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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1358 Session of  
2014

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INTRODUCED BY RAFFERTY, PILEGGI, GREENLEAF, MENSCH, ERICKSON,  
EICHELBERGER, VULAKOVICH, ALLOWAY, FERLO, STACK, FARNESE,  
BLAKE, YUDICHAK AND SOLOBAY, APRIL 30, 2014

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REFERRED TO TRANSPORTATION, APRIL 30, 2014

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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  
26 Commonwealth, with the State of New Jersey, further amending and  
27 supplementing the compact or agreement between the Commonwealth

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

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

30 The Commonwealth of Pennsylvania and the State of New Jersey

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

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

17 ARTICLE I

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

27 (a) The operation and maintenance of the bridge, owned  
28 jointly by the two States, across the Delaware River between the  
29 City of Philadelphia in the Commonwealth of Pennsylvania and the  
30 City of Camden in the State of New Jersey, including its

1 approaches, and the making of additions and improvements  
2 thereto.

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

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

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

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

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

29 (g) The promotion as a highway of commerce of the Delaware  
30 River, and the promotion of increased passenger and freight

1 commerce on the Delaware River and for such purpose the  
2 publication of literature and the adoption of any other means as  
3 may be deemed appropriate.

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

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

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

30 (k) The performance of such other functions which may be of

1 mutual benefit to the Commonwealth of Pennsylvania and the State  
2 of New Jersey insofar as concerns the promotion and development  
3 of the Port District for port purposes and the use of its  
4 facilities by commercial vessels.

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

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

26 (n) The planning, financing, development, acquisition,  
27 construction, purchase, lease, maintenance, marketing,  
28 improvement and operation of any project directly relating to  
29 the operation of the Delaware River Port Authority, including,  
30 but not limited to, any terminal, terminal facility,

1 transportation facility or any other facility of commerce [or  
2 economic development activity], from funds available after  
3 appropriate allocation for maintenance of bridge and other  
4 capital facilities.

5 ARTICLE II

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

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

25 Six of the eight commissioners for the Commonwealth of  
26 Pennsylvania shall be appointed by the Governor of Pennsylvania  
27 for terms of five years. The Auditor General and the State  
28 Treasurer of said Commonwealth shall, ex-officio, be  
29 commissioners for said Commonwealth, each having the privilege  
30 of appointing a representative to serve in his place at any

1 meeting of the commission which he does not attend personally.

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

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

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

15 ARTICLE IV

16 For the effectuation of its authorized purposes, the  
17 commission is hereby granted the following powers:

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



1 Jersey Employer-Employee Relations Act," P.L.1941, c.100  
2 (C.34:13A-1 et seq.); employes of the Delaware River Port  
3 Authority who are residents of Pennsylvania shall be subject to  
4 the act of July 23, 1970 (P.L.563, No.195), known as "The Public  
5 Employee Relations Act"; and shall have all of the rights  
6 provided to employes by those respective acts, including, but  
7 not limited to, the right to form, join or assist an employe  
8 organization, and the right to have that employe organization  
9 engage in collective bargaining on behalf of the employes.

10 (f) To enter into contracts;

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

13 (h) To acquire, own, use, lease, operate, mortgage and  
14 dispose of real property and interests in real property, and to  
15 make improvements thereon;

16 (h.1) At its option, [it may] to authorize the Department of  
17 [Property and Supplies] General Services to prescribe standards  
18 and specifications and make contracts and purchases of various  
19 materials and services for the commission, pursuant to the  
20 provisions of sections 2403, 2403.1 and 2409 of the act of April  
21 9, 1929 (P.L.177), known as "The Administrative Code of 1929."

