

1969 Assembly Bill 1087

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CHAPTER 231, LAWS OF 1969

AN ACT to create 84.12 (9) of the statutes, relating to the construction of interstate toll facilities.

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

84.12 (9) of the statutes is created to read:

84.12 (9) CONSTRUCTION OF INTERSTATE TOLL FACILITIES. Adjoining states may construct toll facilities, including bridges and land crossings over any state boundary waters, under the following terms and conditions:

(a) The bridge construction authority or the state highway authority of the adjoining state shall petition the secretary of transportation of this state that such toll bridge construction is necessary because the petitioning state lacks funds sufficient to join with this state in equally sharing the costs of a free bridge. The secretary of transportation shall thereupon order the highway commission to cause a thorough investigation of the matter to be made including without limitation by enumeration: the suitability and advisability of any proposed location, the financial limitations of the adjoining state and the economic effect of the proposed bridge upon the economy and welfare of this state. The highway commission shall hold a public hearing and give notice thereof by registered letter addressed to the state highway department of the adjoining state and to the governing body of the county, city, village or town of this state and the adjoining state in which any part of the bridge project is proposed to be located. The commission shall also cause a class 3 notice, under ch. 985, to be published in the official state newspaper of this state.

(b) The highway commission shall within 60 days after the conclusion of such hearing submit a full report of findings and conclusions to the secretary of transportation and the governor. Such findings and conclusions may be based on evidence secured by the commission in any form and is not limited to facts determined from evidence at the public hearing mentioned above. If it is determined that it is in the best interest of the economy and welfare of the state that such bridge be constructed at a location agreeable to the highway commission and the highway department of the adjoining state, and such determination is approved by the secretary of transportation and the governor, the following is authorized:

1. The highway commission is authorized to acquire all necessary lands within this state and build, construct and maintain necessary approaches to the bridge within this state;

2. The highway commission is authorized to make contributions or commitments out of funds available for highway construction in Wisconsin. Contributions shall not exceed 50% of the total costs of the toll facility, but shall only be made if the findings of the commission, as approved by the secretary of transportation and the governor that such contributions are for the best interests of the economy and welfare of this state.

3. The toll bridge shall be exempt from all taxes assessed by this state.

4. All findings and conclusions approved by the secretary of transportation and governor shall be published by a class 1 notice, under ch. 985, in the official state newspaper. The findings and conclusions shall not be subject to administrative review under ch. 227 and shall only be set aside if it is determined by a court of competent jurisdiction that there is not substantial evidence to sustain the decision of the highway commission as approved by the secretary of transportation and the governor. Action to contest the decision shall be commenced no later than 30 days after the date of publication thereof.

Approved November 13, 1969.
