

HOUSE BILL No. 1317

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-16.

Synopsis: New Harmony bridge. Requires the state to enter negotiations to purchase the bridge crossing the Wabash River on State Highway 66. Authorizes the transportation finance authority to: (1) accept the conveyance of the bridge; (2) operate and maintain the bridge; and (3) contract with the department of transportation to operate and maintain the bridge.

Effective: July 1, 2005.

Van Haften, Becker

January 13, 2005, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 114th General Assembly (2005)

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 SECTIONs that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1317



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 8-16-1-18 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 18. (a) A special and
 3 distinct fund is created to be known as the Indiana interstate bridge
 4 fund. Such fund shall be:
 5 (1) held in the name of the authority; and
 6 (2) administered by the authority.
 7 All expenditures therefrom shall be made by the authority.
 8 (b) Except as provided in section 15 of this chapter, expenditures
 9 from the fund shall be made only for the purpose of:
 10 (1) paying the cost of constructing or acquiring, by purchase or
 11 condemnation, highway bridges and the approaches thereto,
 12 which may be constructed or acquired by authority of this chapter
 13 **or acquired under IC 8-16-15;** or
 14 (2) paying the cost of **maintaining**, enlarging, extending, or
 15 improving any such bridge or the approaches thereto.
 16 The costs specified in subdivisions (1) and (2) shall include the
 17 expense of all engineering, architectural, legal, and other expert service



1 rendered to the authority and other preliminary and incidental
2 expenses. Such payments may be made as such costs are incurred or
3 such services rendered.

4 (c) Any income from such fund or any part of the principal not
5 pledged to the payment of bonds issued by the authority may be used
6 for the purposes set forth in section 4 of this chapter, and the fund shall
7 be reimbursed for any such expenditures out of the proceeds of any
8 bonds issued for the construction or acquisition of any bridge on
9 account of which such expenditures were made.

10 SECTION 2. IC 8-16-1-26 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 26. (a) This section
12 applies only to a bridge that:

13 (1) was constructed under this chapter **or was acquired under**
14 **IC 8-16-15;** and
15 (2) crosses the Wabash River.

16 ~~(b) Notwithstanding any other provisions of this chapter, a bridge~~
17 ~~subject to this section does not become a part of the system of state~~
18 ~~highways free of tolls or a tollway under IC 8-15-3 when bonds are~~
19 ~~retired and all funds fully reimbursed.~~

20 ~~(c)~~ **(b)** Money collected for the use of a bridge subject to this section
21 shall be allocated to the authority and used for the following purposes:

22 (1) Operation of ~~the a~~ toll bridge facility **described in subsection**
23 **(a).**

24 (2) Maintenance of ~~the a~~ toll bridge facility **described in**
25 **subsection (a).**

26 (3) A reserve fund for future toll bridges over the Ohio River to
27 be located within the same county in which the bridge subject to
28 this section is located.

29 SECTION 3. IC 8-16-15-1 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. Subject to the
31 provisions of this chapter **and IC 8-16-1**, the ~~department is hereby~~
32 ~~authorized and empowered to~~ **Indiana transportation finance**
33 **authority shall** enter into negotiations with the proper authority having
34 control of the state highways of the state of Illinois and with the owners
35 of the bridge ~~which that~~ spans the Wabash River and over which State
36 Highway No. 66 passes from ~~this state~~ **Indiana** into ~~the state of~~ Illinois
37 for the purpose of acquiring the ownership of and title to ~~such the~~
38 bridge ~~jointly, by the state of Illinois and in the name of~~ the state of
39 Indiana.

40 SECTION 4. IC 8-16-15-2 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. **(a)** If the proper
42 authorities of the state of Illinois are empowered by the laws of the

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1 state of Illinois to enter into such negotiations and if the department
 2 and the authority having charge of the state highways of the state of
 3 Illinois can agree with the owners of such bridge on the purchase-price
 4 of such bridge, then and in that event the department is hereby
 5 authorized and empowered to acquire the ownership of and the title to
 6 such bridge, jointly, with the state of Illinois; to pay not to exceed fifty
 7 percent (50%) of the purchase-price agreed upon; out of any funds
 8 appropriated to the department which might otherwise be used for the
 9 construction of bridges; and ~~to~~ **for the conveyance of the bridge**
 10 **described in section 1 of this chapter, the state of Indiana acting**
 11 **through the Indiana transportation finance authority shall accept**
 12 **the conveyance of the land, bridge, other improvements, and assets**
 13 **of the owners of the bridge.**

14 (b) The state of Indiana acting through the Indiana
 15 transportation finance authority may enter into such agreements
 16 with the proper authorities of the state of Illinois as may be fair and
 17 equitable for the repair, maintenance, and upkeep of ~~such~~ **the** bridge
 18 and to expend ~~such amounts of the money as may be~~ necessary to
 19 maintain ~~such~~ **the** bridge.

20 (c) After acquiring the bridge described in section 1 of this
 21 chapter, the Indiana transportation finance authority shall operate
 22 and maintain the bridge under IC 8-16-1. However, the Indiana
 23 transportation finance authority may contract with the Indiana
 24 department of transportation to operate and maintain the bridge.

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