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AN ACT concerning the Delaware River Port Authority, authorizing the Governor, on behalf of the State of New Jersey, to enter into a supplemental compact or agreement with the Commonwealth of Pennsylvania amending the compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania entitled "Agreement Between The Commonwealth of Pennsylvania and The State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," as amended and supplemented, and authorizing the Governor to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent to such supplemental compact or agreement.

Eliminates power of DRPA to finance economic development; changes composition of board; imposes restrictions regarding financing, contract procedures, conflicts of interest, and review audits; creates commuter's council.

PRIME Sponsor \_\_\_\_\_ Senator Joe Pennacchio \_\_\_\_\_

<u>CO-Sponsor</u>	<u>District</u>	<u>CO-Sponsor</u>	<u>District</u>
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Same as \_\_\_\_\_ 12/13      Same as \_\_\_\_\_ 14/15

Suggested allocation: ss.6-9- C.32:3-5.3 et seq.; s.12- Eff. date

AN ACT concerning the Delaware River Port Authority, authorizing the Governor, on behalf of the State of New Jersey, to enter into a supplemental compact or agreement with the Commonwealth of Pennsylvania amending the compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania entitled "Agreement Between The Commonwealth of Pennsylvania and The State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," as amended and supplemented, and authorizing the Governor to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent to such supplemental compact or agreement.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. The Governor is authorized to enter into a supplemental compact or agreement, on behalf of the State of New Jersey, with the Commonwealth of Pennsylvania amending and supplementing the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey entitled "Agreement Between The Commonwealth of Pennsylvania and The State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," as set forth in this act.

2. Article I of the "Agreement Between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," as amended and supplemented (R.S.32:3-2) is amended to read as follows:

R.S.32:3-2. The body corporate and politic, heretofore created and known as the Delaware River Joint Commission hereby is continued under the name of the Delaware River Port Authority (hereinafter in this agreement called the "commission" ), which shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes, and which shall be deemed to be exercising an essential governmental function in effectuating such purposes, to wit:

(a) The operation and maintenance of the bridge, owned jointly by the two States, across the Delaware river between the city of Philadelphia in the Commonwealth of Pennsylvania and the city of Camden in the State of New Jersey, including its approaches, and the making of additions and improvements thereto.

(b) The effectuation, establishment, construction, acquisition, operation, and maintenance of railroad or other facilities for the transportation of passengers across any bridge or tunnel owned or

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

controlled by the commission, including extensions of such railroad or other facilities necessary for efficient operation in the Port District.

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

(d) Co-operation with all other bodies interested or concerned with, or affected by the promotion, development, or use of the Delaware river and the Port District.

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

(f) The construction, acquisition, operation, and maintenance of other bridges and tunnels across or under the Delaware river, between the city of Philadelphia or the county of Delaware in the Commonwealth of Pennsylvania and the State of New Jersey, including approaches and the making of additions and improvements thereto.

(g) The promotion as a highway of commerce of the Delaware river, and the promotion of increased passenger and freight commerce on the Delaware river and for such purpose the publication of literature and the adoption of any other means as may be deemed appropriate.

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

(i) Institution through its counsel, or such other counsel as it shall designate, or intervention in, any litigation involving rates, preferences, rebates, or other matters vital to the interest of the Port District; provided, that notice of any such institution of or intervention in litigation shall be given promptly to the Attorney General of the Commonwealth of Pennsylvania and to the Attorney General of the State of New Jersey, and provision for such notices shall be made in a resolution authorizing any such intervention or litigation and shall be incorporated in the minutes of the commission.

(j) The establishment, maintenance, rehabilitation, construction, and operation of a rapid transit system for the transportation of passengers, express, mail, and baggage, or any of them, between points in New Jersey within the Port District and points in Pennsylvania within the Port District, and intermediate points. Such system may be established either by utilizing existing rapid transit systems, railroad facilities, highways, and bridges within the territory involved or by the construction or provision of new rail

facilities where deemed necessary, and may be established either directly by purchase, lease, or contract, or by lease or agreement with any other public or private body or corporation, or in any other manner.

