

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2258 Session of 2014

INTRODUCED BY VEREB, ADOLPH, W. KELLER, MARSICO, MILLARD, GRELL, MURT, WATSON, LAWRENCE, GINGRICH, GILLEN, CLYMER, O'BRIEN, P. COSTA, PEIFER, HENNESSEY, HICKERNELL, TOBASH, MOUL, BARRAR, GILLESPIE, KILLION, CAUSER, HACKETT, SAYLOR, DELOZIER, PETRI, O'NEILL, R. MILLER, GROVE, HARPER, TOEPEL, R. BROWN, QUINN, EMRICK, BENNINGHOFF, PYLE AND HEFFLEY, MAY 1, 2014

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 1, 2014

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

12 (f) To enter into contracts;

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

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

18 (h.1) At its option, [it may] to authorize the Department of
19 [Property and Supplies] General Services to prescribe standards
20 and specifications and make contracts and purchases of various
21 materials and services for the commission, pursuant to the
22 provisions of sections 2403, 2403.1 and 2409 of the act of April
23 9, 1929 (P.L.177), known as "The Administrative Code of 1929."

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

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

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

13 (k) To exercise the right of eminent domain within the Port
14 District;

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

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

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

1 and all powers which might be exercised by a natural person or a
2 private corporation in connection with similar property and
3 affairs;

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

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

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

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

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

30 It is the policy and intent of the Legislatures of the

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

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

16 ARTICLE IV-A

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

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

29 The commission shall establish, on its official Internet
30 website, a secure online process to allow prospective qualified

1 vendors to complete online any documents the commission requires
2 concerning requests for proposals.

3 The commission shall also have such additional powers as may
4 hereafter be delegated to or imposed upon it from time to time
5 by the action of either state concurred in by legislation of the
6 other.

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

21 (3) That Article XII of the compact, as amended April 3,
22 1992 (P.L.57, No.19), be amended to read:

23 ARTICLE XII

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

28 (1) its operations and accomplishments during the completed
29 fiscal year;

30 (2) its receipts and disbursements or revenues and expenses

1 during that year in accordance with the categories and
2 classifications established by the commission for its own
3 operating and capital outlay purposes;

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

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

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

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

13 (7) a five-year capital plan.

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

23 The commission shall submit biennially to an audit of its
24 budget conducted by an independent auditor selected by the New
25 Jersey Comptroller and the Auditor General of Pennsylvania and
26 approved by the Governors of New Jersey and Pennsylvania. The
27 audit shall be provided to the Governors and Legislatures of the
28 State of New Jersey and the Commonwealth of Pennsylvania no
29 later than December 31 of every even-numbered year and shall
30 include all expenditures, revenues and financial operations of

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

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

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

30 (a) names;

- 1 (b) annual salary;
- 2 (c) job title;
- 3 (d) hiring date; and
- 4 (e) job description.

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

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

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

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

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

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

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

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

1 and the State of New Jersey. Except as may hereafter be
2 otherwise provided in conformity with Article IX hereof with
3 respect to specific properties designated by action of the
4 Legislatures of both of the signatory States, no property or
5 facility owned or controlled by the commission shall be acquired
6 from it by any exercise of powers of condemnation or eminent
7 domain.]

8 (4) That the compact be amended by adding articles to
9 read:

10 ARTICLE XII-A

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

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

25 (c) No commissioner, director, officer or employe of the
26 commission shall have an interest in a business organization or
27 engage in any business, transaction or professional activity,
28 which is in substantial conflict with the proper discharge of
29 the duties of the commissioners, directors, officers or employes
30 in the public interest. No commissioner, director, officer or

1 employe shall use or attempt to use an official position to
2 secure unwarranted privileges, exemptions, advantages or
3 employment.

4 (d) No commissioner, director, officer or employe may
5 directly or indirectly solicit, request, suggest or recommend to
6 any contractor, vendor or grant recipient, holding company,
7 affiliate, intermediary or subsidiary thereof, doing business
8 with the commission for the appointment or employment of any
9 person in any capacity.

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

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

27 (g) No employe employed as an officer, director or acting
28 director, or employed at a level exceeding that of an officer,
29 director or acting director, shall accept or engage in
30 employment with any professional service provider, vendor or

1 independent contractor of the commission for a period of two
2 years from the date of the termination of their employment with
3 the commission.

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

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

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

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

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

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

21 (l) Each commissioner shall file financial statements in
22 compliance with the law of the state from which the commissioner
23 was appointed.

24 (2) (a) No commissioner, director, officer or employe of
25 the commission shall be paid compensation higher than the lesser
26 salary of either the Governor of the State of New Jersey or the
27 Governor of the Commonwealth of Pennsylvania.

28 (b) The commission shall not compensate any commissioner,
29 director, officer or employe for expenses related to the use of
30 a vehicle that is procured by or for the commissioner, director,

1 officer or employe primarily for personal use or for the purpose
2 of commuting between home and work.

