

NEW HARMONY BRIDGE INTERSTATE COMPACT ACT

(Source: P.A. 100-981, eff. 8-19-18.)

(45 ILCS 190/10-1)

Sec. 10-1. Short title. This Part may be cited as the New Harmony Bridge Interstate Compact Act. References in this Part to "this Act" mean this Part.

(Source: P.A. 100-981, eff. 8-19-18.)

(45 ILCS 190/10-5)

Sec. 10-5. Compact creating commission. The Governor, by and with the advice and consent of the Senate, shall appoint 3 commissioners to enter into a compact on behalf of this State with the State of Indiana. If the Senate is not in session at the time for making appointments, the Governor shall make temporary appointments as in the case of a vacancy. No more than 2 members appointed by the Governor may be from the same political party. The 3 commissioners so appointed may act to enter into the following compact:

COMPACT BETWEEN ILLINOIS AND INDIANA CREATING THE NEW HARMONY
BRIDGE BI-STATE COMMISSION

ARTICLE I

There is created the New Harmony Bridge Bi-State Commission, a body corporate and politic having the following powers and duties:

(1) To engage in negotiations for the acceptance, rehabilitation, and continued use of the New Harmony Bridge connecting Illinois State Highway 14 to Indiana State Highway 66 at New Harmony, Indiana;

(2) To assume the rights and responsibilities of the Illinois New Harmony Bridge Authority and the Indiana New Harmony and Wabash River Bridge Authority as they relate to the New Harmony Bridge;

(3) To conduct and review studies, testimony, and other information provided by the Illinois and Indiana Departments of Transportation, including, but not limited to, the collection of studies and papers entitled "Quest for Rehabilitation, Finances, and Public Agency Governance for the White County Bridge Commission Successor", that was prepared in the search for preservation of the transportation network that maintains and enhances the vitality of the bi-state area communities;

(4) To secure financing, for the rehabilitation and maintenance of the New Harmony Bridge;

(5) To establish and charge tolls for transit over the bridge in accordance with the provisions of this compact; and

(6) To perform all other necessary and incidental functions.

ARTICLE II

The rate of toll to be charged for transit over the New Harmony Bridge shall be adjusted by the Commission as to provide a fund sufficient to pay for the reasonable cost of maintenance, repairs, and operation (including the approaches to the bridge) under economical management, and also to

provide a sinking fund sufficient to pay the principal and interest of any outstanding bonds. All tolls and other revenues derived from facilities of the Commission shall be used as provided in this Article II.

ARTICLE III

The Commission shall keep an accurate record of the cost of the bridge and of other expenses and of the daily revenues collected, and shall report annually to the Governor of each State setting forth in detail the operations and transactions conducted by the Commission under this agreement and other applicable laws.

ARTICLE IV

The membership of the Commission created by this compact shall consist of 10 voting members, appointed as follows:

(1) Five members shall be chosen by the State of Illinois: the 3 commissioners who were appointed by the Governor to enter into the compact, but no more than 2 of these appointees may be from the same political party; 1 member appointed by the White County Board; and 1 member appointed by the Mayor of Phillipstown.

(2) Five members shall be chosen by the State of Indiana.

The members shall be chosen in the manner and for the terms fixed by the legislature of each State, except as provided by this compact.

ARTICLE V

(1) The Commission shall elect from its number a chairperson and vice-chairperson, and may appoint officers and employees as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

(2) Unless otherwise determined by the legislatures of the State of Illinois and the State of Indiana, no action of the Commission shall be binding unless taken at a meeting at which at least 2 members from each State are present and unless a majority of the members from each State present at the meeting vote in favor of the action. Each State reserves the right to provide by law for the exercise of the veto power by the Governor over any action of any commissioner.

(3) The State of Illinois and the State of Indiana shall provide penalties for violations of any order, rule, or regulation of the Commission, and for the manner of enforcement.