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

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

(m) The unification of the ports of the Delaware river through (i) the acquisition or taking control of any terminal, terminal facility, transportation facility, or marine terminal or port facility or associated property within the Port District through purchase, lease, or otherwise, or by the acquisition, merger, becoming the successor to or entering into contracts, agreements, or partnerships with any other port corporation, port authority, or port related entity which is located within the Port District, all in accordance with the applicable laws of the State in which the facility, corporation, or authority is located; (ii) the exercise of the other powers granted by this compact; or (iii) the establishment **[(whether] whether** solely or jointly with any other entity or **[entities)] entities**, of such subsidiary corporation or corporations or maritime or port advisory committees as may be necessary or desirable to effectuate this purpose.

(n) The planning, financing, development, acquisition, construction, purchase, lease, maintenance, marketing, improvement, and operation of any project directly relating to the operation of the Delaware River Port Authority, including but not limited to any terminal, terminal facility, transportation facility, or any other facility of commerce **[or economic development activity]**; from funds available after appropriate allocation for maintenance of bridge and other capital facilities.

(cf: P.L.1991, c.515, s.2)

3. Article II of the "Agreement Between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," as amended and supplemented (R.S.32:3-3) is amended to read as follows:

R.S.32:3-3. The commission shall consist of **[sixteen] 16** commissioners, eight resident voters of the Commonwealth of

Pennsylvania, and eight resident voters of the State of New Jersey, who shall serve without compensation.

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

Six of the eight commissioners for the Commonwealth of Pennsylvania shall be appointed by the Governor of Pennsylvania for terms of five years. The Auditor General and the State Treasurer of said Commonwealth shall ex-officio be commissioners for said Commonwealth, each having the privilege of appointing a representative to serve in **【his】** the Auditor or Treasurer's place at any meeting of the commission which **【he】** the Auditor or Treasurer does not attend personally. Any commissioner who is an elected public official shall have the privilege of appointing a representative to serve and act in **【his】** the commissioner's place at any meeting of the commission which **【he】** the commissioner does not attend personally. Pennsylvania commissioners who are not ex-officio members of the commission shall be confirmed by a majority of the members elected to the Pennsylvania Senate.

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

(cf: P.L.1991, c.515, s.3)

4. Article IV of the "Agreement Between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," as amended and supplemented (R.S.32:3-5) is amended to read as follows:

R.S.32:3-5. For the effectuation of its authorized purposes the commission is hereby granted the following powers:

- (a) To have perpetual succession.

(b) To sue and be sued.

(c) To adopt and use an official seal.

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

(e) To appoint, hire, or employ counsel and such other officers and such agents and employees as it may require for the performance of its duties, by contract or otherwise, and fix and determine their qualifications, duties and compensation, provided that the employees of the Delaware River Port Authority who are residents of New Jersey shall be subject to the "New Jersey Employer-Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.); employees of the Delaware River Port Authority who are residents of Pennsylvania shall be subject to the act of July 23, 1970 (P.L.563, No.195), known as "The Public Employee Relations Act"; and shall have all of the rights provided to employees by **[that act]** those respective acts, including but not limited to, the right to form, join or assist an employee organization, and the right to have that employee organization engage in collective bargaining on behalf of the employees.

(f) To enter into contracts.

(g) To acquire, own, hire, use, operate, and dispose of personal property.

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

At its option, to authorize the Department of General Services to prescribe standards and specifications and make contracts and purchases of various materials and services for the commission, pursuant to the provisions of sections 2403, 2403.1 and 2409 of the act of April 9, 1929 (P.L.177, No.175), know as "The Administrative Code of 1929."

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

(j) To borrow money upon its bonds or other obligations for the purpose of financing any project authorized by or pursuant to this compact or agreement, either with or without security, and to make, enter into, and perform any and all such covenants and agreements with the holders of such bonds or other obligations as the commission may determine to be necessary or desirable for the security and payment thereof, including without limitation of the foregoing, covenants and agreements as to the management and operation of any property or facility owned or controlled by it, the tolls, rents, rates, or other charges to be established, levied, made, and collected for any use of any such property or facility, or the application, use and disposition of the proceeds of any bonds or other obligations of the commission or the proceeds of any such

tolls, rents, rates, or other charges or any other revenues or moneys of the commission.

