

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1086 Session of 2015

INTRODUCED BY VEREB, TAYLOR, ADOLPH, BARRAR, BENNINGHOFF, CAUSER, D. COSTA, DELOZIER, EVERETT, GILLEN, GILLESPIE, GINGRICH, GRELL, HARHART, HARPER, A. HARRIS, HEFFLEY, HENNESSEY, HICKERNELL, KAUFFMAN, F. KELLER, LAWRENCE, MALONEY, MARSICO, McNEILL, MILLARD, MOUL, MURT, O'NEILL, PETRI, QUINN, SAYLOR, STAATS, TOBASH, TOEPEL AND WATSON, MAY 11, 2015

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 11, 2015

AN ACT

1 Amending the act of June 12, 1931 (P.L.575, No.200), entitled
 2 "An act providing for joint action by Pennsylvania and New
 3 Jersey in the development of the ports on the lower Delaware
 4 River, and the improvement of the facilities for
 5 transportation across the river; authorizing the Governor,
 6 for these purposes, to enter into an agreement with New
 7 Jersey; creating The Delaware River Joint Commission and
 8 specifying the powers and duties thereof, including the power
 9 to finance projects by the issuance of revenue bonds;
 10 transferring to the new commission all the powers of the
 11 Delaware River Bridge Joint Commission; and making an
 12 appropriation," further providing for the Delaware River
 13 Joint Commission, for composition, for employees, for
 14 financing and for executive sessions; providing for majority
 15 approval and contract procedures; further providing for
 16 report; providing for conflicts of interest, for master plan
 17 and creating the Port Authority Transit Corporation
 18 Commuter's Council; further providing for definitions;
 19 authorizing the Governor to apply for approval; prohibiting
 20 the entrance into a compact until passage of a similar act;
 21 and making editorial changes.

22 The General Assembly of the Commonwealth of Pennsylvania
 23 hereby enacts as follows:

24 Section 1. The Governor is authorized to enter into a
 25 supplemental compact or agreement, on behalf of the

1 Commonwealth, with the State of New Jersey, further amending and
2 supplementing the compact or agreement between the Commonwealth
3 and the State of New Jersey entitled "Agreement between the
4 Commonwealth of Pennsylvania and the State of New Jersey
5 creating The Delaware River Joint Commission as a body corporate
6 and politic and defining its powers and duties," which was
7 executed on behalf of the Commonwealth of Pennsylvania by its
8 Governor on July first, one thousand nine hundred and thirty-
9 one, and on behalf of the State of New Jersey by the New Jersey
10 Interstate Bridge Commission by its members on July first, one
11 thousand nine hundred and thirty-one, and which was consented to
12 by the Congress of the United States by Public Resolution Number
13 twenty-six, being chapter two hundred fifty-eight of the Public
14 Laws, Seventy-second Congress, approved June fourteenth, one
15 thousand nine hundred and thirty-two, which supplemental compact
16 and agreement shall be in substantially the following form:

17 Supplemental agreement between the Commonwealth of
18 Pennsylvania and the State of New Jersey further amending and
19 supplementing the agreement entitled "Agreement between the
20 Commonwealth of Pennsylvania and the State of New Jersey
21 creating The Delaware River Joint Commission as a body corporate
22 and politic and defining its powers and duties," further
23 providing for The Delaware River Joint Commission, for
24 composition, for employees, for financing and for executive
25 sessions; providing for majority approval and contract
26 procedures; further providing for report; providing for
27 conflicts of interest, for master plan and creating the Port
28 Authority Transit Corporation Commuter's Council; further
29 providing for definitions; authorizing the Governor to apply for
30 approval; prohibiting the entrance into a compact until passage

1 of a similar act; and making editorial changes.

2 The Commonwealth of Pennsylvania and the State of New Jersey
3 do solemnly covenant and agree, each with the other, that the
4 compact or agreement entitled "Agreement between the
5 Commonwealth of Pennsylvania and the State of New Jersey
6 creating The Delaware River Joint Commission as a body corporate
7 and politic and defining its powers and duties," which was
8 executed on behalf of the Commonwealth of Pennsylvania by its
9 Governor on July first, one thousand nine hundred and thirty-
10 one, and on behalf of the State of New Jersey by the New Jersey
11 Interstate Bridge Commission by its members on July first, one
12 thousand nine hundred and thirty-one, and which was consented to
13 by the Congress of the United States by Public Resolution Number
14 twenty-six, being chapter two hundred fifty-eight of the Public
15 Laws, Seventy-second Congress, approved June fourteenth, one
16 thousand nine hundred and thirty-two, be amended as follows:

17 (1) That Articles I, II and IV of the compact, as
18 amended April 3, 1992 (P.L.57, No.19), be amended to read:

19 ARTICLE I

20 The body corporate and politic, heretofore created and known
21 as The Delaware River Joint Commission, hereby is continued
22 under the name of The Delaware River Port Authority (hereinafter
23 in this agreement called the 'commission'), which shall
24 constitute the public corporate instrumentality of the
25 Commonwealth of Pennsylvania and the State of New Jersey for the
26 following public purposes, and which shall be deemed to be
27 exercising an essential governmental function in effectuating
28 such purposes, to wit:

29 (a) The operation and maintenance of the bridge, owned
30 jointly by the two States, across the Delaware River between the

1 City of Philadelphia in the Commonwealth of Pennsylvania and the
2 City of Camden in the State of New Jersey, including its
3 approaches, and the making of additions and improvements
4 thereto.

5 (b) The effectuation, establishment, construction,
6 acquisition, operation and maintenance of railroad or other
7 facilities for the transportation of passengers across any
8 bridge or tunnel owned or controlled by the commission,
9 including extensions of such railroad or other facilities
10 necessary for efficient operation in the Port District.

11 (c) The improvement and development of the Port District for
12 port purposes by or through the acquisition, construction,
13 maintenance or operation of any and all projects for the
14 improvement and development of the Port District for port
15 purposes, or directly related thereto, either directly by
16 purchase, lease or contract, or by lease or agreement with any
17 other public or private body or corporation, or in any other
18 manner.

19 (d) Cooperation with all other bodies interested or
20 concerned with, or affected by the promotion, development or use
21 of the Delaware River and the Port District.

22 (e) The procurement from the Government of the United States
23 of any consents which may be requisite to enable any project
24 within its powers to be carried forward.

25 (f) The construction, acquisition, operation and maintenance
26 of other bridges and tunnels across or under the Delaware River,
27 between the City of Philadelphia or the County of Delaware in
28 the Commonwealth of Pennsylvania, and the State of New Jersey,
29 including approaches, and the making of additions and
30 improvements thereto.

1 (g) The promotion as a highway of commerce of the Delaware
2 River, and the promotion of increased passenger and freight
3 commerce on the Delaware River and for such purpose the
4 publication of literature and the adoption of any other means as
5 may be deemed appropriate.

