

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 170 Session of 2017

INTRODUCED BY RAFFERTY, GREENLEAF, YUDICHAK, SCAVELLO,
VULAKOVICH, COSTA AND MARTIN, JANUARY 20, 2017

REFERRED TO TRANSPORTATION, JANUARY 20, 2017

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 and for master
 17 plan; creating the Port Authority Transit Corporation
 18 Commuter's Council; further providing for definitions;
 19 authorizing the Governor to apply for approval; prohibiting
 20 the entrance into a compact until passage of a similar act;
 21 and making editorial changes.

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

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

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

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

30 The Commonwealth of Pennsylvania and the State of New Jersey

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

15 (1) That Articles I, II and IV of the compact be amended
16 to read:

17 ARTICLE I

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 ARTICLE II

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

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

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

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

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

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

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

15 ARTICLE IV

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

- 18 (a) To have perpetual succession;
- 19 (b) To sue and be sued;
- 20 (c) To adopt and use an official seal;
- 21 (d) To elect a chairman, vice-chairman, secretary and
22 treasurer, and to adopt suitable by-laws for the management of
23 its affairs. The secretary and treasurer need not be members of
24 the commission.
- 25 (e) To appoint, hire or employ counsel and such other
26 officers, and such agents and employes, as it may require for
27 the performance of its duties, by contract or otherwise, and fix
28 and determine their qualifications, duties and compensation;
- 29 (f) To enter into contracts;
- 30 (g) To acquire, own, hire, use, operate and dispose of

1 personal property;

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

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

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

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

30 (k) To exercise the right of eminent domain within the Port

1 District;

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

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

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

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

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

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

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

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

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

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

2 ARTICLE IV-A

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

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

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

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

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

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

7 (3) That Article XII of the compact be amended to read:

8 ARTICLE XII

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

13 (1) its operations and accomplishments during the completed
14 fiscal year;

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

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

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

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

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

28 (7) a five-year capital plan.

29 [Not less than once every five years the commission shall
30 cause a management audit of its operational effectiveness and

1 efficiency to be conducted by an independent consulting firm
2 selected by the commission. The first management audit to be
3 conducted shall commence within three years of the date of
4 coming into force of the supplemental compact or agreement
5 authorized by this 1991 amendatory act. This audit is in
6 addition to any other audit which the commission determines to
7 conduct from time to time.]

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

21 The commission shall submit biennially to a performance
22 review audit conducted by an independent auditor selected by the
23 New Jersey Comptroller and the Auditor General of Pennsylvania
24 and approved by the Governors of New Jersey and Pennsylvania.
25 The audit shall include an evaluation of whether the commission
26 is achieving efficiency and effectiveness in the employment of
27 its financial and operational resources and shall be provided to
28 the Governors and Legislatures of the State of New Jersey and
29 the Commonwealth of Pennsylvania no later than December 31 of
30 every odd-numbered year. Failure to submit to this audit shall

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

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

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

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

25 [The commission shall, not later than two years after the
26 date of the coming into force of the supplemental compact or
27 agreement authorized by this 1992 amendatory act, prepare a
28 comprehensive master plan for the development of the Port
29 District. The plan shall include, but not be limited to, plans
30 for the construction, financing, development, reconstruction,

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

1 of adopting the master plan, but there shall be not requirement
2 that the project be delayed or deferred due to those provisions.

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

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

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

1 tolls, rents, rates, or other revenues, or any part thereof, of
2 said existing bridge shall have been pledged. Nothing contained
3 in this agreement shall be construed to authorize the commission
4 to condemn any such bridge.

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

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

24 ARTICLE XII-A

25 (1) (a) All commissioners, directors, officers and employes
26 of the commission shall practice due diligence to avoid
27 situations in which their personal interest, activities or
28 financial affairs are, or are reasonably perceived as being, in
29 conflict with the interests of the commission. Prior to each
30 board meeting conducted pursuant to section 3 of P.L.1991, c.400

1 (C.32:3-4.7), the commission shall circulate a list of entities
2 that will be the subject of board action. Board members shall
3 identify in writing any conflicts in advance of board meetings.

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

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

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

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

1 or employe conducts the public business of the commission.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 contract with the commission, is prohibited from offering to
2 make or making a payment to another person or entity having a
3 separate contractual relationship with the commission in order
4 to obtain contracts or agreements with the commission. A person
5 or entity, which is a party to a contract with the commission,
6 is prohibited from receiving or soliciting payment of a portion
7 of any consideration, commission, premium or fee received under
8 or attributable to a separate contractual relationship between
9 the commission and another person or entity.

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

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

25 (g) The commission shall require any current or prospective
26 vendor, including any director, officer, principal or partner
27 thereof, with which the commission conducts business for any
28 purpose or is in the process of establishing a business
29 relationship for any purpose to annually disclose a list of
30 current political campaign contributions made by the vendor, and

1 any such contributions made within four years prior to the
2 vendor's involvement with the commission.

