoting innovation and collaboration among organizations leading economic
6 and workforce development to support rural economic development and in
7 supporting entrepreneurship and attracting and retaining talent in rural
8 communities, particularly where those communities have been historically reliant
9 upon a single industry as the primary source of economic development. It is therefore
10 in the public interest, and it is the public policy of this state, to assist Incentive
11 Community Foundation, Inc., in redeveloping the Daily Tribune building into an
12 economic development and community hub.

13 2. The building commission may authorize up to \$3,000,000 of general fund
14 supported borrowing under this section to assist Incentive Community Foundation,
15 Inc., in redeveloping the Daily Tribune building into an economic development and
16 community hub. The state funding commitment shall be in the form of a grant to
17 Incentive Community Foundation, Inc. Before approving any state funding
18 commitment for redevelopment of the Daily Tribune building, the building
19 commission shall determine that Incentive Community Foundation, Inc., has
20 secured additional funding for the project from nonstate revenue sources at least
21 equal to the state's grant.

1 3. If the building commission authorizes a grant to Encourage Community
2 Foundation., Inc., under subd. 2., and if, for any reason, the facility that is
3 constructed with funds from the grant is not used as a community asset promoting
4 innovation, entrepreneurship, workforce training, community events, and economic
5 growth, the state shall retain an ownership interest in the center equal to the amount
6 of the state's grant.

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

9 85.093 (2) The Subject to sub. (3), the department may make grants to public
10 or private applicants for intermodal freight facilities that the department
11 determines have a public purpose.

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

15 (5) For the 2019-21 fiscal biennium, grants under this section cannot exceed
16 \$1,500,000.

17 **SECTION 3.** 85.093 (1) of the statutes is created to read:

18 85.093 (1) The legislature finds and determines that intermodal freight
19 facilities provide a vital connection between the freight rail industry and harbors and
20 the commercial trucking industry in this state by allowing for the efficient movement
21 of goods and supplies, which benefits all residents of the state. The legislature
22 further finds and determines that these facilities boost economic development and
23 connect citizens of the state with products from across the world and that the grants
24 authorized under this section are therefore valid governmental functions serving
25 proper public purposes. The legislature finds that private capital and local

1 government financial and technical resources are unable to fully meet the
2 transportation and infrastructure needs of the state. It is the intent of this section
3 to promote the public good by preserving and improving the development of freight
4 rail service in the state.

5 **SECTION 4.** 85.093 (3) of the statutes is created to read:

6 85.093 (3) The department may not make a grant under this section unless the
7 grantee agrees to provide adequate intermodal freight services at the facility funded
8 by the grant, subject to remedial transfer of the facility to the department. If, without
9 the approval of the department, intermodal freight service is discontinued or
10 inadequate at the facility or the grantee disposes of any portion of the facility, the
11 intermodal freight facility for which financial assistance was provided under this
12 section shall transfer to the ownership and control of the department. The
13 department may elect to accept repayment from the grantee of the full amount of all
14 grants received from the department for the facility in lieu of transfer under this
15 subsection.

16 (END)