6 (h) To study and make recommendations to the proper
7 authorities for the improvement of terminal, lighterage,
8 wharfage, warehouse and other facilities necessary for the
9 promotion of commerce on the Delaware River.

10 (i) Institution through its counsel, or such other counsel
11 as it shall designate, or intervention in, any litigation
12 involving rates, preferences, rebates or other matters vital to
13 the interest of the Port District: Provided, That notice of any
14 such institution of or intervention in litigation shall be given
15 promptly to the Attorney General of the Commonwealth of
16 Pennsylvania and to the Attorney General of the State of New
17 Jersey, and provision for such notices shall be made in a
18 resolution authorizing any such intervention or litigation and
19 shall be incorporated in the minutes of the commission.

20 (j) The establishment, maintenance, rehabilitation,
21 construction and operation of a rapid transit system for the
22 transportation of passengers, express, mail, and baggage, or any
23 of them, between points in New Jersey within the Port District
24 and points in Pennsylvania within the Port District, and
25 intermediate points. Such system may be established either by
26 utilizing existing rapid transit systems, railroad facilities,
27 highways and bridges within the territory involved or by the
28 construction or provision of new facilities where deemed
29 necessary, and may be established either directly by purchase,
30 lease or contract, or by lease or agreement with any other

1 public or private body or corporation, or in any other manner.

2 (k) The performance of such other functions which may be of
3 mutual benefit to the Commonwealth of Pennsylvania and the State
4 of New Jersey insofar as concerns the promotion and development
5 of the Port District for port purposes and the use of its
6 facilities by commercial vessels.

7 (l) The performance or effectuation of such additional
8 bridge, tunnel, railroad, rapid transit, transportation,
9 transportation facility, terminal, terminal facility, and port
10 improvement and development purposes within the Port District as
11 may hereafter be delegated to or imposed upon it by the action
12 of either State concurred in by legislation of the other.

13 (m) The unification of the ports of the Delaware River
14 through (i) the acquisition or taking control of any terminal,
15 terminal facility, transportation facility or marine terminal or
16 port facility or associated property within the Port District
17 through purchase, lease or otherwise, or by the acquisition,
18 merger, becoming the successor to or entering into contracts,
19 agreements or partnerships with any other port corporation, port
20 authority or port-related entity which is located within the
21 Port District, all in accordance with the applicable laws of the
22 State in which the facility corporation or authority is located;
23 (ii) the exercise of the other powers granted by this compact;
24 or (iii) the establishment (whether solely or jointly with any
25 other entity or entities) of such subsidiary corporation or
26 corporations or maritime or port advisory committees as may be
27 necessary or desirable to effectuate this purpose.

28 (n) The planning, financing, development, acquisition,
29 construction, purchase, lease, maintenance, marketing,
30 improvement and operation of any project directly relating to

1 the operation of the Delaware River Port Authority, including,
2 but not limited to, any terminal, terminal facility,
3 transportation facility or any other facility of commerce [or
4 economic development activity], from funds available after
5 appropriate allocation for maintenance of bridge and other
6 capital facilities.

7 ARTICLE II

8 The commission shall consist of sixteen commissioners, eight
9 resident voters of the Commonwealth of Pennsylvania, and eight
10 resident voters of the State of New Jersey, who shall serve
11 without compensation.

12 The commissioners for the State of New Jersey shall be
13 appointed by the Governor of New Jersey with the advice and
14 consent of the Senate of New Jersey, for terms of five years,
15 and in case of a vacancy occurring in the office of commissioner
16 during a recess of the Legislature, it may be filled by the
17 Governor by an ad interim appointment, which shall expire at the
18 end of the next regular session of the Senate unless a successor
19 shall be sooner appointed and qualify and, after the end of the
20 session, no ad interim appointment to the same vacancy shall be
21 made unless the Governor shall have submitted to the Senate a
22 nomination to the office during the session and the Senate shall
23 have adjourned without confirming or rejecting it; and no person
24 nominated for any such vacancy shall be eligible for an ad
25 interim appointment to such office if the nomination shall have
26 failed of confirmation by the Senate.

27 Six of the eight commissioners for the Commonwealth of
28 Pennsylvania shall be appointed by the Governor of Pennsylvania
29 for terms of five years. The Auditor General and the State
30 Treasurer of said Commonwealth shall, ex-officio, be

1 commissioners for said Commonwealth, each having the privilege
2 of appointing a representative to serve in his place at any
3 meeting of the commission which he does not attend personally.

4 Any commissioner who is an elected public official shall have
5 the privilege of appointing a representative to serve and act in
6 his place at any meeting of the commission which he does not
7 attend personally.

8 Pennsylvania commissioners who are not ex-officio members of
9 the commission shall be confirmed by a majority of the members
10 elected to the Pennsylvania Senate.

11 All commissioners shall continue to hold office after the
12 expiration of the terms for which they are appointed or elected
13 until their respective successors are appointed and qualify, but
14 no period during which any commissioner shall hold over shall be
15 deemed to be an extension of his term of office for the purpose
16 of computing the date on which his successor's term expires.

17 ARTICLE IV

18 For the effectuation of its authorized purposes, the
19 commission is hereby granted the following powers:

- 20 (a) To have perpetual succession;
- 21 (b) To sue and be sued;
- 22 (c) To adopt and use an official seal;
- 23 (d) To elect a chairman, vice-chairman, secretary and
24 treasurer, and to adopt suitable by-laws for the management of
25 its affairs. The secretary and treasurer need not be members of
26 the commission.
- 27 (e) To appoint, hire or employ counsel and such other
28 officers, and such agents and employes, as it may require for
29 the performance of its duties, by contract or otherwise, and fix
30 and determine their qualifications, duties and compensation;

1 (f) To enter into contracts;

2 (g) To acquire, own, hire, use, operate and dispose of
3 personal property;

4 (h) To acquire, own, use, lease, operate, mortgage and
5 dispose of real property and interests in real property, and to
6 make improvements thereon;

7 (h.1) At its option, [it may] to authorize the Department of
8 [Property and Supplies] General Services to prescribe standards
9 and specifications and make contracts and purchases of various
10 materials and services for the commission, pursuant to the
11 provisions of sections 2403, 2403.1 and 2409 of the act of April
12 9, 1929 (P.L.177), known as "The Administrative Code of 1929."

