

32: 8-17 et al

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LEGISLATIVE HISTORY CHECKLIST

NJSA: 32:8-17 et al (Delaware River Joint Toll Bridge Commission-- authorize Governor to enter supp. contract)

LAWS OF: 1985 **CHAPTER:** 342

BILL NO: S2096

Sponsor(s): Dumont and others

Date Introduced: July 30, 1984

Committee: Assembly: Transportation and Communications

Senate: Transportation and Communication; State Government, Federal and Interstate Relations and Veterans' Affairs.

Amended during passage: Yes Amendments during passage denoted by asterisks. Substituted for A3045 (2nd OCR attached).

Date of Passage: Assembly: September 12, 1985

Senate: November 29, 1984

Date of Approval: October 21, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

Similar statute enacted in Pennsylvania:
Act No. 1984-206, approved 12-18-84.

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[OFFICIAL COPY REPRINT]
SENATE, No. 2096

STATE OF NEW JERSEY

INTRODUCED JULY 30, 1984

By Senators DUMONT, FORAN, STOCKMAN, JACKMAN
and McMANIMON

Referred to Committee on State Government, Federal and
Interstate Relations and Veterans Affairs

AN ACT relating to joint action by the State of New Jersey and the Commonwealth of Pennsylvania and through the instrumentality of the Delaware River Joint Toll Bridge Commission; authorizing the Governor to enter into a supplemental compact or agreement on behalf of the State of New Jersey with the Commonwealth of Pennsylvania, supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as amended and supplemented; authorizing the Commonwealth of Pennsylvania and State of New Jersey to construct a new bridge in the vicinity of Easton, Pennsylvania and Phillipsburg, New Jersey and repealing parts of the statutory law.

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

1 1. The Governor is authorized to enter into a supplemental com-
2 pact or agreement on behalf of the State of New Jersey with the
3 Commonwealth of Pennsylvania, supplementing the compact or
4 agreement entitled "Agreement between the Commonwealth of
5 Pennsylvania and the State of New Jersey creating the Delaware
6 River Joint Toll Bridge Commission as a body corporate and
7 politic and defining its powers and duties," which was ex-
8 ecuted on behalf of the State of New Jersey by its Governor

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 enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendment adopted September 12, 1985.**

9 on December 18, 1934, and on behalf of the Commonwealth of
 10 Pennsylvania by its Governor on December 19, 1934, and which
 11 compact or agreement was thereafter amended and supplemented
 12 by compacts or agreements executed by the respective States, such
 13 supplemental compact or agreement to be in substantially the
 14 following form:

15 "Supplemental agreement between the Commonwealth of Penn-
 16 sylvania and the State of New Jersey supplementing the compact
 17 or agreement entitled 'Agreement between the Commonwealth of
 18 Pennsylvania and the State of New Jersey creating the Delaware
 19 River Joint Toll Bridge Commission as a body corporate and
 20 politic and defining its powers and duties,' as heretofore amended
 21 and supplemented, to establish the purposes for which the com-
 22 mission may fix, charge and collect tolls, rates, rents and other
 23 charges for the use of commission facilities and properties.

24 "The Commonwealth of Pennsylvania and the State of New
 25 Jersey do solemnly covenant and agree, each with the other, as
 25A follows:

26 A. (1) Notwithstanding any other provision of the compact or
 27 agreement hereby supplemented, or any provision of law, state or
 28 federal, to the contrary, as soon as the existing outstanding bonded
 29 indebtedness of the commission shall be refunded, defeased, retired
 30 or otherwise satisfied and thereafter, the commission may fix,
 31 charge and collect tolls, rates, rents and other charges for the
 32 use of any commission facility or property and in addition to any
 33 purpose now or heretofore or hereafter authorized for which the
 34 revenues from such tolls, rates, rents or other charges may be ap-
 35 plied, the commission is authorized to apply or expend any such
 36 revenue for the management, operation, maintenance, betterment,
 37 reconstruction or replacement (a) of the existing non-toll bridges,
 38 formerly toll or otherwise, over the Delaware river between the
 39 State of New Jersey and the Commonwealth of Pennsylvania here-
 40 tofore acquired by the commission pursuant to the provisions of
 41 the act of the State of New Jersey approved April 1, 1912 (Chapter
 42 297), and all supplements and amendments thereto, and the act
 43 of the Commonwealth of Pennsylvania approved May 8, 1919
 44 (Pamphlet Laws 148) and all supplements and amendments thereto
 45 and (b) of all other bridges within the commission's jurisdiction
 46 and control. Betterment shall include but not be limited to parking
 47 areas for public transportation services and all facilities appur-
 48 tenant to approved projects.