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

25 (j) To borrow money upon its bonds or other obligations for  
26 the purpose of financing any project authorized by or pursuant  
27 to this compact or agreement, either with or without security,  
28 and to make, enter into and perform any and all such covenants  
29 and agreements with the holders of such bonds or other  
30 obligations as the commission may determine to be necessary or

1 desirable for the security and payment thereof, including,  
2 without limitation of the foregoing, covenants and agreements as  
3 to the management and operation of any property or facility  
4 owned or controlled by it, the tolls, rents, rates or other  
5 charges to be established, levied, made and collected for any  
6 use of any such property or facility, or the application, use  
7 and disposition of the proceeds of any bonds or other  
8 obligations of the commission, or the proceeds of any such  
9 tolls, rents, rates or other charges or any other revenues or  
10 moneys of the commission;

11 (k) To exercise the right of eminent domain within the Port  
12 District;

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

17 (m) In addition to the foregoing, to exercise the powers,  
18 duties, authority and jurisdiction heretofore conferred and  
19 imposed upon the aforesaid The Delaware River Joint Commission  
20 by the Commonwealth of Pennsylvania or the State of New Jersey,  
21 or both of the said two States;

22 (n) To exercise all other powers, not inconsistent with the  
23 constitutions of the two States or of the United States, which  
24 may be reasonably necessary or incidental to the effectuation of  
25 its authorized purposes or to the exercise of any of the  
26 foregoing powers, except the power to levy taxes or assessments;  
27 and generally to exercise, in connection with its property and  
28 affairs and in connection with property within its control, any  
29 and all powers which might be exercised by a natural person or a  
30 private corporation in connection with similar property and

1 affairs;

2 (o) To acquire, purchase, construct, lease, operate,  
3 maintain and undertake any project directly relating to the  
4 operation of the Delaware River Port Authority, including any  
5 terminal, terminal facility, transportation facility, or any  
6 other facility of commerce, and to make charges for the use  
7 thereof;

8 (p) To make expenditures anywhere in the United States and  
9 foreign countries, to pay commissions, and hire or contract with  
10 experts or consultants, and otherwise to do indirectly anything  
11 which the commission may do directly.

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

15 (r) To hold executive sessions consisting of the majority of  
16 the members of the commission for the Commonwealth of  
17 Pennsylvania and a majority of the members of the commission for  
18 the State of New Jersey to address confidential matters,  
19 including matters concerning litigation, personnel, contractual  
20 negotiations and contract review. Neither the commissioners for  
21 the Commonwealth of Pennsylvania nor the commissioners for the  
22 State of New Jersey may meet in caucus separately from the  
23 members of the other state.

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

28 It is the policy and intent of the Legislatures of the  
29 Commonwealth of Pennsylvania and the State of New Jersey that  
30 the powers granted by this Article shall be so exercised that

1 the American system of free competitive private enterprise is  
2 given full consideration and is maintained and furthered. In  
3 making its reports and recommendations to the Legislatures of  
4 the Commonwealth of Pennsylvania and the State of New Jersey on  
5 the need for any facility or project which the commission  
6 believes should be undertaken for the promotion and development  
7 of the Port District, the commission shall include therein its  
8 findings which fully set forth that the facility or facilities  
9 operated by private enterprise within the Port District and  
10 which it is intended shall be supplanted or added to are not  
11 adequate.]

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

13 ARTICLE IV-A

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

20 The commission shall use best practices in the procurement of  
21 necessary items and services, which shall include the  
22 requirement that the commission procure all supplies, services  
23 and construction pursuant to the provisions of 62 Pa.C.S. Pt. I  
24 (relating to Commonwealth Procurement Code) and all pertinent  
25 laws of the State of New Jersey.

26 The commission shall establish, on its official Internet  
27 website, a secure online process to allow prospective qualified  
28 vendors to complete online any documents the commission requires  
29 concerning requests for proposals.

30 The commission shall also have such additional powers as may

1 hereafter be delegated to or imposed upon it from time to time  
2 by the action of either state concurred in by legislation of the  
3 other.