ARTICLE VI

The Commission is authorized and directed to proceed with the rehabilitation of the bridge as rapidly as economically practicable and is vested with all necessary and appropriate powers, not inconsistent with the constitution or the laws of the United States or of either the State of Illinois or the State of Indiana, to effect the same, except the power to assess or levy taxes.

ARTICLE VII

The Commission has no independent power to tax.

The Commission is not required to pay any taxes or assessments of any kind or nature upon any property required or used by it for its purposes or any rates, fees, rents, receipts, or incomes at any time received by it. The bonds issued by the Commission under Article VIII, their transfer,

and the income from the bonds are not taxable income for the purposes of the individual and corporate income tax under Illinois or Indiana law and shall not be taxed by any political subdivision of Illinois or Indiana.

ARTICLE VIII

The Commission may incur indebtedness subject to debt limits imposed by substantially identical laws of the states of Illinois and Indiana. Indebtedness of the Commission may not be secured by the full faith and credit or the tax revenues of the state of Illinois or Indiana or a political subdivision of the state of Illinois or Indiana other than the Commission or as otherwise authorized by substantially identical laws of the states of Illinois and Indiana. Bonds shall be issued only under terms authorized by substantially identical laws of the states of Illinois and Indiana.

ARTICLE IX

In witness thereof, we have here set our hands and seals under the authority vested in us by law.

(Signed)

In the Presence of:

(Signed)

(Source: P.A. 100-981, eff. 8-19-18.)

(45 ILCS 190/10-10)

Sec. 10-10. Signing and filing of compact; bi-state participation required. The compact shall, when signed by the signatories as provided by this Act, become binding upon the State of Illinois and shall be filed in the office of the Secretary of State, except the compact shall not become effective unless prior to the signing of the compact, the Indiana General Assembly passes legislation providing for the creation of the New Harmony Bridge Bi-State Commission under terms consistent with this Act.

(Source: P.A. 100-981, eff. 8-19-18.)

(45 ILCS 190/10-15)

Sec. 10-15. Appointment and qualifications of commissioners. The commissioners appointed by the Governor under Section 10-5 shall also be members of the New Harmony Bridge Bi-State Commission created by compact between the States of Illinois and Indiana.

The White County Board shall appoint one member and the Mayor of Phillipstown shall appoint one member to the New Harmony Bridge Bi-State Commission no later than 30 days after the Harmony Bridge Bi-State Commission is created.

(Source: P.A. 100-981, eff. 8-19-18.)

(45 ILCS 190/10-20)

Sec. 10-20. Tenure; successors. The term of a commissioner is 4 years. At the expiration of the term of each commissioner and of each succeeding commissioner, the Governor shall appoint a successor who shall hold office for a term of 3 years. Each commissioner shall hold office until his or her

successor has been appointed and qualified.
(Source: P.A. 100-981, eff. 8-19-18.)

(45 ILCS 190/10-25)

Sec. 10-25. Filling vacancies. A vacancy occurring in the office of an appointed commissioner shall be filled by appointment by the Governor, by and with the advice and consent of the Senate, for the unexpired term. In the case of a vacancy while the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when the Governor shall nominate a person to fill the office.

(Source: P.A. 100-981, eff. 8-19-18.)

(45 ILCS 190/10-30)

Sec. 10-30. Compensation and expenses of commissioners. The commissioners shall serve without compensation but shall be reimbursed for the necessary expenses incurred in the performance of their duties.

(Source: P.A. 100-981, eff. 8-19-18.)

(45 ILCS 190/10-35)

Sec. 10-35. Powers and duties of commissioners. The commissioners shall have the powers and duties and be subject to the limitations provided for in the compact entered between the State of Illinois and the State of Indiana to form the New Harmony Bridge Bi-State Commission, and, together with the commissioners from the State of Indiana, shall form the New Harmony Bridge Bi-State Commission.

(Source: P.A. 100-981, eff. 8-19-18.)