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

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

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

1 (f) No commissioner, director, officer or employe shall be
2 exempt from payment of any toll relating to the use of a
3 commission toll bridge or toll road, and the commission shall
4 not compensate any commissioner, director, officer or employe
5 for payment of the toll.

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

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

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

1 rules and regulations the provisions of that law which provide
2 for the greatest rights to the public and the news media.

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

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

12 ARTICLE XIII

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

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

21 In addition to other powers conferred upon it, and not in
22 limitation thereof, the commission may acquire all right, title
23 and interest in and to the Tacony-Palmyra Bridge, across the
24 Delaware River at Palmyra, New Jersey, together with any
25 approaches and interests in real property necessary thereto. The
26 acquisition of such bridge, approaches and interests by the
27 commission shall be by purchase or by condemnation in accordance
28 with the provisions of the Federal law consenting to or
29 authorizing the construction of such bridge or approaches, or
30 the acquisition of such bridge, approaches or interests by the

1 commission shall be pursuant to and in accordance with the
2 provisions of sections 48:5-22 and 48:5-23 of the Revised
3 Statutes of New Jersey, and for all the purposes of said
4 provisions and sections the commission is hereby appointed as
5 the agency of the State of New Jersey and the Commonwealth of
6 Pennsylvania exercising the rights and powers granted or
7 reserved by said Federal law or sections to the State of New
8 Jersey and Commonwealth of Pennsylvania jointly or to the State
9 of New Jersey acting in conjunction with the Commonwealth of
10 Pennsylvania. The commission shall have authority to so acquire
11 such bridge, approaches and interests, whether the same be
12 owned, held, operated or maintained by any private person, firm,
13 partnership, company, association or corporation or by any
14 instrumentality, public body, commission, public agency or
15 political subdivision, including any county or municipality, of,
16 or created by or in, the State of New Jersey or the Commonwealth
17 of Pennsylvania, or by any instrumentality, public body,
18 commission or public agency of, or created by or in, a political
19 subdivision, including any county or municipality, of the State
20 of New Jersey or the Commonwealth of Pennsylvania. None of the
21 provisions of the preceding paragraph shall be applicable with
22 respect to the acquisition by the commission, pursuant to this
23 paragraph, of said Tacony-Palmyra Bridge, approaches and
24 interests. The power and authority herein granted to the
25 commission to acquire said Tacony-Palmyra Bridge, approaches and
26 interests shall not be exercised unless and until the Governor
27 of the State of New Jersey and the Governor of the Commonwealth
28 of Pennsylvania have filed with the commission their written
29 consents to such acquisition.

30 Notwithstanding any provision of this agreement, nothing

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

23 Anything herein contained to the contrary notwithstanding, no
24 bridge or tunnel shall be constructed, acquired, operated or
25 maintained by the commission across or under the Delaware River
26 north of the boundary line between Bucks County and Philadelphia
27 County in the Commonwealth of Pennsylvania as extended across
28 the Delaware River to the New Jersey shore of said river, and
29 any new bridge or tunnel authorized by or pursuant to this
30 compact or agreement to be constructed or erected by the

1 commission may be constructed or erected at any location south
2 of said boundary line notwithstanding the terms and provisions
3 of any other agreement between the Commonwealth of Pennsylvania
4 and the State of New Jersey. Except as may hereafter be
5 otherwise provided in conformity with Article IX hereof with
6 respect to specific properties designated by action of the
7 Legislatures of both of the signatory states, no property or
8 facility owned or controlled by the commission shall be acquired
9 from it by any exercise of powers of condemnation or eminent
10 domain.

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

14 ARTICLE [XII-A] XIII-A

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

17 ARTICLE [XII-B] XIII-B

18 (7) That the compact be amended by adding an article to
19 read:

20 ARTICLE XIII-C

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

30 (2) The council shall consist of four resident voters of the

1 Commonwealth of Pennsylvania and four resident voters of the
2 State of New Jersey, who shall be commuters regularly using the
3 transportation services of the Port Authority Transit
4 Corporation. The members from the Commonwealth of Pennsylvania
5 shall be appointed by the Governor of Pennsylvania, subject to
6 confirmation by a majority of members of the Pennsylvania
7 Senate, and the members from the State of New Jersey shall be
8 appointed by the Governor of New Jersey. Each of the members
9 shall serve for a term of three years. Vacancies occurring in
10 the membership of the council shall be filled in the same manner
11 as the original appointment.

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

17 (4) The commission shall provide the council with assistance
18 and information as may be necessary for the purposes of this
19 section.

20 (8) That Article XIII of the compact, amended April 3,
21 1992, P.L.57, No.19), be amended to read:

22 ARTICLE [XIII] XIV

23 As used herein, unless a different meaning clearly appears
24 from the context:

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

30 "Commission" shall mean The Delaware River Port Authority

1 and, when required by the context, the board constituting the
2 governing body thereof in charge of its property and affairs.