4 It is the policy and intent of the Legislatures of the  
5 Commonwealth of Pennsylvania and the State of New Jersey that  
6 the powers granted by this article shall be so exercised that  
7 the American system of free competitive private enterprise is  
8 given full consideration and is maintained and furthered. In  
9 making its reports and recommendations to the Legislatures of  
10 the Commonwealth of Pennsylvania and the State of New Jersey on  
11 the need for any facility or project which the commission  
12 believes should be undertaken for the promotion and development  
13 of the Port District, the commission shall include therein its  
14 findings which fully set forth that the facility or facilities  
15 operated by private enterprise within the Port District and  
16 which it is intended shall be supplanted or added to are not  
17 adequate.

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

20 ARTICLE XII

21 The commission shall, within ninety days after the end of  
22 each fiscal year, submit to the Governors and Legislatures of  
23 the Commonwealth of Pennsylvania and the State of New Jersey a  
24 complete and detailed report of the following:

25 (1) its operations and accomplishments during the completed  
26 fiscal year;

27 (2) its receipts and disbursements or revenues and expenses  
28 during that year in accordance with the categories and  
29 classifications established by the commission for its own  
30 operating and capital outlay purposes;

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

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

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

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

10 (7) a five-year capital plan.

11 [Not less than once every five years the commission shall  
12 cause a management audit of its operational effectiveness and  
13 efficiency to be conducted by an independent consulting firm  
14 selected by the commission. The first management audit to be  
15 conducted shall commence within three years of the date of  
16 coming into force of the supplemental compact or agreement  
17 authorized by this 1991 amendatory act. This audit is in  
18 addition to any other audit which the commission determines to  
19 conduct from time to time.]

20 The commission shall submit biennially to an audit of its  
21 budget conducted by an independent auditor selected by the New  
22 Jersey Comptroller and the Auditor General of Pennsylvania and  
23 approved by the Governors of New Jersey and Pennsylvania. The  
24 audit shall be provided to the Governors and Legislatures of the  
25 State of New Jersey and the Commonwealth of Pennsylvania no  
26 later than December 31 of every even-numbered year and shall  
27 include all expenditures, revenues and financial operations of  
28 the commission. Failure to submit to this audit shall result in  
29 the forfeiture of the salary of every officer of the commission  
30 or employe employed by the commission at a level at or exceeding

1 the level of director, or acting director, until such time as  
2 the audit is complete.

3 The commission shall submit biennially to a performance  
4 review audit conducted by an independent auditor selected by the  
5 New Jersey Comptroller and the Auditor General of Pennsylvania  
6 and approved by the Governors of New Jersey and Pennsylvania.  
7 The audit shall include an evaluation of whether the commission  
8 is achieving efficiency and effectiveness in the employment of  
9 its financial and operational resources and shall be provided to  
10 the Governors and Legislatures of the State of New Jersey and  
11 the Commonwealth of Pennsylvania no later than December 31 of  
12 every odd-numbered year. Failure to submit to this audit shall  
13 result in the forfeiture of the salary of every officer of the  
14 commission or employe employed by the commission at a level at  
15 or exceeding the level of director, or acting director, until  
16 such time as the audit is complete.

17 Every two years the commission shall conduct a review of the  
18 compensation of commission employes and officers for the purpose  
19 of ensuring that compensation is commensurate with duties  
20 performed. The commission shall provide a report on the  
21 compensation of its employes and officers to the Governors and  
22 Legislatures of the State of New Jersey and the Commonwealth of  
23 Pennsylvania by June thirtieth of every even-numbered year. The  
24 report shall provide the salary range of each job title and  
25 shall include the following information concerning each  
26 commission employe and officer:

27 (a) names;

28 (b) annual salary;

29 (c) job title;

30 (d) hiring date; and

1     (e) job description.

2     Failure to conduct this review shall result in the forfeiture of  
3     the salary of every officer of the commission or employe  
4     employed by the commission at a level at or exceeding the level  
5     of director, or acting director, until such time as the review  
6     is complete.