13 (i) To grant by franchise, lease or otherwise, the use of
14 any property or facility owned or controlled by the commission
15 and to make charges therefor;

16 (j) To borrow money upon its bonds or other obligations for
17 the purpose of financing any project authorized by or pursuant
18 to this compact or agreement, either with or without security,
19 and to make, enter into and perform any and all such covenants
20 and agreements with the holders of such bonds or other
21 obligations as the commission may determine to be necessary or
22 desirable for the security and payment thereof, including,
23 without limitation of the foregoing, covenants and agreements as
24 to the management and operation of any property or facility
25 owned or controlled by it, the tolls, rents, rates or other
26 charges to be established, levied, made and collected for any
27 use of any such property or facility, or the application, use
28 and disposition of the proceeds of any bonds or other
29 obligations of the commission, or the proceeds of any such
30 tolls, rents, rates or other charges or any other revenues or

1 moneys of the commission;

2 (k) To exercise the right of eminent domain within the Port
3 District;

4 (l) To determine the exact location, system and character
5 of, and all other matters in connection with, any and all
6 improvements or facilities which it may be authorized to own,
7 construct, establish, effectuate, operate or control;

8 (m) In addition to the foregoing, to exercise the powers,
9 duties, authority and jurisdiction heretofore conferred and
10 imposed upon the aforesaid The Delaware River Joint Commission
11 by the Commonwealth of Pennsylvania or the State of New Jersey,
12 or both of the said two States;

13 (n) To exercise all other powers, not inconsistent with the
14 constitutions of the two States or of the United States, which
15 may be reasonably necessary or incidental to the effectuation of
16 its authorized purposes or to the exercise of any of the
17 foregoing powers, except the power to levy taxes or assessments;
18 and generally to exercise, in connection with its property and
19 affairs and in connection with property within its control, any
20 and all powers which might be exercised by a natural person or a
21 private corporation in connection with similar property and
22 affairs;

23 (o) To acquire, purchase, construct, lease, operate,
24 maintain and undertake any project directly relating to the
25 operation of the Delaware River Port Authority, including any
26 terminal, terminal facility, transportation facility, or any
27 other facility of commerce, and to make charges for the use
28 thereof;

29 (p) To make expenditures anywhere in the United States and
30 foreign countries, to pay commissions, and hire or contract with

1 experts or consultants, and otherwise to do indirectly anything
2 which the commission may do directly.

3 (q) To establish one or more operating divisions as deemed
4 necessary to exercise the power and effectuate the purposes of
5 this agreement.

6 (r) To hold executive sessions consisting of the majority of
7 the members of the commission for the Commonwealth of
8 Pennsylvania and a majority of the members of the commission for
9 the State of New Jersey to address confidential matters,
10 including matters concerning litigation, personnel, contractual
11 negotiations and contract review. Neither the commissioners for
12 the Commonwealth of Pennsylvania nor the commissioners for the
13 State of New Jersey may meet in caucus separately from the
14 members of the other state.

15 [The commission shall also have such additional powers as may
16 hereafter be delegated to or imposed upon it from time to time
17 by the action of either State concurred in by legislation of the
18 other.

19 It is the policy and intent of the Legislatures of the
20 Commonwealth of Pennsylvania and the State of New Jersey that
21 the powers granted by this Article shall be so exercised that
22 the American system of free competitive private enterprise is
23 given full consideration and is maintained and furthered. In
24 making its reports and recommendations to the Legislatures of
25 the Commonwealth of Pennsylvania and the State of New Jersey on
26 the need for any facility or project which the commission
27 believes should be undertaken for the promotion and development
28 of the Port District, the commission shall include therein its
29 findings which fully set forth that the facility or facilities
30 operated by private enterprise within the Port District and

1 which it is intended shall be supplanted or added to are not
2 adequate.]

3 (2) The compact is amended by adding an article to read:

4 ARTICLE IV-A

5 The commission shall not negotiate, extend, amend or
6 otherwise alter the terms of a contract, or enter into any
7 contract, unless such action is voted on and approved by the
8 board in a public session and notice of such session is provided
9 to the public pursuant to subsection c. of section 3 of
10 P.L.1991, c.400 (C.32:3-4.7).

11 The commission shall use best practices in the procurement of
12 necessary items and services, which shall include the
13 requirement that the commission procure all supplies, services
14 and construction pursuant to the provisions of 62 Pa.C.S. Pt. I
15 (relating to Commonwealth Procurement Code) and all pertinent
16 laws of the State of New Jersey.

17 The commission shall establish, on its official Internet
18 website, a secure online process to allow prospective qualified
19 vendors to complete online any documents the commission requires
20 concerning requests for proposals.

21 The commission shall also have such additional powers as may
22 hereafter be delegated to or imposed upon it from time to time
23 by the action of either state concurred in by legislation of the
24 other.

25 It is the policy and intent of the Legislatures of the
26 Commonwealth of Pennsylvania and the State of New Jersey that
27 the powers granted by this article shall be so exercised that
28 the American system of free competitive private enterprise is
29 given full consideration and is maintained and furthered. In
30 making its reports and recommendations to the Legislatures of

1 the Commonwealth of Pennsylvania and the State of New Jersey on
2 the need for any facility or project which the commission
3 believes should be undertaken for the promotion and development
4 of the Port District, the commission shall include therein its
5 findings which fully set forth that the facility or facilities
6 operated by private enterprise within the Port District and
7 which it is intended shall be supplanted or added to are not
8 adequate.

9 (3) That Article XII of the compact, as amended April 3,
10 1992 (P.L.57, No.19), be amended to read:

11 ARTICLE XII

12 The commission shall, within ninety days after the end of
13 each fiscal year, submit to the Governors and Legislatures of
14 the Commonwealth of Pennsylvania and the State of New Jersey a
15 complete and detailed report of the following:

16 (1) its operations and accomplishments during the completed
17 fiscal year;

18 (2) its receipts and disbursements or revenues and expenses
19 during that year in accordance with the categories and
20 classifications established by the commission for its own
21 operating and capital outlay purposes;

22 (3) its assets and liabilities at the end of the fiscal
23 year, including the status or reserve, depreciation, special or
24 other funds including debits and credits of these funds;

25 (4) a schedule of bonds and notes outstanding at the end of
26 the fiscal year;

27 (5) a list of all contracts exceeding \$100,000 entered into
28 during the fiscal year;

29 (6) a business or strategic plan for the commission and for
30 each of its operating divisions; and

1 (7) a five-year capital plan.

2 [Not less than once every five years the commission shall
3 cause a management audit of its operational effectiveness and
4 efficiency to be conducted by an independent consulting firm
5 selected by the commission. The first management audit to be
6 conducted shall commence within three years of the date of
7 coming into force of the supplemental compact or agreement
8 authorized by this 1991 amendatory act. This audit is in
9 addition to any other audit which the commission determines to
10 conduct from time to time.]

11 The commission shall submit biennially to an audit of its
12 budget conducted by an independent auditor selected by the New
13 Jersey Comptroller and the Auditor General of Pennsylvania and
14 approved by the Governors of New Jersey and Pennsylvania. The
15 audit shall be provided to the Governors and Legislatures of the
16 State of New Jersey and the Commonwealth of Pennsylvania no
17 later than December 31 of every even-numbered year and shall
18 include all expenditures, revenues and financial operations of
19 the commission. Failure to submit to this audit shall result in
20 the forfeiture of the salary of every officer of the commission
21 or employe employed by the commission at a level at or exceeding
22 the level of director, or acting director, until such time as
23 the audit is complete.

