

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILLNo. **286** Session of
2015

INTRODUCED BY RAFFERTY, STACK, GREENLEAF, PILEGGI, VULAKOVICH,
YUDICHAK AND BLAKE, JANUARY 16, 2015

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 23, 2015

AN ACT

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

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

24 Section 1. The Governor is authorized to enter into a
25 supplemental compact or agreement, on behalf of the
26 Commonwealth, with the State of New Jersey, further amending and

1 supplementing the compact or agreement between the Commonwealth
2 and the State of New Jersey 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, which supplemental compact
15 and agreement shall be in substantially the following form:

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

1 The Commonwealth of Pennsylvania and the State of New Jersey
2 do solemnly covenant and agree, each with the other, that the
3 compact or agreement 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, be amended as follows:

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

18 ARTICLE I

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

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

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

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

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

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

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

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

30 (g) The promotion as a highway of commerce of the Delaware

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

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

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

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

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

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

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

27 (n) The planning, financing, development, acquisition,
28 construction, purchase, lease, maintenance, marketing,
29 improvement and operation of any project directly relating to
30 the operation of the Delaware River Port Authority, including,

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

6 ARTICLE II

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

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

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

1 of appointing a representative to serve in his place at any
2 meeting of the commission which he does not attend personally.

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

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

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

16 ARTICLE IV

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

19 (a) To have perpetual succession;

20 (b) To sue and be sued;

21 (c) To adopt and use an official seal;

22 (d) To elect a chairman, vice-chairman, secretary and
23 treasurer, and to adopt suitable by-laws for the management of
24 its affairs. The secretary and treasurer need not be members of
25 the commission.

26 (e) To appoint, hire or employ counsel and such other
27 officers, and such agents and employes, as it may require for
28 the performance of its duties, by contract or otherwise, and fix
29 and determine their qualifications, duties and compensation;

30 (f) To enter into contracts;

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

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

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

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

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

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

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

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

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

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

28 (p) To make expenditures anywhere in the United States and
29 foreign countries, to pay commissions, and hire or contract with
30 experts or consultants, and otherwise to do indirectly anything

1 which the commission may do directly.

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

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

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

18 It is the policy and intent of the Legislatures of the
19 Commonwealth of Pennsylvania and the State of New Jersey that
20 the powers granted by this Article shall be so exercised that
21 the American system of free competitive private enterprise is
22 given full consideration and is maintained and furthered. In
23 making its reports and recommendations to the Legislatures of
24 the Commonwealth of Pennsylvania and the State of New Jersey on
25 the need for any facility or project which the commission
26 believes should be undertaken for the promotion and development
27 of the Port District, the commission shall include therein its
28 findings which fully set forth that the facility or facilities
29 operated by private enterprise within the Port District and
30 which it is intended shall be supplanted or added to are not

1 adequate.]

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

3 ARTICLE IV-A

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

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

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

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

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

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

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

10 ARTICLE XII

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

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

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

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

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

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

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

30 (7) a five-year capital plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 ARTICLE XII-A

27 (1) (a) All commissioners, directors, officers and employes
28 of the commission shall practice due diligence to avoid
29 situations in which their personal interest, activities or
30 financial affairs are, or are reasonably perceived as being, in

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

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

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

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

26 (e) No commissioner, director, officer or employe of the
27 commission or any immediate family member of a commissioner,
28 director, officer or employe of the commission shall solicit or
29 accept any gift or item of value for personal benefit under any
30 circumstance which could be reasonably expected to influence, or

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

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

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

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

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

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

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

30 (j) No commissioner, director or officer of the commission

1 shall make a charitable contribution, including a donation or
2 gift of money or anything of value, on behalf of the commission.

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

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

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

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

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

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

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

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

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

27 (g) The commission shall require any current or prospective
28 vendor, including any director, officer, principal or partner
29 thereof, with which the commission conducts business for any
30 purpose or is in the process of establishing a business

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

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

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

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

28 (6) The Attorney General of the Commonwealth of Pennsylvania
29 and the Attorney General of the State of New Jersey are hereby
30 authorized to take action under the laws of the Commonwealth of

1 Pennsylvania and the State of New Jersey to enforce the
2 provisions of the compact or agreement.

3 ARTICLE XIII

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

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

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

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

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

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

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

1 domain.

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

5 ARTICLE [XII-A] XIII-A

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

8 ARTICLE [XII-B] XIII-B

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

11 ARTICLE XIII-C

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

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

1 the membership of the council shall be filled in the same manner
2 as the original appointment.

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

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

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

13 ARTICLE [XIII] XIV

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

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

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

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

30 "Commissioner" shall mean a member of the governing body of

1 The Delaware River Port Authority.

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

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

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

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

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

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

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

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

24 (7) The deposit of commission funds.

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

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

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

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

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

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

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

25 (1) The term shall include:

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

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

1 (c) Preparing a campaign finance report.

2 (d) Conducting background research on a candidate.

3 (e) Preparing or conducting a campaign poll.

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

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

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

13 (i) Managing a campaign for elective office.

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

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

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

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

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

28 (2) The term shall not include:

29 (a) Registering and voting in an election.

30 (b) Expressing an opinion as an individual privately or

1 publicly on political subjects and candidates.

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

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

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

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

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

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

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

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

25 "Relative" shall mean any:

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

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

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

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

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

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

29 "Transportation of passengers" and "passenger transportation"
30 shall mean the transportation of passengers by railroad or other

1 facilities.

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

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

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

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

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

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

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

12 "Lease" shall include rent or hire.

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

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

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

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

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

30 Section 4. The Governor shall publish the date of approval

1 by the Congress of the United States as prescribed by section 10
2 of Article I of the Constitution of the United States of the
3 supplemental compact or agreement authorized by this act as a
4 notice in the Pennsylvania Bulletin.

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

9 Section 6. This act shall take effect ~~immediately~~. AS <--
10 FOLLOWS:

11 (1) THE AMENDMENT OF ARTICLE II OF THE COMPACT SHALL
12 TAKE EFFECT DECEMBER 31, 2018.

13 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
14 IMMEDIATELY.