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

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

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

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

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

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

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

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

It is the policy and intent of the Legislature of the Commonwealth of Pennsylvania and the State of New Jersey that the powers granted by this article shall be so exercised that the American system of free competitive private enterprise is given full consideration and is maintained and furthered. In making its reports and recommendations to the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey on the need for any facility or project which the commission believes should be undertaken for the promotion and development of the Port District, the commission shall include therein its findings which fully set forth that the facility or facilities operated by private enterprise

within the Port District and which it is intended shall be supplanted or added to are not adequate.】

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

(cf: P.L.2009, c.210, s.2)

5. Article XII of the "Agreement Between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," as amended and supplemented (R.S.32:3-13) is amended to read as follows:

R.S.32:3-13. The commission shall, within 90 days after the end of each fiscal year, submit to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey a complete and detailed report of the following:

- (1) its operations and accomplishments during the completed fiscal year;
- (2) its receipts and disbursements or revenues and expenses during that year in accordance with the categories and classifications established by the commission for its own operating and capital outlay purposes;
- (3) its assets and liabilities at the end of the fiscal year, including the status of reserve, depreciation, special or other funds including debits and credits of these funds;
- (4) a schedule of bonds and notes outstanding at the end of the fiscal year;
- (5) a list of all contracts exceeding \$100,000 entered into during the fiscal year;
- (6) a business or strategic plan for the commission and for each of its operating divisions; and
- (7) a five year capital plan.

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

The commission shall, not later than two years after the date of the coming into force of the supplemental compact or agreement authorized by this 1991 amendatory act, prepare a comprehensive

master plan for the development of the Port District. The plan shall include, but not be limited to, plans for the construction, financing, development, reconstruction, purchase, lease, improvement and operation of any terminal, terminal facility, transportation facility or any other facility of commerce or economic development activity. The master plan shall include the general location of such projects and facilities as may be included in the master plan and shall to the maximum extent practicable include, but not be limited to, a general description of each such projects and facilities, the land use requirements necessary therefor, and estimates of project costs and of a schedule for commencement of each such project. Prior to adopting such master plan, the commission shall give written notice to, afford a reasonable opportunity for comment, consult with and consider any recommendations from State, county and municipal government, as well as commissions, public corporations and authorities, and the private sector. The commission may modify or change any part of the plan in the same form and manner as provided for the adoption of the original plan. At the time the commission authorizes any project or facility, the commission shall promptly provide to the Governor and Legislature of each state a detailed report on the project including its status within the master plan. The commission shall include within the authorization a status of the project or facility in the master plan and any amendment thereof, and no project shall be authorized if not included in the master plan or amendment thereof. Any project which has been commenced and approved by the commission prior to the adoption of the master plan shall be included, for informational purposes only, in the master plan. The commission shall provide notice of such on-going projects to those State, county, and municipal governments, as well as entities in the private sector who would be entitled to such notice had the project not been commenced in anticipation of adopting the master plan, but there shall be no requirement that the project be delayed or deferred due to these provisions.

In addition to other powers conferred upon it, and not in limitation thereof, the commission may acquire all right, title and interest in and to the Tacony-Palmyra bridge, across the Delaware river at Palmyra, New Jersey, together with any approaches and interests in real property necessary thereto. The acquisition of such bridge, approaches and interests by the commission shall be by purchase or by condemnation in accordance with the provisions of the Federal law consenting to or authorizing the construction of such bridge or approaches, or the acquisition of such bridge, approaches or interests by the commission shall be pursuant to and in accordance with the provisions of section 48:5-22 and 48:5-23 of the Revised Statutes of New Jersey, and for all the purposes of said provisions and sections the commission is hereby appointed as the agency of the State of New Jersey and the Commonwealth of Pennsylvania exercising the rights and powers granted or reserved

by said Federal law or sections to the State of New Jersey and Commonwealth of Pennsylvania jointly or to the State of New Jersey acting in conjunction with the Commonwealth of Pennsylvania. The commission shall have authority to so acquire such bridge, approaches and interests, whether the same be owned, held, operated or maintained by any private person, firm, partnership, company, association or corporation or by any instrumentality, public body, commission, public agency or political subdivision (including any county or municipality) of, or created by or in, the State of New Jersey or the Commonwealth of Pennsylvania, or by any instrumentality, public body, commission, or public agency of, or created by or in, a political subdivision (including any county or municipality) of the State of New Jersey or the Commonwealth of Pennsylvania. None of the provisions of the preceding paragraph shall be applicable with respect to the acquisition by the commission, pursuant to this paragraph, of said Tacony-Palmyra bridge, approaches and interests. The power and authority herein granted to the commission to acquire said Tacony-Palmyra bridge, approaches and interests shall not be exercised unless and until the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania have filed with the commission their written consents to such acquisition.