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

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

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

26 (6) The Attorney General of the Commonwealth of Pennsylvania
27 and the Attorney General of the State of New Jersey are hereby
28 authorized to take action under the laws of the Commonwealth of
29 Pennsylvania and the State of New Jersey to enforce the
30 provisions of the compact or agreement.

ARTICLE XIII

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

1 plan shall be included, for informational purposes only, in the
2 master plan. The commission shall provide notice of such ongoing
3 projects to those state, county and municipal governments, as
4 well as entities in the private sector who would be entitled to
5 such notice had the project not been commenced in anticipation
6 of adopting the master plan, but there shall be no requirement
7 that the project be delayed or deferred due to those provisions.

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

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

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

1 bridge, operated and maintained by the commission, across the
2 Delaware River between the City of Philadelphia in the
3 Commonwealth of Pennsylvania and the City of Camden in the State
4 of New Jersey, so long as there are any outstanding bonds or
5 other securities or obligations of the commission for which the
6 tolls, rents, rates, or other revenues, or any part thereof, of
7 said existing bridge shall have been pledged. Nothing contained
8 in this agreement shall be construed to authorize the commission
9 to condemn any such bridge.

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

28 (5) That the headings of Articles XII-A and XII-B of the
29 compact be renumbered to read:

30 ARTICLE [XII-A] XIII-A

ARTICLE [XII-B] XIII-B

(6) That the compact be amended by adding an article to read:

ARTICLE XIII-C

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

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

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

1 (4) The commission shall provide the council with assistance
2 and information as may be necessary for the purposes of this
3 section.

4 (7) Article XIII of the compact is amended to read:

5 ARTICLE [XIII] XIV

6 As used herein, unless a different meaning clearly appears
7 from the context:

8 "Port District" shall mean all the territory within the
9 counties of Bucks, Chester, Delaware, Montgomery and
10 Philadelphia in Pennsylvania, in all the territory within the
11 counties of Atlantic, Burlington, Camden, Cape May, Cumberland,
12 Gloucester, Ocean and Salem in New Jersey.

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

16 "Commission resources" shall mean commission-owned or
17 commission-leased equipment, including telephones, computer
18 hardware or software, copiers, scanners, fax machines, file
19 cabinets or other office furniture, cell phones, person digital
20 assistant devices or similar electronic devices and office
21 supplies.

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

24 "Director" shall include the engineering director, bridge
25 directors, director of the Port of Philadelphia and Camden,
26 director of risk management and safety, director of human
27 resource services, director of information services, finance
28 director of Port Authority Transit Corporation, director of
29 revenue, director of finance, director of emergency management
30 and homeland security or any similar position created by the

1 commission.

2 "Doing business with the commission" shall include the
3 following:

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

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

8 (3) The procurement of commission supplies, equipment,
9 services or professional services, including without limitation,
10 legal, accounting and investment services.

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

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

14 (6) The issuance and placement of commission debt
15 obligations.

16 (7) The deposit of commission funds.

17 (8) Other transactions in which the commission has a
18 financial interest.

19 ["Economic development activity" or "economic development"
20 shall mean any structure of facility or any development within
21 the Port District in connection with manufacturing, port-
22 oriented development, foreign trade zone site development or
23 research, commercial, industrial or recreational purposes, or
24 for purposes of warehousing or consumer and supporting services
25 directly relating to any of the foregoing or to any authority
26 project or facility which are required for the sound economic
27 development of the Port District.]

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

30 "Immediate family member" shall include the spouse, parent,

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

6 "Officer" shall include the chief executive officer, deputy
7 chief executive officer, corporate secretary, treasurer, chief
8 public safety officer or police chief, chief financial officer,
9 chief administrative officer, chief operating officer, the Port
10 Authority Transit Corporation general manager and assistant
11 general manager, general counsel or any similar position created
12 by the commission.

13 "Political activity" shall mean an activity on behalf of a
14 political party, candidate, political committee or campaign,
15 which is intended to advance the interests of a specific party,
16 candidate, political committee or campaign for elective office.

17 (1) The term shall include:

18 (a) Organizing a campaign meeting, campaign rally or other
19 campaign event, including a fundraiser where campaign
20 contributions are solicited or received.

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

23 (c) Preparing a campaign finance report.

24 (d) Conducting background research on a candidate.

25 (e) Preparing or conducting a campaign poll.

26 (f) Preparing, circulating or filing a candidate nominating
27 petition or papers.

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

30 (h) Preparing, distributing or mailing campaign literature,

1 campaign signs or other campaign material, including television
2 and radio advertisements, website construction, e-mails,
3 facsimiles and robocalls, on behalf of any candidate for
4 elective office.

5 (i) Managing a campaign for elective office.