7     [The commission shall, not later than two years after the  
8     date of the coming into force of the supplemental compact or  
9     agreement authorized by this 1992 amendatory act, prepare a  
10    comprehensive master plan for the development of the Port  
11    District. The plan shall include, but not be limited to, plans  
12    for the construction, financing, development, reconstruction,  
13    purchase, lease, improvement and operation of any terminal,  
14    terminal facility, transportation facility or any other facility  
15    of commerce or economic development activity. The master plan  
16    shall include the general location of such projects and  
17    facilities as may be included in the master plan and shall to  
18    the maximum extent practicable include, but not be limited to, a  
19    general description of each such projects and facilities, the  
20    land use requirements necessary therefor, and estimates of  
21    project costs and of a schedule for commencement of each such  
22    project. Prior to adopting such master plan, the commission  
23    shall give written notice to, afford a reasonable opportunity  
24    for comment, consult with and consider any recommendations from  
25    State, county and municipal government, as well as commissions,  
26    public corporations and authorities and the private sector. The  
27    commission may modify or change any part of the plan in the same  
28    form and manner as provided for the adoption of the original  
29    plan. At the time the commission authorizes any project or  
30    facility, the commission shall promptly provide to the Governor



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

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

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

24 Notwithstanding any provision of this agreement, nothing  
25 herein contained shall be construed to limit or impair any right  
26 or power granted or to be granted to the Pennsylvania Turnpike  
27 Commission or the New Jersey Turnpike Authority, to finance,  
28 construct, operate and maintain the Pennsylvania Turnpike System  
29 or any turnpike project of the New Jersey Turnpike Authority,  
30 respectively, throughout the Port District, including the right

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

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

1 Legislatures of both of the signatory States, no property or  
2 facility owned or controlled by the commission shall be acquired  
3 from it by any exercise of powers of condemnation or eminent  
4 domain.]

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

6 ARTICLE XII-A

7 (1) (a) All commissioners, directors, officers and employes  
8 of the commission shall practice due diligence to avoid  
9 situations in which their personal interest, activities or  
10 financial affairs are, or are reasonably perceived as being, in  
11 conflict with the interests of the commission. Prior to each  
12 board meeting conducted pursuant to section 3 of P.L.1991, c.400  
13 (C.32:3-4.7), the commission shall circulate a list of entities  
14 that will be the subject of board action. Board members shall  
15 identify in writing any conflicts in advance of board meetings.

16 (b) It shall be a conflict of interest for commissioners,  
17 directors, officers or employes to engage in political activity  
18 or electioneering using commission resources or equipment, or  
19 during work hours, commission meetings or other activities  
20 primarily related to employment with the commission.

21 (c) No commissioner, director, officer or employe of the  
22 commission shall have an interest in a business organization or  
23 engage in any business, transaction or professional activity,  
24 which is in substantial conflict with the proper discharge of  
25 the duties of the commissioners, directors, officers or employes  
26 in the public interest. No commissioner, director, officer or  
27 employe shall use or attempt to use an official position to  
28 secure unwarranted privileges, exemptions, advantages or  
29 employment.

30 (d) No commissioner, director, officer or employe may

1 directly or indirectly solicit, request, suggest or recommend to  
2 any contractor, vendor or grant recipient, holding company,  
3 affiliate, intermediary or subsidiary thereof, doing business  
4 with the commission for the appointment or employment of any  
5 person in any capacity.

6 (e) No commissioner, director, officer or employe of the  
7 commission or any immediate family member of a commissioner,  
8 director, officer or employe of the commission shall solicit or  
9 accept any gift or item of value for personal benefit under any  
10 circumstance which could be reasonably expected to influence, or  
11 which may be perceived as being reasonably expected to  
12 influence, the manner in which a commissioner, director, officer  
13 or employe conducts the public business of the commission.