Notwithstanding any provision of this agreement, nothing herein contained shall be construed to limit or impair any right or power granted or to be granted to the Pennsylvania Turnpike Commission or the New Jersey Turnpike Authority, to finance, construct, operate, and maintain the Pennsylvania Turnpike System or any turnpike project of the New Jersey Turnpike Authority, respectively, throughout the Port District, including the right and power, acting alone or in conjunction with each other, to provide for the financing, construction, operation, and maintenance of one bridge across the Delaware river south of the city of Trenton in the State of New Jersey; provided that such bridge shall not be constructed within a distance of ten miles, measured along the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey, from the existing bridge, operated and maintained by the commission, across the Delaware river between the city of Philadelphia in the Commonwealth of Pennsylvania and the city of Camden in the State of New Jersey, so long as there are any outstanding bonds or other securities or obligations of the commission for which the tolls, rents, rates, or other revenues, or any part thereof, of said existing bridge shall have been pledged. Nothing contained in this agreement shall be construed to authorize the commission to condemn any such bridge.

Anything herein contained to the contrary notwithstanding, no bridge or tunnel shall be constructed, acquired, operated, or maintained by the commission across or under the Delaware river north of the boundary line between Bucks county and Philadelphia county in the Commonwealth of Pennsylvania as extended across

the Delaware river to the New Jersey shore of said river, and any new bridge or tunnel authorized by or pursuant to this compact or agreement to be constructed or erected by the commission may be constructed or erected at any location south of said boundary line notwithstanding the terms and provisions of any other agreement between the Commonwealth of Pennsylvania and the State of New Jersey. Except as may hereafter be otherwise provided in conformity with Article IX hereof with respect to specific properties designated by action of the Legislatures of both of the signatory States, no property or facility owned or controlled by the commission shall be acquired from it by any exercise of powers of condemnation or eminent domain].

The commission shall submit biennially to an audit of its budget conducted by an independent auditor selected by the New Jersey Comptroller and the Auditor General of Pennsylvania and approved by the Governors of New Jersey and Pennsylvania. The audit shall be provided to the Governors and Legislatures of the State of New Jersey and the Commonwealth of Pennsylvania no later than December 31 of every even-numbered year and shall include all expenditures, revenues, and financial operations of the commission. Failure to submit to this audit shall result in the forfeiture of the salary of every officer of the commission or employee employed by the commission at a level at or exceeding the level of director, or acting director until the audit is complete.

The commission shall submit biennially to a performance review audit conducted by an independent auditor selected by the New Jersey Comptroller and the Auditor General of Pennsylvania and approved by the Governors of New Jersey and Pennsylvania. The audit shall include an evaluation of whether the commission is achieving efficiency and effectiveness in the employment of its financial and operational resources and shall be provided to the Governors and Legislatures of the State of New Jersey and the Commonwealth of Pennsylvania no later than December 31 of every odd-numbered year. Failure to submit to this audit shall result in the forfeiture of the salary of every officer of the commission or employee employed by the commission at a level at or exceeding the level of director, or acting director until the audit is complete.

Every two years the commission shall conduct a review of the compensation of commission employees and officers for the purpose of ensuring that compensation is commensurate with duties performed. The commission shall provide a report on the compensation of its employees and officers to the Governors and Legislatures of the State of New Jersey and the Commonwealth of Pennsylvania by June 30 of every even-numbered year. The report shall provide the salary range of each job title and shall include the following information concerning each commission employee and officer:

- (a) name;
- (b) annual salary;

- (c) job title;
- (d) hiring date; and
- (e) job description.

Failure to conduct this review shall result in the forfeiture of the salary of every officer of the commission or employee employed by the commission at a level at or exceeding the level of director, or acting director until the review is complete.

(cf: P.L.1991, c.515, s.6)

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

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

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

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

It is the policy and intent of the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey that the powers granted by this section, shall be so exercised that the American system of free competitive private enterprise is given full consideration and is maintained and furthered whenever possible and legally permissible. In making its reports and recommendations to the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey on the need for any facility or project which the commission believes should be undertaken for the promotion and development of the Port District, the commission shall include therein its findings which fully set forth that the facility or facilities operated by private enterprise within the Port District and which it is intended shall be supplanted or added to are not adequate.

7. (New section) a. (1) All commissioners, directors, officers, and employees of the commission shall practice due diligence to avoid situations in which their personal interest, activities, or financial affairs are, or are reasonably perceived as being, in conflict with the interests of the commission. Prior to each board meeting conducted pursuant to section 3 of P.L.1991, c.400 (C.32:3-4.7), the commission shall circulate a list of entities that

will be the subject of board action. Board members shall identify in writing any conflicts in advance of board meetings.