24 The commission shall submit biennially to a performance
25 review audit conducted by an independent auditor selected by the
26 New Jersey Comptroller and the Auditor General of Pennsylvania
27 and approved by the Governors of New Jersey and Pennsylvania.
28 The audit shall include an evaluation of whether the commission
29 is achieving efficiency and effectiveness in the employment of
30 its financial and operational resources and shall be provided to

1 the Governors and Legislatures of the State of New Jersey and
2 the Commonwealth of Pennsylvania no later than December 31 of
3 every odd-numbered year. Failure to submit to this audit shall
4 result in the forfeiture of the salary of every officer of the
5 commission or employe employed by the commission at a level at
6 or exceeding the level of director, or acting director, until
7 such time as the audit is complete.

8 Every two years the commission shall conduct a review of the
9 compensation of commission employes and officers for the purpose
10 of ensuring that compensation is commensurate with duties
11 performed. The commission shall provide a report on the
12 compensation of its employes and officers to the Governors and
13 Legislatures of the State of New Jersey and the Commonwealth of
14 Pennsylvania by June thirtieth of every even-numbered year. The
15 report shall provide the salary range of each job title and
16 shall include the following information concerning each
17 commission employe and officer:

- 18 (a) names;
- 19 (b) annual salary;
- 20 (c) job title;
- 21 (d) hiring date; and
- 22 (e) job description.

23 Failure to conduct this review shall result in the forfeiture of
24 the salary of every officer of the commission or employe
25 employed by the commission at a level at or exceeding the level
26 of director, or acting director, until such time as the review
27 is complete.

28 [The commission shall, not later than two years after the
29 date of the coming into force of the supplemental compact or
30 agreement authorized by this 1992 amendatory act, prepare a

1 comprehensive master plan for the development of the Port
2 District. The plan shall include, but not be limited to, plans
3 for the construction, financing, development, reconstruction,
4 purchase, lease, improvement and operation of any terminal,
5 terminal facility, transportation facility or any other facility
6 of commerce or economic development activity. The master plan
7 shall include the general location of such projects and
8 facilities as may be included in the master plan and shall to
9 the maximum extent practicable include, but not be limited to, a
10 general description of each such projects and facilities, the
11 land use requirements necessary therefor, and estimates of
12 project costs and of a schedule for commencement of each such
13 project. Prior to adopting such master plan, the commission
14 shall give written notice to, afford a reasonable opportunity
15 for comment, consult with and consider any recommendations from
16 State, county and municipal government, as well as commissions,
17 public corporations and authorities and the private sector. The
18 commission may modify or change any part of the plan in the same
19 form and manner as provided for the adoption of the original
20 plan. At the time the commission authorizes any project or
21 facility, the commission shall promptly provide to the Governor
22 and Legislature of each State a detailed report on the project,
23 including its status within the master plan. The commission
24 shall include within the authorization a status of the project
25 or facility in the master plan and any amendment thereof, and no
26 project shall be authorized if not included in the master plan
27 or amendment thereof. Any project which has been commenced and
28 approved by the commission prior to the adoption of the master
29 plan shall be included, for informational purposes only, in the
30 master plan. The commission shall provide notice of such ongoing

1 projects to those State, county and municipal governments, as
2 well as entities in the private sector who would be entitled to
3 such notice had the project not been commenced in anticipation
4 of adopting the master plan, but there shall be not requirement
5 that the project be delayed or deferred due to those provisions.

6 In addition to other powers conferred upon it, and not in
7 limitation thereof, the commission may acquire all right, title
8 and interest in and to the Tacony-Palmyra Bridge, across the
9 Delaware River at Palmyra, New Jersey, together with any
10 approaches and interests in real property necessary thereto. The
11 acquisition of such bridge, approaches and interests by the
12 commission shall be by purchase or by condemnation in accordance
13 with the provisions of the Federal law consenting to or
14 authorizing the construction of such bridge or approaches, or
15 the acquisition of such bridge, approaches or interests by the
16 commission shall be pursuant to and in accordance with the
17 provisions of sections 48:5-22 and 48:5-23 of the Revised
18 Statutes of New Jersey, and for all the purposes of said
19 provisions and sections the commission is hereby appointed as
20 the agency of the State of New Jersey and the Commonwealth of
21 Pennsylvania exercising the rights and powers granted or
22 reserved by said Federal law or sections to the State of New
23 Jersey and Commonwealth of Pennsylvania jointly or to the State
24 of New Jersey acting in conjunction with the Commonwealth of
25 Pennsylvania. The commission shall have authority to so acquire
26 such bridge, approaches and interests, whether the same be
27 owned, held, operated or maintained by any private person, firm,
28 partnership, company, association or corporation or by any
29 instrumentality, public body, commission, public agency or
30 political subdivision (including any county or municipality) of,

1 or created by or in, the State of New Jersey or the Commonwealth
2 of Pennsylvania, or by any instrumentality, public body,
3 commission or public agency of, or created by or in, a political
4 subdivision (including any county or municipality) of the State
5 of New Jersey or the Commonwealth of Pennsylvania. None of the
6 provisions of the preceding paragraph shall be applicable with
7 respect to the acquisition by the commission, pursuant to this
8 paragraph, of said Tacony-Palmyra Bridge, approaches and
9 interests. The power and authority herein granted to the
10 commission to acquire said Tacony-Palmyra Bridge, approaches and
11 interests shall not be exercised unless and until the Governor
12 of the State of New Jersey and the Governor of the Commonwealth
13 of Pennsylvania have filed with the commission their written
14 consents to such acquisition.

15 Notwithstanding any provision of this agreement, nothing
16 herein contained shall be construed to limit or impair any right
17 or power granted or to be granted to the Pennsylvania Turnpike
18 Commission or the New Jersey Turnpike Authority, to finance,
19 construct, operate and maintain the Pennsylvania Turnpike System
20 or any turnpike project of the New Jersey Turnpike Authority,
21 respectively, throughout the Port District, including the right
22 and power, acting alone or in conjunction with each other, to
23 provide for the financing, construction, operation and
24 maintenance of one bridge across the Delaware River south of the
25 City of Trenton in the State of New Jersey: Provided, That such
26 bridge shall not be constructed within a distance of ten miles,
27 measured along the boundary line between the Commonwealth of
28 Pennsylvania and the State of New Jersey, from the existing
29 bridge, operated and maintained by the commission, across the
30 Delaware River between the City of Philadelphia in the

1 Commonwealth of Pennsylvania and the City of Camden in the State
2 of New Jersey, so long as there are any outstanding bonds or
3 other securities or obligations of the commission for which the
4 tolls, rents, rates, or other revenues, or any part thereof, of
5 said existing bridge shall have been pledged. Nothing contained
6 in this agreement shall be construed to authorize the commission
7 to condemn any such bridge.