14 (f) No commissioner, director, officer or employe of the  
15 commission or any immediate family member of a commissioner,  
16 director, officer or employe of the commission shall exert any  
17 undue influence with respect to any act of the commission,  
18 including the selection of contractors, the hiring of or  
19 dismissal of employes or the making of any other decision where  
20 the influence of the commissioner, director, officer or employe  
21 is, or is likely to be perceived as, an interference with the  
22 independent and objective decisions of the commission.

23 (g) No employe employed as an officer, director or acting  
24 director, or employed at a level exceeding that of an officer,  
25 director or acting director, shall accept or engage in  
26 employment with any professional service provider, vendor or  
27 independent contractor of the commission for a period of two  
28 years from the date of the termination of their employment with  
29 the commission.

30 (h) The commission shall not enter into a contract with a

1 person, corporation or other legal entity that:

2 (1) is owned wholly or in part by a commissioner, director,  
3 officer or employe or his relative; or

4 (2) a commissioner, director, officer or employe or his  
5 relative has entered into a contractual or business relationship  
6 with or has received a personal pecuniary benefit therefrom.

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

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

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

17 (l) Each commissioner shall file financial statements in  
18 compliance with the law of the state from which the commissioner  
19 was appointed.

20 (2) (a) No commissioner, director, officer or employe of  
21 the commission shall be paid compensation higher than the lesser  
22 salary of either the Governor of the State of New Jersey or the  
23 Governor of the Commonwealth of Pennsylvania.

24 (b) The commission shall not compensate any commissioner,  
25 director, officer or employe for expenses related to the use of  
26 a vehicle that is procured by or for the commissioner, director,  
27 officer or employe primarily for personal use or for the purpose  
28 of commuting between home and work.

29 (c) The commission shall not extend to any commissioner,  
30 director, officer or employe a personal line of credit or any

1 other form of credit agreement or compensation for any purpose.

2 (d) The commission is prohibited from entering into a  
3 contract containing, or contingent upon, a written agreement or  
4 understanding which requires a party to make a payment of a  
5 portion of any consideration, commission, premium or fee  
6 received under or attributable to the contract, with a person or  
7 entity not a party to the contract. The commission is required  
8 to include a provision in its contracts providing that no party  
9 to the contract shall be required to make a payment of a portion  
10 of any consideration, commission, premium or fee received under  
11 or attributable to the contract, with a person or entity not a  
12 party to the contract. A person or entity, which is a party to a  
13 contract with the commission, is prohibited from offering to  
14 make or making a payment to another person or entity having a  
15 separate contractual relationship with the commission in order  
16 to obtain contracts or agreements with the commission. A person  
17 or entity, which is a party to a contract with the commission,  
18 is prohibited from receiving or soliciting payment of a portion  
19 of any consideration, commission, premium or fee received under  
20 or attributable to a separate contractual relationship between  
21 the commission and another person or entity.

22 (e) No commissioner, director, officer or employe shall  
23 receive any lump sum expense allowance or contingent fund for  
24 personal or official expenses except where the allowance or fund  
25 is expressly provided for by statute or legislative  
26 appropriation.

27 (f) No commissioner, director, officer or employe shall be  
28 exempt from payment of any toll relating to the use of a  
29 commission toll bridge or toll road, and the commission shall  
30 not compensate any commissioner, director, officer or employe

1 for payment of the toll.

2 (g) The commission shall require any current or prospective  
3 vendor, including any director, officer, principal or partner  
4 thereof, with which the commission conducts business for any  
5 purpose or is in the process of establishing a business  
6 relationship for any purpose to annually disclose a list of  
7 current political campaign contributions made by the vendor, and  
8 any such contributions made within four years prior to the  
9 vendor's involvement with the commission.