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

(3) No commissioner, director, officer, or employee of the commission shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of the duties of the commissioners, directors, officers, or employees in the public interest. No commissioner, director, officer, or employee shall use or attempt to use an official position to secure unwarranted privileges, exemptions, advantages, or employment.

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

(5) No commissioner, director, officer, or employee of the commission or any immediate family member of a commissioner, director, officer, or employee of the commission shall solicit or accept any gift or item of value for personal benefit under any circumstance which could be reasonably expected to influence, or which may be perceived as being reasonably expected to influence, the manner in which a commissioner, director, officer, or employee conducts the public business of the commission.

(6) No commissioner, director, officer, or employee of the commission or any immediate family member of a commissioner, director, officer, or employee of the commission shall exert any undue influence with respect to any act of the commission, including the selection of contractors, the hiring of or dismissal of employees, or the making of any other decision where the influence of the commissioner, director, officer, or employee is, or is likely to be perceived as, an interference with the independent and objective decisions of the commission.

(7) No employee employed as an officer, director, or acting director, or employed at a level exceeding that of an officer, director, or acting director, shall accept or engage in employment with any professional service provider, vendor, or independent contractor of the commission for a period of two years from the date of the termination of their employment with the commission.

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

(a) is owned wholly or in part by a commissioner, director, officer, or employee or the commissioner, director, officer, or employee's relative; or

(b) a commissioner, director, officer, or employee or the commissioner, director, officer, or employee's relative has entered into a contractual or business relationship with or has received a personal pecuniary benefit therefrom.

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

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

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

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

b. (1) No commissioner, director, officer, or employee of the commission shall be paid compensation higher than the lesser salary of either the Governor of the State of New Jersey or the Governor of the Commonwealth of Pennsylvania.

(2) The commission shall not compensate any commissioner, director, officer, or employee for expenses related to the use of a vehicle that is procured by or for the commissioner, director, officer, or employee primarily for personal use or for the purpose of commuting between home and work.

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

(4) The commission is prohibited from entering into a contract containing, or contingent upon, a written agreement or understanding which requires a party to make a payment of a portion of any consideration, commission, premium, or fee received under or attributable to the contract, with a person or entity not a party to the contract. The commission is required to include a provision in its contracts providing that no party to the contract shall be required to make a payment of a portion of any consideration, commission, premium, or fee received under or attributable to the contract, with a person or entity not a party to the contract. A person or entity, which is a party to a contract with the commission, is prohibited from offering to make or making a payment to another person or entity having a separate contractual relationship with the commission in order to obtain contracts or agreements with the commission. A person or entity, which is a party to a contract with the commission, is prohibited from receiving or soliciting payment of a portion of any consideration, commission, premium, or fee received under or attributable to a separate contractual relationship between the commission and another person or entity.

(5) No commissioner, director, officer, or employee shall receive any lump sum expense allowance or contingent fund for personal or official expenses except where the allowance or fund is expressly provided for by statute or legislative appropriation.

(6) No commissioner, director, officer, or employee shall be exempt from payment of any toll relating to the use of a commission toll bridge or toll road and the commission shall not compensate any commissioner, director, officer, or employee for payment of the toll.

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

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

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

e. The commission shall not vote on any matter concerning a commission contract unless notice is provided to the public at least 30 days prior to the scheduled action by the commission.

f. The Attorney General of the Commonwealth of Pennsylvania and the Attorney General of the State of New Jersey are hereby authorized to take action under the laws of the Commonwealth of Pennsylvania and the State of New Jersey to enforce the provisions of the compact or agreement.

8. (New section) The commission shall, not later than two years after the date of the coming into force of the supplemental compact or agreement authorized by this 1991 amendatory act, prepare a comprehensive master plan for the development of the Port District.