3 "Commission resources" shall mean commission-owned or
4 commission-leased equipment, including telephones, computer
5 hardware or software, copiers, scanners, fax machines, file
6 cabinets or other office furniture, cell phones, person digital
7 assistant devices or similar electronic devices and office
8 supplies.

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

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

19 "Doing business with the commission" shall include the
20 following:

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

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

25 (3) The procurement of commission supplies, equipment,
26 services or professional services, including without limitation,
27 legal, accounting and investment services.

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

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

1 (6) The issuance and placement of commission debt
2 obligations.

3 (7) The deposit of commission funds.

4 (8) Other transactions in which the commission has a
5 financial interest.

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

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

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

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

30 "Political activity" shall mean an activity on behalf of a

1 political party, candidate, political committee or campaign,
2 which is intended to advance the interests of a specific party,
3 candidate, political committee or campaign for elective office.

4 (1) The term shall include:

5 (a) Organizing a campaign meeting, campaign rally or other
6 campaign event, including a fundraiser where campaign
7 contributions are solicited or received.

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

10 (c) Preparing a campaign finance report.

11 (d) Conducting background research on a candidate.

12 (e) Preparing or conducting a campaign poll.

13 (f) Preparing, circulating or filing a candidate nominating
14 petition or papers.

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

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

22 (i) Managing a campaign for elective office.

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

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

27 (l) Soliciting or receiving campaign contributions in a
28 commission office, on commission property or with commission
29 resources.

30 (m) Using commission resources to create, store or maintain

1 a mailing list that identifies the listed individuals as
2 campaign volunteers or contributors to a candidate, political
3 party, political committee, campaign or campaign committee.

4 (n) Developing a list for the purpose of monitoring or
5 tracking campaign activity or campaign contributions of any
6 commission employe.

7 (2) The term shall not include:

8 (a) Registering and voting in an election.

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

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

14 (d) Participating in the nonpartisan activities of a civic,
15 community, social, labor or professional organization or of a
16 similar organization.

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

20 (f) Attending a political convention, rally, fundraising
21 function or other political gathering.

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

23 (h) Making a financial contribution to a political party or
24 organization.

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

30 (j) Otherwise participating fully in public affairs, except

1 as prohibited by law, in a manner which does not materially
2 compromise efficiency or integrity as an employe or the
3 efficiency or integrity of the commission.

4 "Relative" shall mean any:

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

10 (b) Significant other of a commissioner, officer, director
11 or employe.

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

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

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

27 "Terminal facility" shall include wharves, piers, slips,
28 berths, ferries, docks, drydocks, ship repair yards, bulkheads,
29 dock walls, basins, carfloats, floatbridges, dredging equipment,
30 radio receiving and sending stations, grain or other storage

1 elevators, warehouses, cold storage, tracks, yards, sheds,
2 switches, connections, overhead appliances, bunker coal, oil and
3 fresh water stations, markets, and every kind of terminal,
4 storage or supply facility now in use, or hereafter designed for
5 use to facilitate passenger transportation and for the handling,
6 storage, loading or unloading of freight at terminals, and
7 equipment, materials and supplies therefor.

8 "Transportation of passengers" and "passenger transportation"
9 shall mean the transportation of passengers by railroad or other
10 facilities.

11 "Rapid transit system" shall mean a transit system for the
12 transportation of passengers, express, mail and baggage by
13 railroad or other facilities, and equipment, materials and
14 supplies therefor.

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

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

27 "Bridge" and "tunnel" shall include such approach highways
28 and interests in real property necessary therefor in the
29 Commonwealth of Pennsylvania or the State of New Jersey as may
30 be determined by the commission to be necessary to facilitate

1 the flow of traffic in the vicinity of a bridge or tunnel or to
2 connect a bridge or tunnel with the highway system or other
3 traffic facilities in said Commonwealth or said State: Provided,
4 however, That the power and authority herein granted to the
5 commission to construct new or additional approach highways
6 shall not be exercised unless and until the Department of
7 Transportation of the Commonwealth of Pennsylvania shall have
8 filed with the commission its written approval as to approach
9 highways to be located in said Commonwealth and the State
10 Highway Department of the State of New Jersey shall have filed
11 with the commission its written approval as to approach highways
12 to be located in said State.

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

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

21 "Lease" shall include rent or hire.

22 "Municipality" shall include a county, city, borough,
23 village, township, town, public agency, public authority or
24 political subdivision.

25 Words importing the singular number include the plural number
26 and vice versa.

27 Wherever legislation or action by the Legislature of either
28 signatory State is herein referred to, it shall mean an act of
29 the Legislature duly adopted in accordance with the provisions
30 of the Constitution of such State.

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

4 Section 3. The Governor shall not enter into any
5 supplemental compact or agreement under this act until the State
6 of New Jersey shall have passed a substantially similar act
7 embodying the agreement between the two states as set forth in
8 section 1.

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

14 Section 5. The supplemental compact or agreement authorized
15 by this act shall become operative and effective upon
16 publication of the notice provided for under section 4 of this
17 act.

18 Section 6. This act shall take effect immediately.