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

15 (4) The commission shall adopt, within six months of the  
16 effective date of this section, appropriate rules and  
17 regulations concerning proper notice to the public and the news  
18 media of its meetings and the right of the public and the news  
19 media to be present at its meetings. The rules and regulations  
20 adopted pursuant to this section shall provide for the same  
21 notice and right of the public and news media to be present as  
22 well as any other rights and duties provided in the "Senator  
23 Byron M. Baer Open Public Meetings Act," P.L. 1975, c.231  
24 (C.10:4-6 et seq.) and the Pennsylvania act of October 15, 1998  
25 (P.L.729, No.93), known as the "Sunshine Act." To the extent  
26 these laws conflict, the commission shall incorporate into the  
27 rules and regulations the provisions of that law which provide  
28 for the greatest rights to the public and the news media.

29 (5) The commission shall not vote on any matter concerning a  
30 commission contract unless notice is provided to the public at



1 least thirty days prior to the scheduled action by the  
2 commission.

3 (6) The Attorney General of the Commonwealth of Pennsylvania  
4 and the Attorney General of the State of New Jersey are hereby  
5 authorized to take action under the laws of the Commonwealth of  
6 Pennsylvania and the State of New Jersey to enforce the  
7 provisions of the compact or agreement.

8 ARTICLE XIII

9 The commission shall, not later than two years after the  
10 effective date of the supplemental compact or agreement  
11 authorized by this 2014 amendatory act, prepare a comprehensive  
12 master plan for the development of the Port District. The plan  
13 shall include, but not be limited to, plans for the  
14 construction, financing, development, reconstruction, purchase,  
15 lease, improvement and operation of any terminal, terminal  
16 facility, transportation facility or any other facility of  
17 commerce. The master plan shall include the general location of  
18 such projects and facilities as may be included in the master  
19 plan and shall to the maximum extent practicable include, but  
20 not be limited to, a general description of each such projects  
21 and facilities, the land use requirements necessary therefor and  
22 estimates of project costs and of a schedule for commencement of  
23 each such project. Prior to adopting such master plan, the  
24 commission shall give written notice to, afford a reasonable  
25 opportunity for comment, consult with and consider any  
26 recommendations from state, county and municipal government, as  
27 well as commissions, public corporations and authorities and the  
28 private sector. The commission may modify or change any part of  
29 the plan in the same form and manner as provided for the  
30 adoption of the original plan. At the time the commission

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

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

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

26 Notwithstanding any provision of this agreement, nothing  
27 herein contained shall be construed to limit or impair any right  
28 or power granted or to be granted to the Pennsylvania Turnpike  
29 Commission or the New Jersey Turnpike Authority, to finance,  
30 construct, operate and maintain the Pennsylvania Turnpike System

1 or any turnpike project of the New Jersey Turnpike Authority,  
2 respectively, throughout the Port District, including the right  
3 and power, acting alone or in conjunction with each other, to  
4 provide for the financing, construction, operation and  
5 maintenance of one bridge across the Delaware River south of the  
6 City of Trenton in the State of New Jersey: Provided, That such  
7 bridge shall not be constructed within a distance of ten miles,  
8 measured along the boundary line between the Commonwealth of  
9 Pennsylvania and the State of New Jersey, from the existing  
10 bridge, operated and maintained by the commission, across the  
11 Delaware River between the City of Philadelphia in the  
12 Commonwealth of Pennsylvania and the City of Camden in the State  
13 of New Jersey, so long as there are any outstanding bonds or  
14 other securities or obligations of the commission for which the  
15 tolls, rents, rates, or other revenues, or any part thereof, of  
16 said existing bridge shall have been pledged. Nothing contained  
17 in this agreement shall be construed to authorize the commission  
18 to condemn any such bridge.

