

HOUSE BILL No. 1189

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-4-12-1; IC 8-3-1.7-2.

Synopsis: Indiana port commission eligibility for grants. Specifies that the Indiana port commission is eligible for grants from the industrial development grant fund and the industrial rail service fund.

Effective: Upon passage.

Bottorff

January 8, 1998, read first time and referred to Committee on Commerce and Economic Development.

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Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

HOUSE BILL No. 1189

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-4-12-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) As used in this chapter,
3 "director" means the lieutenant governor, who is also the director of the
4 department of commerce.
5 (b) As used in this chapter, "eligible entity" means:
6 (1) a city;
7 (2) a town;
8 (3) a county;
9 (4) a special taxing district;
10 (5) an economic development commission established under
11 IC 36-7-12;
12 (6) a nonprofit corporation;
13 (7) a corporation established under IC 23-7-1.1 (before its repeal
14 on August 1, 1991) or IC 23-17 for the purpose of distributing
15 water for domestic and industrial use;
16 (8) a regional water, sewage, or solid waste district;
17 (9) a conservancy district that includes in its purpose the

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1 distribution of domestic water or the collection and treatment of
 2 waste; ~~or~~

3 (10) the Indiana development finance authority established under
 4 IC 4-4-11; **or**

5 **(11) the Indiana port commission established under IC 8-10-1.**

6 (c) As used in this chapter, "industrial development program" means
 7 any program designed to aid economic development in Indiana, and
 8 includes:

9 (1) the construction of airports, airport facilities, and tourist
 10 attractions;

11 (2) the construction, extension, or completion of:

12 (A) sanitary sewerlines, storm sewers, and other related
 13 drainage facilities;

14 (B) waterlines;

15 (C) roads and streets;

16 (D) sidewalks; and

17 (E) rail spurs and sidings;

18 (3) the leasing, purchase, construction, repair, and rehabilitation
 19 of property, both real and personal; and

20 (4) the preparation of surveys, plans, and specifications for the
 21 construction of publicly owned and operated facilities, utilities,
 22 and services.

23 SECTION 2. IC 8-3-1.7-2, AS AMENDED BY P.L.87-1997,
 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 UPON PASSAGE]: Sec. 2. (a) There is created a fund known as the
 26 industrial rail service fund. The fund shall consist of money distributed
 27 to the fund by IC 6-2.5-10-1 and IC 8-3-1.5-20. Amounts held in the
 28 fund may only be used to do the following:

29 (1) Provide loans to railroads that will be used to purchase or
 30 rehabilitate real or personal property that will be used by the
 31 railroad in providing railroad transportation services.

32 (2) Pay operating expenses of the Indiana department of
 33 transportation, subject to appropriation by the general assembly.

34 (3) Make a grant to serve as local matching funds in carrying out
 35 a demonstration project for the relocation of railroad lines from
 36 the central area of a city by the Federal Highway Administration
 37 under Section 163 of the Federal-Aid Highway Act of 1973
 38 (P.L.93-87), as amended.

39 (4) Provide money for the high speed rail development fund under
 40 IC 8-23-25.

41 (5) Provide grants to a railroad owned or operated by **the Indiana**
 42 **port commission established under IC 8-10-1 or by** a port

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- 1 authority established under IC 8-10-5.
2 (6) Make grants to a Class II or a Class III railroad for the
3 rehabilitation of railroad tracks.
4 (b) This subsection is effective until July 1, 1995. A grant made
5 under subsection (a)(3) may not exceed forty percent (40%) of the
6 gross sales and use tax receipts deposited in the fund (under
7 IC 6-2.5-10-1) during the fiscal year preceding the fiscal year in which
8 the grant is made.
9 (c) This subsection is effective after July 1, 1995. A grant made
10 under subsection (a)(3) may not exceed twenty-five percent (25%) of
11 the gross sales and use tax receipts deposited in the fund (under
12 IC 6-2.5-10-1) during the fiscal year preceding the fiscal year in which
13 the grant is made.
14 (d) A grant made under subsection (a)(5) may not exceed twenty
15 percent (20%) of the gross sales and use tax receipts deposited in the
16 fund under IC 6-2.5-10-1 during the fiscal year preceding the fiscal
17 year in which the grant is made.
18 (e) No demonstration project may receive more than one (1) grant
19 under subsection (a)(3) in any fiscal year.
20 (f) A grant program under subsection (a)(6) must:
21 (1) provide a grant to a recipient of not more than seventy-five
22 percent (75%) of the cost of the project; and
23 (2) require a grant recipient to pay for not more than twenty-five
24 percent (25%) of the cost of a project.
25 **SECTION 3. An emergency is declared for this act.**

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