

CHAPTER 376, Laws of 1975

AN ACT to create 14.83 and 20.320 of the statutes, relating to an interstate compact creating an interstate port authority commission to study the feasibility of merging the port authorities at Duluth, Minnesota, and Superior, Wisconsin, and making appropriations.

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

SECTION 1. A compact for the purpose of developing a plan for the merger of the port authorities at Duluth, Minnesota and Superior, Wisconsin, is hereby ratified, enacted into law and entered into with the state of Minnesota and with all jurisdictions legally joining therein in the form substantially as follows:

INTERSTATE PORT AUTHORITY COMPACT

Article I

CREATION OF COMMISSION

Section 1. *Duties.* There is created a commission, to be known as the interstate port authority commission, which shall develop a plan for the merger of the port authorities at Duluth, Minnesota, and Superior, Wisconsin. The commission shall collect, interpret and correlate information, investigate plans and policies in other states and shall draft a comprehensive interstate agreement to accomplish the merger. The commission shall:

- (1) Study the interrelationship of federal law and the laws of Minnesota and Wisconsin in areas of commerce, common carriers and public utilities;
- (2) Investigate the impact the merger will have on the economics of the region;
- (3) Consider alternatives of ownership and control of the merged facility and the relationship of the facility to the existing governmental entities;
- (4) Recommend plans of bonding and taxation to support the merged facility;
- (5) Study methods to avoid needless duplication of facilities and services, keeping in mind the resulting effects upon employment in the community;
- (6) Develop a system of accountability and periodic review of the activities and functions of the merged facility;
- (7) Cooperate and work with the Minnesota-Wisconsin boundary area commission; and
- (8) Research any other matters it deems necessary for the performance of its duties.

Article II

COMPOSITION OF COMMISSION

The commission shall consist of 10 members as follows: from the state of Minnesota, one state senator selected by the president of the senate, one state representative selected by the speaker of the house of representatives, one person appointed by the governor, one person appointed by the mayor of Duluth, and one person appointed by the Duluth port authority; from the state of Wisconsin, one state senator selected by the speaker pro tem of the senate, one state representative selected by the speaker of the assembly, one person appointed by the governor, one person

appointed by the mayor of Superior, and one person appointed by the Superior port authority. Each member shall be entitled to reimbursement for all traveling and other expenses necessarily incurred in the performance of his or her duties. The commission may employ staff or assistants necessary in the performance of its duties.

Article III

REPORT TO LEGISLATURES

The commission shall submit to the legislatures on or before January 1, 1977, a report of its findings and a draft of an interstate agreement to merge the port authorities at Duluth, Minnesota, and Superior, Wisconsin.

Article IV

ENTRY INTO FORCE AND WITHDRAWAL

Section 1. *Signature.* The governor of each party state is authorized and directed to witness the ratification of this compact for his or her state by executing the final draft thereof in his or her own name as governor for and on behalf of such state and affixing thereto, pursuant to the laws of such state, the official state seal.

Section 2. *Enabling legislation.* This compact shall become operative immediately after the passage of an act by any 2 party states incorporating the provisions of this compact into the laws of such states.

Section 3. *Withdrawal.* Any state acceding to this compact reserves the right at any time to withdraw from such compact, but such withdrawal shall be based upon a law properly enacted according to the constitution and laws of the withdrawing party state.

SECTION 2. The interstate port authority commission shall have the powers, duties and functions set out in SECTION 1 of this act.

SECTION 3. 14.83 of the statutes is created to read:

14.83 Interstate port authority commission. (1) Any interstate port authority commission created under this section shall constitute the Wisconsin representation on an interstate port authority commission created jointly between this state and a neighboring state party to the interstate port authority compact enacted by SECTION 1 of chapter _____ (this act), laws of 1975, and shall have all the powers and duties granted or imposed by such compact.

(2) There is created a commission of 5 persons, appointed as provided by SECTION 1 of chapter _____ (this act), laws of 1975, to constitute the representation of this state on the interstate port authority commission. The members of the commission shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties, from the appropriation made by s. 20.320 (1). All other expenses incurred by the commission in the course of exercising its powers and duties, unless met in some other manner specifically provided by statute, shall be paid by the commission out of its own funds.

(3) The departments and agencies of this state shall within existing appropriations cooperate with the commission in the execution of its functions and, upon application by the commission, shall to the best of their respective abilities supply the commission with such staff services as the commission requires.

(4) Every department or agency of Wisconsin state government, or any political subdivision of this state shall, on application by the commission, supply the commission with copies of such printed documents, issued by such department, agency or subdivision, as the commission requires in the performance of its functions. The commission shall contact each such department, agency or subdivision to inform such department, agency or subdivision of the type of documents which it will require on a routine basis.

(5) The commission may accept on behalf of the state, from the federal government or from any other source, and may receive and use, gifts and grants of furniture, books, equipment, supplies, money or other property used or useful for the execution of its functions. All moneys received under this subsection shall be deposited in the general fund and, unless prohibited by the terms of the grant or gift, are appropriated to the commission for expenditure by it in accordance with s. 20.320 (1) (g).

SECTION 4. At the appropriate place in the schedule of section 20.005 of the statutes, insert the following amounts for the purpose indicated:

1975-76 1976-77

20.320 Interstate port authority commission

- (1) Superior-Duluth cooperation
- (a) General program operations GPR A

SECTION 5. 20.320 of the statutes is created to read:

20.320 Interstate port authority commission. There is appropriated to the interstate port authority commission for the following program:

(1) SUPERIOR-DULUTH COOPERATION. (a) *General program operations.* The amounts in the schedule to cover this state's share of the costs of the interstate port authority commission and its staff, including the cost of the actual and necessary expenses incurred by the members of the commission in the performance of its duties under s. 14.83.

(g) *Gifts or grants.* All moneys received from gifts or grants under s. 14.83, to carry out the purposes for which made or received.

SECTION 6. **Termination.** (1) The Wisconsin representation on any interstate port authority commission created under section 14.83 of the statutes, as created by this act, shall be disbanded on January 1, 1977, or on the date that any interstate port authority commission submits a report of its findings and a draft of an interstate agreement to the Wisconsin legislature, whichever date is sooner.

(2) No expenditures may be made by any interstate port authority commission created under section 14.83 of the statutes, as created by this act, from the appropriation under section 20.320 of the statutes, as created by this act, after the sooner of the 2 dates specified in subsection (1).