19 Anything herein contained to the contrary notwithstanding, no  
20 bridge or tunnel shall be constructed, acquired, operated or  
21 maintained by the commission across or under the Delaware River  
22 north of the boundary line between Bucks County and Philadelphia  
23 County in the Commonwealth of Pennsylvania as extended across  
24 the Delaware River to the New Jersey shore of said river, and  
25 any new bridge or tunnel authorized by or pursuant to this  
26 compact or agreement to be constructed or erected by the  
27 commission may be constructed or erected at any location south  
28 of said boundary line notwithstanding the terms and provisions  
29 of any other agreement between the Commonwealth of Pennsylvania  
30 and the State of New Jersey. Except as may hereafter be

1 otherwise provided in conformity with Article IX hereof with  
2 respect to specific properties designated by action of the  
3 Legislatures of both of the signatory states, no property or  
4 facility owned or controlled by the commission shall be acquired  
5 from it by any exercise of powers of condemnation or eminent  
6 domain.

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

10 ARTICLE [XII-A] XIII-A

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

13 ARTICLE [XII-B] XIII-B

14 (7) That the compact be amended by adding an article to  
15 read:

16 ARTICLE XIII-C

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

26 (2) The council shall consist of four resident voters of the  
27 Commonwealth of Pennsylvania and four resident voters of the  
28 State of New Jersey, who shall be commuters regularly using the  
29 transportation services of the Port Authority Transit  
30 Corporation. The members from the Commonwealth of Pennsylvania

1 shall be appointed by the Governor of Pennsylvania, subject to  
2 confirmation by a majority of members of the Pennsylvania  
3 Senate, and the members from the State of New Jersey shall be  
4 appointed by the Governor of New Jersey. Each of the members  
5 shall serve for a term of three years. Vacancies occurring in  
6 the membership of the council shall be filled in the same manner  
7 as the original appointment.

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

13 (4) The commission shall provide the council with assistance  
14 and information as may be necessary for the purposes of this  
15 section.

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

18 ARTICLE [XIII] XIV

19 As used herein, unless a different meaning clearly appears  
20 from the context:

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

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

29 "Commission resources" shall mean commission-owned or  
30 commission-leased equipment, including telephones, computer

1 hardware or software, copiers, scanners, fax machines, file  
2 cabinets or other office furniture, cell phones, person digital  
3 assistant devices or similar electronic devices and office  
4 supplies.

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

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

15 "Doing business with the commission" shall include the  
16 following:

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

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

21 (3) The procurement of commission supplies, equipment,  
22 services or professional services, including without limitation,  
23 legal, accounting and investment services.

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

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

27 (6) The issuance and placement of commission debt  
28 obligations.

29 (7) The deposit of commission funds.

30 (8) Other transactions in which the commission has a

1 financial interest.

2 ["Economic development activity" or "economic development"  
3 shall mean any structure of facility or any development within  
4 the Port District in connection with manufacturing, port-  
5 oriented development, foreign trade zone site development or  
6 research, commercial, industrial or recreational purposes, or  
7 for purposes of warehousing or consumer and supporting services  
8 directly relating to any of the foregoing or to any authority  
9 project or facility which are required for the sound economic  
10 development of the Port District.]

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

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

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

26 "Political activity" shall mean an activity on behalf of a  
27 political party, candidate, political committee or campaign,  
28 which is intended to advance the interests of a specific party,  
29 candidate, political committee or campaign for elective office.

30 (1) The term shall include:



1 (a) Organizing a campaign meeting, campaign rally or other  
2 campaign event, including a fundraiser where campaign  
3 contributions are solicited or received.

4 (b) Preparing or completing responses to candidate  
5 questionnaires that are intended solely for campaign use.

6 (c) Preparing a campaign finance report.

7 (d) Conducting background research on a candidate.

8 (e) Preparing or conducting a campaign poll.

9 (f) Preparing, circulating or filing a candidate nominating  
10 petition or papers.

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

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

18 (i) Managing a campaign for elective office.

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

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

23 (l) Soliciting or receiving campaign contributions in a  
24 commission office, on commission property or with commission  
25 resources.

26 (m) Using commission resources to create, store or maintain  
27 a mailing list that identifies the listed individuals as  
28 campaign volunteers or contributors to a candidate, political  
29 party, political committee, campaign or campaign committee.