The plan shall include, but not be limited to, plans for the construction, financing, development, reconstruction, purchase, lease, improvement, and operation of any terminal, terminal facility, transportation facility, or any other facility of commerce or economic development activity. The master plan shall include the general location of such projects and facilities as may be included in the master plan and shall to the maximum extent practicable include, but not be limited to, a general description of each such projects and facilities, the land use requirements necessary therefor, and estimates of project costs and of a schedule for commencement of each such project. Prior to adopting such master plan, the commission shall give written notice to, afford a reasonable opportunity for comment, consult with and consider any recommendations from State, county and, municipal government, as well as commissions, public corporations, and authorities, and the private sector. The commission may modify or change any part of the plan in the same form and manner as provided for the adoption of the original plan. At the time the commission authorizes any project or facility, the commission shall promptly provide to the Governor and Legislature of each state a detailed report on the project including its status within the master plan. The commission shall include within the authorization a status of the project or facility in the master plan and any amendment thereof, and no project shall be authorized if not included in the master plan or amendment thereof. Any project which has been commenced and approved by the commission prior to the adoption of the master plan shall be included, for informational purposes only, in the master plan. The commission shall provide notice of such on-going projects to those State, county, and municipal governments, as well as entities in the private sector who would be entitled to such notice had the project not been commenced in anticipation of adopting the master plan, but there shall be no requirement that the project be delayed or deferred due to these provisions.

In addition to other powers conferred upon it, and not in limitation thereof, the commission may acquire all right, title and interest in and to the Tacony-Palmyra bridge, across the Delaware river at Palmyra, New Jersey, together with any approaches and interests in real property necessary thereto. The acquisition of such bridge, approaches, and interests by the commission shall be by purchase or by condemnation in accordance with the provisions of the Federal law consenting to or authorizing the construction of such bridge or approaches, or the acquisition of such bridge, approaches or interests by the commission shall be pursuant to and in accordance with the provisions of R.S.48:5-22 and R.S.48:5-23, and for all the purposes of said provisions and sections the commission is hereby appointed as the agency of the State of New Jersey and the Commonwealth of Pennsylvania exercising the rights and powers granted or reserved by said Federal law or sections to the State of New Jersey and Commonwealth of Pennsylvania jointly

or to the State of New Jersey acting in conjunction with the Commonwealth of Pennsylvania. The commission shall have authority to so acquire such bridge, approaches, and interests, whether the same be owned, held, operated, or maintained by any private person, firm, partnership, company, association, or corporation or by any instrumentality, public body, commission, public agency, or political subdivision, including any county or municipality, of, or created by or in, the State of New Jersey or the Commonwealth of Pennsylvania, or by any instrumentality, public body, commission, or public agency of, or created by or in, a political subdivision, including any county or municipality, of the State of New Jersey or the Commonwealth of Pennsylvania. None of the provisions of the preceding paragraph shall be applicable with respect to the acquisition by the commission, pursuant to this paragraph, of said Tacony-Palmyra bridge, approaches, and interests. The power and authority herein granted to the commission to acquire said Tacony-Palmyra bridge, approaches and interests shall not be exercised unless and until the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania have filed with the commission their written consents to such acquisition.

Notwithstanding any provision of this agreement, nothing herein contained shall be construed to limit or impair any right or power granted or to be granted to the Pennsylvania Turnpike Commission or the New Jersey Turnpike Authority, to finance, construct, operate, and maintain the Pennsylvania Turnpike System or any turnpike project of the New Jersey Turnpike Authority, respectively, throughout the Port District, including the right and power, acting alone or in conjunction with each other, to provide for the financing, construction, operation, and maintenance of one bridge across the Delaware River south of the city of Trenton in the State of New Jersey; provided that such bridge shall not be constructed within a distance of 10 miles, measured along the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey, from the existing bridge, operated and maintained by the commission, across the Delaware River between the city of Philadelphia in the Commonwealth of Pennsylvania and the city of Camden in the State of New Jersey, so long as there are any outstanding bonds or other securities or obligations of the commission for which the tolls, rents, rates, or other revenues, or any part thereof, of said existing bridge shall have been pledged. Nothing contained in this agreement shall be construed to authorize the commission to condemn any such bridge.

Anything herein contained to the contrary notwithstanding, no bridge or tunnel shall be constructed, acquired, operated, or maintained by the commission across or under the Delaware River north of the boundary line between Bucks County and Philadelphia County in the Commonwealth of Pennsylvania as extended across the Delaware River to the New Jersey shore of said river, and any

new bridge or tunnel authorized by or pursuant to this compact or agreement to be constructed or erected by the commission may be constructed or erected at any location south of said boundary line notwithstanding the terms and provisions of any other agreement between the Commonwealth of Pennsylvania and the State of New Jersey. Except as may hereafter be otherwise provided in conformity with Article IX hereof with respect to specific properties designated by action of the Legislatures of both of the signatory States, no property or facility owned or controlled by the commission shall be acquired from it by any exercise of powers of condemnation or eminent domain.

