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House of Representatives
Commonwealth of Pennsylvania
Harrisburg

COMMITTEES:
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MEMORANDUM

To: All House Members

From: Representative Joe Emrick
Representative Robert Freeman

Date: August 25, 2011

Re: Proposed Legislation – Delaware River Joint Toll Bridge Compact

In light of a recent Toll Hike without any public hearings or input, there is a genuine need for greater state oversight of the Delaware River Joint Toll Bridge Commission. Historically, the Commission has been a bastion of political patronage, and many of its financial and management decisions have been questionable at best. Oversight of the Commission has been a cumbersome issue because the Delaware River Joint Toll Bridge Compact, which governs the Commission, requires legal consistency between Pennsylvania and New Jersey. Because the decisions of the Commission affect a large number of citizens and businesses whom I represent, I will be introducing a legislative package designed to rectify inconsistencies between Pennsylvania and New Jersey law relating to the operation and oversight of the Commission.

Although there are provisions in the Delaware River Joint Toll Bridge Compact that call for member state auditing of the Commission, an inconsistency in state law has resulted in a situation where neither the PA Auditor General nor the NJ Office of State Auditor has the authority to conduct an audit. My first bill will amend PA law to provide that an annual financial and management audit of the Commission be performed jointly by the Auditor General of PA and the state Auditor of New Jersey. Passage of this legislation will remove the current inconsistency between the two state's laws on auditing and allow the Commission to be appropriately audited after many years where no auditing has taken place.

The second piece of legislation would amend PA law to grant the Governor veto power over actions of Commission members from PA. NJ already has enacted such a provision granting its Chief Executive veto power over actions of NJ commissioners. I believe the Governor of PA should also have the authority to review and veto actions of PA commissioners that do not serve the best interests of PA residents, such as the recent Toll Hike increase.

The final bill in the package sets forth the process by which the gubernatorial veto may be exercised. The Governor would have ten days to review the actions of the PA commission members and either ratify, veto or allow the actions to stand (if he takes no action). The language in the bill mirrors NJ law.

Please contact my assistant Jenna Harris by e-mail at jharris@pahousegop.com or at the Harrisburg office 717-260-6159 if you wish to co-sponsor any or all of the bills in this legislative package.

Thank you.