30 (n) Developing a list for the purpose of monitoring or

1 tracking campaign activity or campaign contributions of any  
2 commission employe.

3 (2) The term shall not include:

4 (a) Registering and voting in an election.

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

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

10 (d) Participating in the nonpartisan activities of a civic,  
11 community, social, labor or professional organization or of a  
12 similar organization.

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

16 (f) Attending a political convention, rally, fundraising  
17 function or other political gathering.

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

19 (h) Making a financial contribution to a political party or  
20 organization.

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

26 (j) Otherwise participating fully in public affairs, except  
27 as prohibited by law, in a manner which does not materially  
28 compromise efficiency or integrity as an employe or the  
29 efficiency or integrity of the commission.

30 "Relative" shall mean any:

1 (a) Spouse, parent, stepparent, parent-in-law, grandparent,  
2 child, stepchild, grandchild, brother, sister, stepbrother,  
3 stepsister, half-brother, half-sister, aunt, uncle, niece or  
4 nephew of any current commissioner, officer or employe, whether  
5 related by blood, marriage or adoption.

6 (b) Significant other of a commissioner, officer, director  
7 or employe.

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

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

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

23 "Terminal facility" shall include wharves, piers, slips,  
24 berths, ferries, docks, drydocks, ship repair yards, bulkheads,  
25 dock walls, basins, carfloats, floatbridges, dredging equipment,  
26 radio receiving and sending stations, grain or other storage  
27 elevators, warehouses, cold storage, tracks, yards, sheds,  
28 switches, connections, overhead appliances, bunker coal, oil and  
29 fresh water stations, markets, and every kind of terminal,  
30 storage or supply facility now in use, or hereafter designed for

1 use to facilitate passenger transportation and for the handling,  
2 storage, loading or unloading of freight at terminals, and  
3 equipment, materials and supplies therefor.

4 "Transportation of passengers" and "passenger transportation"  
5 shall mean the transportation of passengers by railroad or other  
6 facilities.

7 "Rapid transit system" shall mean a transit system for the  
8 transportation of passengers, express, mail and baggage by  
9 railroad or other facilities, and equipment, materials and  
10 supplies therefor.

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

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

23 "Bridge" and "tunnel" shall include such approach highways  
24 and interests in real property necessary therefor in the  
25 Commonwealth of Pennsylvania or the State of New Jersey as may  
26 be determined by the commission to be necessary to facilitate  
27 the flow of traffic in the vicinity of a bridge or tunnel or to  
28 connect a bridge or tunnel with the highway system or other  
29 traffic facilities in said Commonwealth or said State: Provided,  
30 however, That the power and authority herein granted to the

1 commission to construct new or additional approach highways  
2 shall not be exercised unless and until the Department of  
3 Transportation of the Commonwealth of Pennsylvania shall have  
4 filed with the commission its written approval as to approach  
5 highways to be located in said Commonwealth and the State  
6 Highway Department of the State of New Jersey shall have filed  
7 with the commission its written approval as to approach highways  
8 to be located in said State.

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

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

17 "Lease" shall include rent or hire.

18 "Municipality" shall include a county, city, borough,  
19 village, township, town, public agency, public authority or  
20 political subdivision.

21 Words importing the singular number include the plural number  
22 and vice versa.

23 Wherever legislation or action by the Legislature of either  
24 signatory State is herein referred to, it shall mean an act of  
25 the Legislature duly adopted in accordance with the provisions  
26 of the Constitution of such State.

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

30 Section 3. The Governor shall not enter into any

1 supplemental compact or agreement under this act until the State  
2 of New Jersey shall have passed a substantially similar act  
3 embodying the agreement between the two states as set forth in  
4 section 1.

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

10 Section 5. The supplemental compact or agreement authorized  
11 by this act shall become operative and effective upon  
12 publication of the notice provided for under section 4 of this  
13 act.

14 Section 6. This act shall take effect immediately.