9. (New section) a. 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.

b. 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.

c. 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.

d. The commission shall provide the council with assistance and information as may be necessary for the purposes of this section.

10. Section 1(6) of P.L.1951, c.288 (C.32:3-13.23) is amended to read as follows:

1(6). As used herein, unless a different meaning clearly appears from the context:

"Port District" shall mean all the territory within the counties of Bucks, Chester, Delaware, Montgomery, and Philadelphia in Pennsylvania, and all the territory within the counties of Atlantic,

Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem in New Jersey.

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

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

【"Economic development activity" or "economic development" means any structure or facility or any development within the Port District in connection with manufacturing, port-oriented development, foreign trade zone site development or research, commercial, industrial, or recreational purposes, or for purposes of warehousing or consumer and supporting services directly relating to any of the foregoing or to any authority project or facility which are required for the sound economic development of the Port District.】

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

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

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

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

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

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

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

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

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

(7) The deposit of commission funds.

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

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

"Immediate family member" shall include the spouse, parent, stepparent, parent-in-law, grandparent, child, stepchild, grandchild, brother, sister, stepbrother, stepsister, half-brother, half-sister, aunt,

uncle, niece, or nephew of any current commissioner, officer, or employee, whether related by blood, marriage, or adoption.

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

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

(1) The term shall include:

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

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

(c) Preparing a campaign finance report.

(d) Conducting background research on a candidate.

(e) Preparing or conducting a campaign poll.

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

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

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

(i) Managing a campaign for elective office.

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

(k) Posting campaign-related information on a website, including social media websites.

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

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

(n) Developing a list for the purpose of monitoring or tracking campaign activity or campaign contributions of any commission employee.

(2) The term shall not include:

(a) Registering and voting in an election.

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

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

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

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

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

(g) Signing a political petition as an individual.

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

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

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

"Relative" shall mean any:

(1) spouse, parent, stepparent, parent-in-law, grandparent, child, stepchild, grandchild, brother, sister, stepbrother, stepsister, half-brother, half-sister, aunt, uncle, niece, or nephew of any current commissioner, officer, or employee, whether related by blood, marriage, or adoption.

(2) Significant other of a commissioner, officer, director, or employee.

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

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

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

"Terminal facility" shall include wharves, piers, slips, berths, ferries, docks, dry-docks, ship repair yards, bulkheads, dock walls, basins, carfloats, floatbridges, dredging equipment, radio receiving and sending stations, grain or other storage elevators, warehouses, cold storage, tracks, yards, sheds, switches, connections, overhead appliances, bunker coal, oil and fresh water stations, markets, and

every kind of terminal, storage, or supply facility now in use, or hereafter designed for use to facilitate passenger transportation and for the handling, storage, loading, or unloading of freight at terminals, and equipment, materials, and supplies therefor.

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

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

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

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

"Bridge" and "tunnel" shall include such approach highways and interests in real property necessary therefor in the Commonwealth of Pennsylvania or the State of New Jersey as may be determined by the commission to be necessary to facilitate the flow of traffic in the vicinity of a bridge or tunnel or to connect a bridge or tunnel with the highway system or other traffic facilities in said Commonwealth or said State; provided, however, that the power and authority herein granted to the commission to construct new or additional approach highways shall not be exercised unless and until the Department of Transportation of the Commonwealth of Pennsylvania shall have filed with the commission its written approval as to approach highways to be located in said Commonwealth and the State Highway Department of the State of New Jersey shall have filed with the commission its written approval as to approach highways to be located in said State.

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

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

"Lease" shall include rent or hire.

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

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

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

(cf: P.L.1991, c.515, s.7)

11. The Governor is authorized to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent and approval to the amendments to this compact or agreement provided in P.L. , c. (C. ) (pending before the Legislature as this bill).

12. This act shall take effect immediately, but shall remain inoperative until the enactment into law of legislation substantially similar to P.L. , c. (C. ) (pending before the Legislature as this bill) by the Commonwealth of Pennsylvania, but if such legislation shall have been enacted prior to the enactment of this act, this act shall take effect immediately.

#### STATEMENT

This bill amends and supplements the compact between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Port Authority (DRPA). The bill eliminates the power of DRPA to plan, finance, develop, acquire, construct, lease, maintain, market, improve, and operate economic development activities. The bill also limits DRPA to projects directly related to the operation of the authority. The bill further provides that DRPA's power to issue bonds is limited to the financing of authorized projects and eliminates the authority's power to issue bonds for purposes of financing economic development activities.