8 Anything herein contained to the contrary notwithstanding, no
9 bridge or tunnel shall be constructed, acquired, operated or
10 maintained by the commission across or under the Delaware River
11 north of the boundary line between Bucks County and Philadelphia
12 County in the Commonwealth of Pennsylvania as extended across
13 the Delaware River to the New Jersey shore of said river, and
14 any new bridge or tunnel authorized by or pursuant to this
15 compact or agreement to be constructed or erected by the
16 commission may be constructed or erected at any location south
17 of said boundary line notwithstanding the terms and provisions
18 of any other agreement between the Commonwealth of Pennsylvania
19 and the State of New Jersey. Except as may hereafter be
20 otherwise provided in conformity with Article IX hereof with
21 respect to specific properties designated by action of the
22 Legislatures of both of the signatory States, no property or
23 facility owned or controlled by the commission shall be acquired
24 from it by any exercise of powers of condemnation or eminent
25 domain.]

26 (4) The compact is amended by adding articles to read:

27 ARTICLE XII-A

28 (1) (a) All commissioners, directors, officers and employes
29 of the commission shall practice due diligence to avoid
30 situations in which their personal interest, activities or

1 financial affairs are, or are reasonably perceived as being, in
2 conflict with the interests of the commission. Prior to each
3 board meeting conducted pursuant to section 3 of P.L.1991, c.400
4 (C.32:3-4.7), the commission shall circulate a list of entities
5 that will be the subject of board action. Board members shall
6 identify in writing any conflicts in advance of board meetings.

7 (b) It shall be a conflict of interest for commissioners,
8 directors, officers or employes to engage in political activity
9 or electioneering using commission resources or equipment, or
10 during work hours, commission meetings or other activities
11 primarily related to employment with the commission.

12 (c) No commissioner, director, officer or employe of the
13 commission shall have an interest in a business organization or
14 engage in any business, transaction or professional activity,
15 which is in substantial conflict with the proper discharge of
16 the duties of the commissioners, directors, officers or employes
17 in the public interest. No commissioner, director, officer or
18 employe shall use or attempt to use an official position to
19 secure unwarranted privileges, exemptions, advantages or
20 employment.

21 (d) No commissioner, director, officer or employe may
22 directly or indirectly solicit, request, suggest or recommend to
23 any contractor, vendor or grant recipient, holding company,
24 affiliate, intermediary or subsidiary thereof, doing business
25 with the commission for the appointment or employment of any
26 person in any capacity.

27 (e) No commissioner, director, officer or employe of the
28 commission or any immediate family member of a commissioner,
29 director, officer or employe of the commission shall solicit or
30 accept any gift or item of value for personal benefit under any

1 circumstance which could be reasonably expected to influence, or
2 which may be perceived as being reasonably expected to
3 influence, the manner in which a commissioner, director, officer
4 or employe conducts the public business of the commission.

5 (f) No commissioner, director, officer or employe of the
6 commission or any immediate family member of a commissioner,
7 director, officer or employe of the commission shall exert any
8 undue influence with respect to any act of the commission,
9 including the selection of contractors, the hiring of or
10 dismissal of employes or the making of any other decision where
11 the influence of the commissioner, director, officer or employe
12 is, or is likely to be perceived as, an interference with the
13 independent and objective decisions of the commission.

14 (g) No employe employed as an officer, director or acting
15 director, or employed at a level exceeding that of an officer,
16 director or acting director, shall accept or engage in
17 employment with any professional service provider, vendor or
18 independent contractor of the commission for a period of two
19 years from the date of the termination of his employment with
20 the commission.

21 (h) The commission shall not enter into a contract with a
22 person, corporation or other legal entity that:

23 (i) is owned wholly or in part by a commissioner, director,
24 officer or employe or his relative; or

25 (ii) a commissioner, director, officer or employe or his
26 relative has entered into a contractual or business relationship
27 with or has received a personal pecuniary benefit therefrom.

28 (i) No person employed as a director or acting director, or
29 employed at a level exceeding that of an officer, director or
30 acting director, shall hold outside employment.

1 (j) No commissioner, director or officer of the commission
2 shall make a charitable contribution, including a donation or
3 gift of money or anything of value, on behalf of the commission.

4 (k) The commission shall not make monetary contributions to
5 charitable and civic organizations. A request for in-kind
6 support to a charitable or civic organization shall be approved
7 by the commission at a public meeting.

8 (l) Each commissioner shall file financial statements in
9 compliance with the law of the state from which the commissioner
10 was appointed.

11 (2) (a) No commissioner, director, officer or employe of
12 the commission shall be paid compensation higher than the lesser
13 salary of either the Governor of the State of New Jersey or the
14 Governor of the Commonwealth of Pennsylvania.

15 (b) The commission shall not compensate any commissioner,
16 director, officer or employe for expenses related to the use of
17 a vehicle that is procured by or for the commissioner, director,
18 officer or employe primarily for personal use or for the purpose
19 of commuting between home and work.

20 (c) The commission shall not extend to any commissioner,
21 director, officer or employe a personal line of credit or any
22 other form of credit agreement or compensation for any purpose.

23 (d) The commission is prohibited from entering into a
24 contract containing, or contingent upon, a written agreement or
25 understanding which requires a party to make a payment of a
26 portion of any consideration, commission, premium or fee
27 received under or attributable to the contract, with a person or
28 entity not a party to the contract. The commission is required
29 to include a provision in its contracts providing that no party
30 to the contract shall be required to make a payment of a portion

1 of any consideration, commission, premium or fee received under
2 or attributable to the contract, with a person or entity not a
3 party to the contract. A person or entity, which is a party to a
4 contract with the commission, is prohibited from offering to
5 make or making a payment to another person or entity having a
6 separate contractual relationship with the commission in order
7 to obtain contracts or agreements with the commission. A person
8 or entity, which is a party to a contract with the commission,
9 is prohibited from receiving or soliciting payment of a portion
10 of any consideration, commission, premium or fee received under
11 or attributable to a separate contractual relationship between
12 the commission and another person or entity.

13 (e) No commissioner, director, officer or employe shall
14 receive any lump sum expense allowance or contingent fund for
15 personal or official expenses except where the allowance or fund
16 is expressly provided for by statute or legislative
17 appropriation.

18 (f) No commissioner, director, officer or employe shall be
19 exempt from payment of any toll relating to the use of a
20 commission toll bridge or toll road, and the commission shall
21 not compensate any commissioner, director, officer or employe
22 for payment of the toll. An exception is provided for persons
23 operating under a collective bargaining agreement which provides
24 for toll exemptions. An excepted person shall not use or allow
25 the use of the exemption by any other person and, if the
26 unauthorized use occurs, the excepted person shall forfeit the
27 exemption.

28 (g) The commission shall require any current or prospective
29 vendor, including any director, officer, principal or partner
30 thereof, with which the commission conducts business for any

1 purpose or is in the process of establishing a business
2 relationship for any purpose to annually disclose a list of
3 current political campaign contributions made by the vendor, and
4 any such contributions made within four years prior to the
5 vendor's involvement with the commission.

