

The governor, by and with the advice and consent of the senate, shall appoint three commissioners to enter into a compact on behalf of the State of Mississippi with the State of Arkansas. If the senate is not in session at the time for making such appointments, the governor shall make temporary appointments as in the case of a vacancy. Any two of the commissioners so appointed, together with the attorney general of the State of Mississippi, may act to enter into the following compact:

COMPACT BETWEEN ARKANSAS AND MISSISSIPPI CREATING AN ARKANSAS-MISSISSIPPI BRIDGE COMMISSION

Article I

There is hereby created an Arkansas-Mississippi Bridge Commission (hereinafter referred to as the commission) which shall be a body corporate and politic and which shall have the following powers and duties:

1. To plan, construct, maintain and operate a bridge and approaches thereto across the Mississippi River at or near Helena, Arkansas, and Friars Point, Mississippi, at a point deemed by the commission as most suitable to the interests of the citizens of the States of Arkansas and Mississippi in accordance with the provisions of an act of the Seventy-Ninth Congress, Second Session, of the United States entitled "The General Bridge Act of 1946";
2. To purchase, maintain and, in its discretion, to operate all or any ferries across the Mississippi River within twenty-five miles of the site selected for the bridge;
3. To contract, to sue and be sued in its own name; to purchase or otherwise acquire, hold and dispose of real and personal property;
4. To acquire by proper condemnation proceedings such real property as may be necessary for the construction and operation of the bridge and the approaches thereto;
5. To issue bonds on the security of the revenues derived from the operation of the bridge and ferries for the payment of the cost of the bridge, its approaches, ferry or ferries, and the necessary lands, easements and appurtenances thereto including interest during construction and all necessary engineering, legal, architectural, traffic surveying and other necessary expenses. Such bonds shall be the negotiable bonds of the commission, the income of which shall be tax free. The principal and interest of the bonds, and any premiums to be paid for their retirement before maturity, shall be paid solely from the revenues derived from the bridge and ferries;
6. To establish and charge tolls for transit over such bridge and ferries in accordance with the provisions of this compact;
7. To perform all other necessary and incidental functions.

Article II

The rates of tolls to be charged for transit over such bridge and ferries shall be so adjusted 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 the outstanding bonds. All tolls and other revenues derived from facilities of the commission are hereby pledged to such uses.

Article III

The commission shall keep an accurate record of the cost of the bridge and 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 it pursuant to this agreement and any legislation thereunder.

Article IV

When the bonds have been retired, the part of the bridge within the State of Arkansas shall be conveyed to the State of Arkansas, and the part within the State of Mississippi to the State of Mississippi, and the high contracting parties to this compact do hereby agree that thereafter the bridge shall be free of tolls and shall be properly maintained, operated and repaired by the two states as may be agreed upon.

Article V

The commission shall consist of eighteen members, nine of whom shall be qualified electors of the State of Mississippi and nine of whom shall be qualified electors of the State of Arkansas. The Arkansas members are to be chosen by the State of Arkansas, and the Mississippi members are to be chosen by the State of Mississippi, in the manner and for the term fixed by the Legislature of each state, except as herein provided. The first commission, acting under this compact, shall be the present members of the Arkansas-Mississippi Bridge Commission heretofore appointed under the terms and provisions of Act of Congress approved May 17, 1939 (Public Act 80, 76th Congress), as amended by Act of Congress approved June 19, 1948 (Public Act 701, 80th Congress), said commission consisting of the following members: J. B. Lambert, Helena, Arkansas; R. L. Brooks, Helena, Arkansas; K. B. Lasswell, Helena, Arkansas; John C. Sheffield, Helena, Arkansas; C. N. Houck, Marianna, Arkansas; William Campbell, Forrest City,

Arkansas; Clarence Thomas, Clarendon, Arkansas; Ballard Deane, St. Charles, Arkansas; DeWitt Poe, McGehee, Arkansas; W. K. Anderson, Clarksdale, Mississippi; E. Cage Brewer, Jr., Clarksdale, Mississippi; M. D. Brett, Clarksdale, Mississippi; R. N. Baltzer, Clarksdale, Mississippi; Sol Hirsburg, Friars Point, Mississippi; John Dunlap, Batesville, Mississippi; Noel M. Hodge, Oxford, Mississippi; Grady Cook, Pontotoc, Mississippi; James A. Finley, Tupelo, Mississippi.

Article VI

1. The Commission shall elect from its number a chairman and a vice-chairman and may appoint such officers and employees as it may require for the performance of its duties and shall fix and determine their qualifications and duties.
2. Until otherwise determined by the legislatures of the two states no action of the commission shall be binding unless taken at a meeting at which at least five members from each state are present and unless a majority of the members from each state present at such meeting shall vote in favor thereof. Each state reserves the right hereafter to provide by law for the exercise of the veto power by the governor thereof over any action of any commissioner appointed therefrom.
3. The two states shall provide penalties for violations of any order, rule or regulation of the commission, and for the manner of enforcing same.

Article VII

The commission is authorized and directed to proceed with the planning and construction of the bridge and the approaches thereto as rapidly as may be economically practicable and is hereby vested with all necessary and appropriate powers, not inconsistent with the constitution or the laws of the United States or of either state, to effect the same, except the power to assess or levy taxes.

Article VIII

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

(Signed)

In the presence of:

(Signed)

Sources: Laws, 1950, ch. 393, § 1, eff from and after passage (approved March 31, 1950).