
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2308 Session of
1978

INTRODUCED BY IRVIS, SELTZER AND MANDERINO, APRIL 5, 1978

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 5, 1978

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," proposing that an article be added to the
13 Interstate Compact to provide a code of ethics for members of
14 the commission.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. The act of June 12, 1931 (P.L.575, No.200),
18 entitled "An act providing for joint action by Pennsylvania and
19 New Jersey in the development of the ports on the lower Delaware
20 River, and the improvement of the facilities for transportation
21 across the river; authorizing the Governor, for these purposes,
22 to enter into an agreement with New Jersey; creating The
23 Delaware River Joint Commission and specifying the powers and
24 duties thereof, including the power to finance projects by the

1 issuance of revenue bonds; transferring to the new commission
2 all the powers of the Delaware River Bridge Joint Commission;
3 and making an appropriation," is amended by adding an article to
4 the agreement to read:

5 ARTICLE II-A.

6 For purposes of this article as used herein, unless a
7 different meaning clearly appears from the context:

8 "A member of the family" shall mean and include a
9 commissioner's or employe's spouse, children, parents and their
10 children.

11 "The public business of the authority" shall mean and include
12 all matters concerning the authority's acquisition, disposal or
13 improvement of real property, the making of authority contracts
14 or the settlement of claims relating thereto, the procurement of
15 authority supplies, equipment or services, the initiation or
16 settlement of litigation to which the authority is a party, the
17 grant by the authority of any subsidy or privilege, the issuance
18 and placement of authority debt obligations, the deposit of
19 authority funds, or any other transaction in which the authority
20 has a substantial financial interest.

21 No commissioner or employe of the authority shall engage
22 directly or indirectly in any personal business transactions, or
23 private arrangement for personal profit which accrues from or is
24 based upon his official position or authority.

25 No commissioner or employe of the authority shall have any
26 substantial interest, of either a financial or personal nature,
27 in any business or transaction or professional activity which is
28 in conflict with the proper discharge of his duties in carrying
29 out the public business of the authority.

30 No commissioner or employe of the authority shall represent

or act as agent for any private interest, whether for compensation or not, in any matter in which the authority has a direct and substantial interest and which could reasonably be expected to result in a conflict between the interest of the commissioner or employe and his official responsibility.

Commissioner or employes of the authority or members of their family shall not, directly or indirectly, solicit or accept or agree to accept any gift or anything of value for personal benefit under any circumstances which could reasonably be expected to influence the manner in which the commissioner or employe conducts the public business of the authority.

No commissioner or employe of the authority shall use any information gained in connection with the performance of his public duties and not available to the public at large or shall divulge such information in advance of the time prescribed for its authorized release for his own personal gain or for the gain of others.

No commissioner or employe of the authority shall engage in or accept private employment or render services for private interests when such employment or service is in substantial conflict with the proper discharge of his or her official duties.

No commissioner or employe of the authority shall solicit or receive payment or contribution from any authority employe on behalf of any candidate for public office, for the campaign purposes of any candidate or for the use of any political party.

No commissioner or employe of the authority, while physically present on the premises of the authority, shall solicit or knowingly assist in the solicitation or acceptance of contribution on behalf of any candidate for public office, or

1 any political organization or committee.

2 Any commissioner or employe of the authority who, in the
3 discharge of his official duties, would be required to take an
4 action or make a decision that would be inconsistent with any of
5 the provisions of the code of ethics of the Delaware River Port
6 Authority shall instead take the following actions:

7 (a) He shall prepare a written statement describing the
8 matter requiring action or decision and the nature of his
9 interests affected with respect to such action or decision;

10 (b) He shall cause copies of such statement to be delivered
11 to his superior, and the secretary of the authority;

12 (c) If he is a commissioner, he shall deliver a copy of such
13 statement to the presiding officer and to the secretary of the
14 authority and shall excuse himself. The presiding officer shall
15 cause such statement to be noted in the minutes and shall
16 exclude the commissioner from any votes, deliberations and other
17 action on the matter; and

18 (d) If he is not a commissioner, he shall withdraw from
19 participation in the matter and his superior shall assign it to
20 another employe.

21 Any commissioner or employe of the authority who violates the
22 provisions of the authority's code of ethics shall be subject to
23 immediate dismissal or other disciplinary action by the
24 appointing authority.

25 Section 2. The provisions of Article II-A of section 1 shall
26 not take effect on the activities of the Delaware River Port
27 Authority until such time as the State of New Jersey shall enact
28 the provisions of this act.

29 Section 3. This act shall take effect in 60 days and shall
30 apply to the commissioners appointed from the Commonwealth of

1 Pennsylvania.