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

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

10 (l) Soliciting or receiving campaign contributions in a
11 commission office, on commission property or with commission
12 resources.

13 (m) Using commission resources to create, store or maintain
14 a mailing list that identifies the listed individuals as
15 campaign volunteers or contributors to a candidate, political
16 party, political committee, campaign or campaign committee.

17 (n) Developing a list for the purpose of monitoring or
18 tracking campaign activity or campaign contributions of any
19 commission employe.

20 (2) The term shall not include:

21 (a) Registering and voting in an election.

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

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

27 (d) Participating in the nonpartisan activities of a civic,
28 community, social, labor or professional organization or of a
29 similar organization.

30 (e) Being a member of a political party or other political

1 organization or club and participating in its activities to the
2 extent consistent with this compact.

3 (f) Attending a political convention, rally, fundraising
4 function or other political gathering.

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

6 (h) Making a financial contribution to a political party or
7 organization.

8 (i) Being politically active in connection with a question
9 which is not specifically identified with a political party,
10 such as any constitutional amendment, referendum, approval of a
11 municipal ordinance or other question or issue of a similar
12 character.

13 (j) Otherwise participating fully in public affairs, except
14 as prohibited by law, in a manner which does not materially
15 compromise efficiency or integrity as an employe or the
16 efficiency or integrity of the commission.

17 "Relative" shall mean any:

18 (a) Spouse, parent, stepparent, parent-in-law, grandparent,
19 child, stepchild, grandchild, brother, sister, stepbrother,
20 stepsister, half-brother, half-sister, aunt, uncle, niece or
21 nephew of any current commissioner, officer or employe, whether
22 related by blood, marriage or adoption.

23 (b) Significant other of a commissioner, officer, director
24 or employe.

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

27 "Terminal" shall include any marine, motor truck, motorbus,
28 railroad and air terminal or garage, also any coal, grain and
29 lumber terminal and any union freight and other terminals used
30 or to be used in connection with the transportation of

1 passengers and freight, and equipment, materials and supplies
2 therefor.

3 "Transportation facility" and "facilities for transportation
4 of passengers" shall include railroads operated by steam,
5 electricity or other power, rapid transit lines, motor trucks,
6 motorbuses, tunnels, bridges, airports, boats, ferries,
7 carfloats, lighters, tugs, floating elevators, barges, scows, or
8 harbor craft of any kind, and aircraft, and equipment, materials
9 and supplies therefor.

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

21 "Transportation of passengers" and "passenger transportation"
22 shall mean the transportation of passengers by railroad or other
23 facilities.

24 "Rapid transit system" shall mean a transit system for the
25 transportation of passengers, express, mail and baggage by
26 railroad or other facilities, and equipment, materials and
27 supplies therefor.

28 "Project" shall mean any improvement, betterment, facility or
29 structure authorized by or pursuant to this compact or agreement
30 to be constructed, erected, acquired, owned or controlled or

1 otherwise undertaken by the commission. "Project" shall not
2 include undertakings for purposes described in Article I,
3 subdivisions (d), (e), (g), (h) and (i).

4 "Railroad" shall include railways, extensions thereof,
5 tunnels, subways, bridges, elevated structures, tracks, poles,
6 wires, conduits, powerhouses, substations, lines for the
7 transmission of power, carbarns, shops, yards, sidings,
8 turnouts, switches, stations and approaches thereto, cars and
9 motive equipment.

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

26 "Facility" shall include all works, buildings, structures,
27 property, appliances, and equipment, together with appurtenances
28 necessary and convenient for the proper construction, equipment,
29 maintenance and operation of a facility or facilities or any one
30 or more of them.

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

4 "Lease" shall include rent or hire.

5 "Municipality" shall include a county, city, borough,
6 village, township, town, public agency, public authority or
7 political subdivision.

8 Words importing the singular number include the plural number
9 and vice versa.

10 Wherever legislation or action by the Legislature of either
11 signatory State is herein referred to, it shall mean an act of
12 the Legislature duly adopted in accordance with the provisions
13 of the Constitution of such State.

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

17 Section 3. The Governor shall not enter into any
18 supplemental compact or agreement under this act until the State
19 of New Jersey shall have passed a substantially similar act
20 embodying the agreement between the two states as set forth in
21 section 1.

22 Section 4. The Governor shall publish the date of approval
23 by the Congress of the United States as prescribed by section 10
24 of Article I of the Constitution of the United States of the
25 supplemental compact or agreement authorized by this act as a
26 notice in the Pennsylvania Bulletin.

27 Section 5. The supplemental compact or agreement authorized
28 by this act shall become operative and effective upon
29 publication of the notice provided for under section 4 of this
30 act.

1 Section 6. This act shall take effect as follows:

2 (1) The amendment of Article II of the compact shall
3 take effect December 31, 2018.

4 (2) The remainder of this act shall take effect
5 immediately.