The bill requires that the six commission members appointed by the Pennsylvania Governor be confirmed by a majority of the members elected to the Pennsylvania Senate. The Auditor General and the State Treasurer of Pennsylvania would continue to serve as ex-officio commissioners.

The bill authorizes DRPA to hold executive sessions consisting of a majority of the commissioners from each state to address confidential matters. The commissioners from only one state are not permitted to meet in caucus separately from the members of the other state.

The bill imposes various requirements and restrictions upon DRPA and its commissioners, officers, employees, and their immediate families.

The bill requires DRPA to:

- submit every two years to two separate audits conducted by an independent auditor selected by the New Jersey Comptroller and Auditor General of Pennsylvania and approved by the Governors of both states: (1) in even-numbered years, an audit of its budget, and (2) in odd-numbered years, a performance review audit, including an evaluation of whether DRPA is achieving efficiency and effectiveness in the employment of its financial and operational resources. Failure to submit to either audit will result in the forfeiture of the salary of every officer, director, or acting director of the authority until such time as the audit is complete;
- conduct a review of the compensation of DRPA employees and officers for the purpose of ensuring that compensation is commensurate with duties performed; Failure to conduct the review will result in the forfeiture of the salary of every officer, director, or acting director of the authority until such time as the review is complete;
- use best practices in procurement of necessary items and services, including the procurement of supplies, services, and construction pursuant to procurement laws in Pennsylvania and New Jersey;
- establish a secure online process to allow prospective qualified vendors to complete online any documents the authority requires concerning requests for proposals;
- require vendors to annually disclose political campaign contributions;
- respond to requests for records pursuant to either Pennsylvania's Right-to-Know Law or New Jersey's open public records act, as selected by the person or entity requesting the records; and
- adopt rules and regulations concerning proper notice to the public and news media of its meetings.

The bill prohibits DRPA from:

- negotiating, extending, amending, or altering the terms of a contract unless such action is voted on and approved by the board in a public session and notice of that session is properly provided;
- entering into a contract with a person, corporation or other legal entity that (1) is owned wholly or in part by a commissioner, director, officer, or employee, or (2) a commissioner, director, officer, or employee, or that person's relative, has entered into a contractual or business relationship with or has received a personal pecuniary benefit therefrom;
- donating money to charitable or civic organizations;
- compensating any commissioner, director, officer, or employee for expenses related to the use of a vehicle

primarily used for personal use or for the purpose of commuting between home and work;

- extending a personal line of credit or any other form of credit agreement or compensation to any commissioner, director, officer, or employee;
- entering into a contract containing, or contingent upon, a written agreement or understanding which requires a party to make a payment of a portion of any consideration, commission, premium, or fee received under the contract, with a person or entity not a party to the contract; and
- voting on any matter concerning an authority contract unless notice is provided to the public at least 30 days prior to the scheduled vote.

The bill prohibits DRPA commissioners, directors, officers, and employees from:

- engaging in political activity or electioneering using authority resources or equipment, or during work hours, authority meetings, or other activities primarily related to employment with the authority;
- having an interest in a business or engaging in any activity which is in substantial conflict with the proper discharge of their duties;
- soliciting or recommending that a contractor, vendor, or grant recipient appoint or employ any person;
- exerting any undue influence with respect to any act of the authority. Members of the immediate family are also barred from such action;
- if employed at the level of officer, director, or above, accepting or engaging in employment with any professional service provider, vendor, or independent contractor of the authority for a period of two years from the date of termination of employment with the authority;
- if a commissioner, director, or officer, making a charitable contribution on behalf of the authority;
- receiving a lump sum expense allowance or contingent fund unless expressly provided for by statute or legislative appropriation; and
- being exempt from or reimbursed for payment of any toll.

The Attorneys General from both Pennsylvania and New Jersey are authorized, under the bill, to take action under the laws of each state to enforce the provisions of the compact.

DRPA commissioners, directors, officers, and employees are required to use due diligence to avoid situations in which their personal interest, activities, or financial affairs are, or are reasonably perceived as being, in conflict with the interests of the authority.

The bill also creates 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 will study and investigate all aspects of the day-to-day operations of the transit corporation, monitor its performance, and recommend changes to improve the efficiency of its operations.

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Eliminates power of DRPA to finance economic development; changes composition of board; imposes restrictions regarding financing, contract procedures, conflicts of interest, and review audits; creates commuter's council.