6 (3) The commission shall be subject to the provisions of the
7 Pennsylvania act of February 14, 2008 (P.L.6, No.3), known as
8 the Right-to-Know Law, or to the provisions of P.L.1963, c.73
9 (C.47:1A-1 et seq.), commonly known as the open public records
10 act, as selected by the person or entity requesting the records.

11 (4) The commission shall adopt, within six months of the
12 effective date of this article, appropriate rules and
13 regulations concerning proper notice to the public and the news
14 media of its meetings and the right of the public and the news
15 media to be present at its meetings. The rules and regulations
16 adopted pursuant to this section shall provide for the same
17 notice and right of the public and news media to be present as
18 well as any other rights and duties provided in the "Senator
19 Byron M. Baer Open Public Meetings Act," P.L. 1975, c.231
20 (C.10:4-6 et seq.) and 65 Pa.C.S. Ch. 7 (relating to open
21 meetings). To the extent these laws conflict, the commission
22 shall incorporate into the rules and regulations the provisions
23 of that law which provide for the greatest rights to the public
24 and the news media.

25 (5) The commission shall not vote on any matter concerning a
26 commission contract unless notice is provided to the public at
27 least thirty days prior to the scheduled action by the
28 commission.

29 (6) The Attorney General of the Commonwealth of Pennsylvania
30 and the Attorney General of the State of New Jersey are hereby

1 authorized to take action under the laws of the Commonwealth of
2 Pennsylvania and the State of New Jersey to enforce the
3 provisions of the compact or agreement.

4 ARTICLE XIII

5 The commission shall, not later than two years after the
6 effective date of the supplemental compact or agreement
7 authorized by this 2015 amendatory act, prepare a comprehensive
8 master plan for the development of the Port District. The plan
9 shall include, but not be limited to, plans for the
10 construction, financing, development, reconstruction, purchase,
11 lease, improvement and operation of any terminal, terminal
12 facility, transportation facility or any other facility of
13 commerce. The master plan shall include the general location of
14 such projects and facilities as may be included in the master
15 plan and shall to the maximum extent practicable include, but
16 not be limited to, a general description of each such project
17 and facility, the land use requirements necessary therefor and
18 estimates of project costs and of a schedule for commencement of
19 each such project. Prior to adopting such master plan, the
20 commission shall give written notice to, afford a reasonable
21 opportunity for comment from, consult with and consider any
22 recommendations from state, county and municipal government, as
23 well as commissions, public corporations and authorities and the
24 private sector. The commission may modify or change any part of
25 the plan in the same form and manner as provided for the
26 adoption of the original plan. At the time the commission
27 authorizes any project or facility, the commission shall
28 promptly provide to the Governor and Legislature of each state a
29 detailed report on the project, including its status within the
30 master plan. The commission shall include within the

1 authorization a status of the project or facility in the master
2 plan and any amendment thereof, and no project shall be
3 authorized if not included in the master plan or amendment
4 thereof. Any project which has been commenced and approved by
5 the commission prior to the adoption of the master plan shall be
6 included, for informational purposes only, in the master plan.
7 The commission shall provide notice of such ongoing projects to
8 those state, county and municipal governments, as well as
9 entities in the private sector who would be entitled to such
10 notice had the project not been commenced in anticipation of
11 adopting the master plan, but there shall be no requirement that
12 the project be delayed or deferred due to those provisions.

13 In addition to other powers conferred upon it, and not in
14 limitation thereof, the commission may acquire all right, title
15 and interest in and to the Tacony-Palmyra Bridge, across the
16 Delaware River at Palmyra, New Jersey, together with any
17 approaches and interests in real property necessary thereto. The
18 acquisition of such bridge, approaches and interests by the
19 commission shall be by purchase or by condemnation in accordance
20 with the provisions of the Federal law consenting to or
21 authorizing the construction of such bridge or approaches, or
22 the acquisition of such bridge, approaches or interests by the
23 commission shall be pursuant to and in accordance with the
24 provisions of sections 48:5-22 and 48:5-23 of the Revised
25 Statutes of New Jersey, and for all the purposes of said
26 provisions and sections the commission is hereby appointed as
27 the agency of the State of New Jersey and the Commonwealth of
28 Pennsylvania exercising the rights and powers granted or
29 reserved by said Federal law or sections to the State of New
30 Jersey and Commonwealth of Pennsylvania jointly or to the State

1 of New Jersey acting in conjunction with the Commonwealth of
2 Pennsylvania. The commission shall have authority to so acquire
3 such bridge, approaches and interests, whether the same be
4 owned, held, operated or maintained by any private person, firm,
5 partnership, company, association or corporation or by any
6 instrumentality, public body, commission, public agency or
7 political subdivision, including any county or municipality, of,
8 or created by or in, the State of New Jersey or the Commonwealth
9 of Pennsylvania, or by any instrumentality, public body,
10 commission or public agency of, or created by or in, a political
11 subdivision, including any county or municipality, of the State
12 of New Jersey or the Commonwealth of Pennsylvania. None of the
13 provisions of the preceding paragraph shall be applicable with
14 respect to the acquisition by the commission, pursuant to this
15 paragraph, of said Tacony-Palmyra Bridge, approaches and
16 interests. The power and authority herein granted to the
17 commission to acquire said Tacony-Palmyra Bridge, approaches and
18 interests shall not be exercised unless and until the Governor
19 of the State of New Jersey and the Governor of the Commonwealth
20 of Pennsylvania have filed with the commission their written
21 consents to such acquisition.

22 Notwithstanding any provision of this agreement, nothing
23 herein contained shall be construed to limit or impair any right
24 or power granted or to be granted to the Pennsylvania Turnpike
25 Commission or the New Jersey Turnpike Authority, to finance,
26 construct, operate and maintain the Pennsylvania Turnpike System
27 or any turnpike project of the New Jersey Turnpike Authority,
28 respectively, throughout the Port District, including the right
29 and power, acting alone or in conjunction with each other, to
30 provide for the financing, construction, operation and

1 maintenance of one bridge across the Delaware River south of the
2 City of Trenton in the State of New Jersey: Provided, That such
3 bridge shall not be constructed within a distance of ten miles,
4 measured along the boundary line between the Commonwealth of
5 Pennsylvania and the State of New Jersey, from the existing
6 bridge, operated and maintained by the commission, across the
7 Delaware River between the City of Philadelphia in the
8 Commonwealth of Pennsylvania and the City of Camden in the State
9 of New Jersey, so long as there are any outstanding bonds or
10 other securities or obligations of the commission for which the
11 tolls, rents, rates, or other revenues, or any part thereof, of
12 said existing bridge shall have been pledged. Nothing contained
13 in this agreement shall be construed to authorize the commission
14 to condemn any such bridge.

15 Anything herein contained to the contrary notwithstanding, no
16 bridge or tunnel shall be constructed, acquired, operated or
17 maintained by the commission across or under the Delaware River
18 north of the boundary line between Bucks County and Philadelphia
19 County in the Commonwealth of Pennsylvania as extended across
20 the Delaware River to the New Jersey shore of said river, and
21 any new bridge or tunnel authorized by or pursuant to this
22 compact or agreement to be constructed or erected by the
23 commission may be constructed or erected at any location south
24 of said boundary line notwithstanding the terms and provisions
25 of any other agreement between the Commonwealth of Pennsylvania
26 and the State of New Jersey. Except as may hereafter be
27 otherwise provided in conformity with Article IX hereof with
28 respect to specific properties designated by action of the
29 Legislatures of both of the signatory states, no property or
30 facility owned or controlled by the commission shall be acquired

1 from it by any exercise of powers of condemnation or eminent
2 domain.

3 (5) That the heading of Article XII-A of the compact,
4 added August 10, 1951 (P.L.1206, No.274), be renumbered to
5 read:

6 ARTICLE [XII-A] XIII-A

7 (6) That the heading of Article XII-B of the compact,
8 added June 11, 1963 (P.L.102, No.69), be renumbered to read:

9 ARTICLE [XII-B] XIII-B

10 (7) That the compact be amended by adding an article to
11 read:

12 ARTICLE XIII-C

13 (1) There is created under the commission the Port Authority
14 Transit Corporation Commuter's Council, to study, investigate,
15 monitor and make recommendations with respect to the maintenance
16 and operation of the Port Authority Transit Corporation's
17 facilities for the transportation of passengers. The council
18 shall study and investigate all aspects of the day-to-day
19 operations of the Port Authority Transit Corporation, monitor
20 its performance and recommend changes to improve the efficiency
21 of the operation of Port Authority Transit Corporation service.

22 (2) The council shall consist of four resident voters of the
23 Commonwealth of Pennsylvania and four resident voters of the
24 State of New Jersey, who shall be commuters regularly using the
25 transportation services of the Port Authority Transit
26 Corporation. The members from the Commonwealth of Pennsylvania
27 shall be appointed by the Governor of Pennsylvania, subject to
28 confirmation by a majority of members of the Pennsylvania
29 Senate, and the members from the State of New Jersey shall be
30 appointed by the Governor of New Jersey. Each of the members

1 shall serve for a term of three years. Vacancies occurring in
2 the membership of the council shall be filled in the same manner
3 as the original appointment.

4 (3) Members of the council shall serve without compensation
5 but may be reimbursed, subject to the limits of funds
6 appropriated or otherwise made available for those purposes, for
7 expenses actually incurred in attending meetings of the council
8 and in performance of their duties as members of the council.

9 (4) The commission shall provide the council with assistance
10 and information as may be necessary for the purposes of this
11 section.

12 (8) Article XIII of the compact, amended April 3, 1992,
13 P.L.57, No.19), is amended to read:

14 ARTICLE [XIII] XIV

15 As used herein, unless a different meaning clearly appears
16 from the context:

17 "Port District" shall mean all the territory within the
18 counties of Bucks, Chester, Delaware, Montgomery and
19 Philadelphia in Pennsylvania, in all the territory within the
20 counties of Atlantic, Burlington, Camden, Cape May, Cumberland,
21 Gloucester, Ocean and Salem in New Jersey.

22 "Commission" shall mean The Delaware River Port Authority
23 and, when required by the context, the board constituting the
24 governing body thereof in charge of its property and affairs.

25 "Commission resources" shall mean commission-owned or
26 commission-leased equipment, including telephones, computer
27 hardware or software, copiers, scanners, fax machines, file
28 cabinets or other office furniture, cell phones, person digital
29 assistant devices or similar electronic devices and office
30 supplies.

1 "Commissioner" shall mean a member of the governing body of
2 The Delaware River Port Authority.

3 "Director" shall include the engineering director, bridge
4 directors, director of the Port of Philadelphia and Camden,
5 director of risk management and safety, director of human
6 resource services, director of information services, finance
7 director of Port Authority Transit Corporation, director of
8 revenue, director of finance, director of emergency management
9 and homeland security or any similar position created by the
10 commission.

11 "Doing business with the commission" shall include the
12 following:

13 (1) Matters concerning the commission's acquisition,
14 disposal or improvement of real property.

15 (2) The making of the commission's contracts or the
16 settlement of claims related to the commission's contracts.

17 (3) The procurement of commission supplies, equipment,
18 services or professional services, including without limitation,
19 legal, accounting and investment services.

20 (4) The initiation or settlement of litigation to which the
21 commission is a party.

22 (5) The grant by the commission of a subsidy or privilege.

23 (6) The issuance and placement of commission debt
24 obligations.

25 (7) The deposit of commission funds.

26 (8) Other transactions in which the commission has a
27 financial interest.

28 ["Economic development activity" or "economic development"
29 shall mean any structure of facility or any development within
30 the Port District in connection with manufacturing, port-

1 oriented development, foreign trade zone site development or
2 research, commercial, industrial or recreational purposes, or
3 for purposes of warehousing or consumer and supporting services
4 directly relating to any of the foregoing or to any authority
5 project or facility which are required for the sound economic
6 development of the Port District.]

7 "Employee" shall include all persons employed by the
8 commission other than officers and directors.

9 "Immediate family member" shall include the spouse, parent,
10 stepparent, parent-in-law, grandparent, child, stepchild,
11 grandchild, brother, sister, stepbrother, stepsister, half-
12 brother, half-sister, aunt, uncle, niece or nephew of any
13 current commissioner, officer or employe, whether related by
14 blood, marriage or adoption.

15 "Officer" shall include the chief executive officer, deputy
16 chief executive officer, corporate secretary, treasurer, chief
17 public safety officer or police chief, chief financial officer,
18 chief administrative officer, chief operating officer, the Port
19 Authority Transit Corporation general manager and assistant
20 general manager, general counsel or any similar position created
21 by the commission.

22 "Political activity" shall mean an activity on behalf of a
23 political party, candidate, political committee or campaign,
24 which is intended to advance the interests of a specific party,
25 candidate, political committee or campaign for elective office.

26 (1) The term shall include:

27 (a) Organizing a campaign meeting, campaign rally or other
28 campaign event, including a fundraiser where campaign
29 contributions are solicited or received.

30 (b) Preparing or completing responses to candidate

1 questionnaires that are intended solely for campaign use.

2 (c) Preparing a campaign finance report.

3 (d) Conducting background research on a candidate.

4 (e) Preparing or conducting a campaign poll.

5 (f) Preparing, circulating or filing a candidate nominating
6 petition or papers.

7 (g) Participating in, preparing, reviewing or filing a legal
8 challenge to a nominating petition.

9 (h) Preparing, distributing or mailing campaign literature,
10 campaign signs or other campaign material, including television
11 and radio advertisements, website construction, e-mails,
12 facsimiles and robocalls, on behalf of any candidate for
13 elective office.

14 (i) Managing a campaign for elective office.

15 (j) Participating in, preparing, reviewing or filing a
16 document in a recount, challenge or contest of an election.

17 (k) Posting campaign-related information on an Internet
18 website, including social media websites.

19 (l) Soliciting or receiving campaign contributions in a
20 commission office, on commission property or with commission
21 resources.

22 (m) Using commission resources to create, store or maintain
23 a mailing list that identifies the listed individuals as
24 campaign volunteers or contributors to a candidate, political
25 party, political committee, campaign or campaign committee.

26 (n) Developing a list for the purpose of monitoring or
27 tracking campaign activity or campaign contributions of any
28 commission employe.

29 (2) The term shall not include:

30 (a) Registering and voting in an election.

1 (b) Expressing an opinion as an individual privately or
2 publicly on political subjects and candidates.

3 (c) Displaying a political picture, sticker, badge or button
4 when not on duty and at locations other than the workplace and
5 commission property.

6 (d) Participating in the nonpartisan activities of a civic,
7 community, social, labor or professional organization or of a
8 similar organization.

9 (e) Being a member of a political party or other political
10 organization or club and participating in its activities to the
11 extent consistent with this compact.

12 (f) Attending a political convention, rally, fundraising
13 function or other political gathering.

14 (g) Signing a political petition as an individual.

15 (h) Making a financial contribution to a political party or
16 organization.

17 (i) Being politically active in connection with a question
18 which is not specifically identified with a political party,
19 such as any constitutional amendment, referendum, approval of a
20 municipal ordinance or other question or issue of a similar
21 character.

22 (j) Otherwise participating fully in public affairs, except
23 as prohibited by law, in a manner which does not materially
24 compromise efficiency or integrity as an employe or the
25 efficiency or integrity of the commission.

26 "Relative" shall mean any:

27 (a) Spouse, parent, stepparent, parent-in-law, grandparent,
28 child, stepchild, grandchild, brother, sister, stepbrother,
29 stepsister, half-brother, half-sister, aunt, uncle, niece or
30 nephew of any current commissioner, officer or employe, whether

1 related by blood, marriage or adoption.

2 (b) Significant other of a commissioner, officer, director
3 or employe.

4 (c) Individual residing in the same household as a
5 commissioner, officer, director or employe.

6 "Terminal" shall include any marine, motor truck, motorbus,
7 railroad and air terminal or garage, also any coal, grain and
8 lumber terminal and any union freight and other terminals used
9 or to be used in connection with the transportation of
10 passengers and freight, and equipment, materials and supplies
11 therefor.

12 "Transportation facility" and "facilities for transportation
13 of passengers" shall include railroads operated by steam,
14 electricity or other power, rapid transit lines, motor trucks,
15 motorbuses, tunnels, bridges, airports, boats, ferries,
16 carfloats, lighters, tugs, floating elevators, barges, scows, or
17 harbor craft of any kind, and aircraft, and equipment, materials
18 and supplies therefor.

19 "Terminal facility" shall include wharves, piers, slips,
20 berths, ferries, docks, drydocks, ship repair yards, bulkheads,
21 dock walls, basins, carfloats, floatbridges, dredging equipment,
22 radio receiving and sending stations, grain or other storage
23 elevators, warehouses, cold storage, tracks, yards, sheds,
24 switches, connections, overhead appliances, bunker coal, oil and
25 fresh water stations, markets, and every kind of terminal,
26 storage or supply facility now in use, or hereafter designed for
27 use to facilitate passenger transportation and for the handling,
28 storage, loading or unloading of freight at terminals, and
29 equipment, materials and supplies therefor.

30 "Transportation of passengers" and "passenger transportation"

1 shall mean the transportation of passengers by railroad or other
2 facilities.

3 "Rapid transit system" shall mean a transit system for the
4 transportation of passengers, express, mail and baggage by
5 railroad or other facilities, and equipment, materials and
6 supplies therefor.

7 "Project" shall mean any improvement, betterment, facility or
8 structure authorized by or pursuant to this compact or agreement
9 to be constructed, erected, acquired, owned or controlled or
10 otherwise undertaken by the commission. "Project" shall not
11 include undertakings for purposes described in Article I,
12 subdivisions (d), (e), (g), (h) and (i).

13 "Railroad" shall include railways, extensions thereof,
14 tunnels, subways, bridges, elevated structures, tracks, poles,
15 wires, conduits, powerhouses, substations, lines for the
16 transmission of power, carbarns, shops, yards, sidings,
17 turnouts, switches, stations and approaches thereto, cars and
18 motive equipment.

19 "Bridge" and "tunnel" shall include such approach highways
20 and interests in real property necessary therefor in the
21 Commonwealth of Pennsylvania or the State of New Jersey as may
22 be determined by the commission to be necessary to facilitate
23 the flow of traffic in the vicinity of a bridge or tunnel or to
24 connect a bridge or tunnel with the highway system or other
25 traffic facilities in said Commonwealth or said State: Provided,
26 however, That the power and authority herein granted to the
27 commission to construct new or additional approach highways
28 shall not be exercised unless and until the Department of
29 Transportation of the Commonwealth of Pennsylvania shall have
30 filed with the commission its written approval as to approach

1 highways to be located in said Commonwealth and the State
2 Highway Department of the State of New Jersey shall have filed
3 with the commission its written approval as to approach highways
4 to be located in said State.

5 "Facility" shall include all works, buildings, structures,
6 property, appliances, and equipment, together with appurtenances
7 necessary and convenient for the proper construction, equipment,
8 maintenance and operation of a facility or facilities or any one
9 or more of them.

10 "Personal property" shall include choses in action and all
11 other property now commonly, or legally, defined as personal
12 property, or which may hereafter be so defined.

13 "Lease" shall include rent or hire.

14 "Municipality" shall include a county, city, borough,
15 village, township, town, public agency, public authority or
16 political subdivision.

17 Words importing the singular number include the plural number
18 and vice versa.

19 Wherever legislation or action by the Legislature of either
20 signatory State is herein referred to, it shall mean an act of
21 the Legislature duly adopted in accordance with the provisions
22 of the Constitution of such State.

23 Section 2. The Governor is authorized to apply, on behalf of
24 the Commonwealth, to Congress for its consent and approval to
25 the supplemental compact or agreement set forth in section 1.

26 Section 3. The Governor shall not enter into any
27 supplemental compact or agreement under this act until the State
28 of New Jersey shall have passed a substantially similar act
29 embodying the agreement between the two states as set forth in
30 section 1.

1 Section 4. The Governor shall publish the date of approval
2 by the Congress of the United States as prescribed by section 10
3 of Article I of the Constitution of the United States of the
4 supplemental compact or agreement authorized by this act as a
5 notice in the Pennsylvania Bulletin.

6 Section 5. The supplemental compact or agreement authorized
7 by this act shall become operative and effective upon
8 publication of the notice provided for under section 4 of this
9 act.

10 Section 6. This act shall take effect immediately.