49 (2) The commission may borrow money or otherwise incur
 50 indebtedness and provide from time to time for the issuance of

51 its bonds or other obligations for one or more of the purposes
52 authorized in this supplemental agreement. The commission is
53 authorized to pledge its tolls, rates, rents and other revenues, or
54 any part thereof, as security for the repayment, with interest, of
55 any moneys borrowed by it or advanced to it for any of its author-
56 ized purposes, and as security for the satisfaction of any other
57 obligation assumed by it in connection with such loan or advances.

58 (3) The authority of the commission to fix, charge and collect
59 fees, rentals, tolls or any other charges on the bridges within its
60 jurisdiction, including the bridge at the Delaware Water Gap, is
61 confirmed.

62 (4) The covenants of the State of New Jersey and the Common-
63 wealth of Pennsylvania as set forth in Article VI of the compact
64 to which this is a supplemental agreement shall be fully applicable
65 to any bonds or other obligations issued or undertaken by the
66 commission. Notwithstanding Article VI or any other provision of
67 the commission's compact, the State of New Jersey and the Com-
68 monwealth of Pennsylvania may construct a bridge across the
69 Delaware river in the vicinity of Easton, Pennsylvania and Phil-
70 lipsburg, New Jersey within 10 miles of the existing toll bridge
71 at that location. All the rest and remainder of the commission's
72 compact, as amended or supplemented, shall be in full force and
73 effect except to the extent it is inconsistent with this supplemental
74 agreement.

75 B. The commission is authorized to fix, charge or collect fees,
76 rentals, tolls or any other charges on the proposed bridge to be
77 constructed in the vicinity of Easton, Pennsylvania and Phillips-
78 burg, New Jersey in the same manner and to the same extent that
79 it can do so for other toll bridges under its jurisdiction and control
80 provided that the United States Government has approved the
81 bridge to be a part of the National System of Interstate and
82 Defense Highways with 90% of the cost of construction to be con-
83 tributed by the United States Government and provided further,
84 that the nonfederal share of such bridge project is contributed by
85 the commission. The commission is further authorized in the same
86 manner and to the same extent that it can do so for all other toll
87 bridges under its jurisdiction and control to fix, charge and collect
88 fees, rentals, tolls or any other charges on any other bridge within
89 its jurisdiction and control if such bridge has been constructed in
90 part with federal funds.

91 C. The consent of Congress to this compact shall constitute
92 federal approval of the powers herein vested in the commission
93 and shall also constitute authority to the United States Department

94 of Transportation or any successor agency and the intent of Con-
95 gress to grant any federal approvals required hereunder to permit
96 the commission to fix, charge and collect fees, rentals, tolls or any
97 other charges on the bridges within its jurisdiction to the extent
98 provided in subsections A. and B. and this subsection and the com-
99 mission's compact.

100 D. Notwithstanding the above provisions, the commission shall
101 not fix, charge or collect fees, rentals, tolls or any other charges on
102 any of the various bridges formerly toll or otherwise over the
103 Delaware river between the State of New Jersey and the Common-
104 wealth of Pennsylvania heretofore acquired by the commission
105 pursuant to the provisions of the act of the State of New Jersey
106 approved April 1, 1912 (Chapter 297), and all supplements and
107 amendments thereto, and the act of the Commonwealth of Penn-
108 sylvania approved May 8, 1919 (Pamphlet Laws 148), and all
109 supplements and amendments thereto.

110 E. At any time that the commission shall be free of all out-
111 standing indebtedness, the State of New Jersey and the Common-
112 wealth of Pennsylvania may, by the enactment of substantially
113 similar acts, require the elimination of all tolls, rates, rents and
114 other charges on all bridges within the commission's jurisdiction
115 and control and, thereafter, all costs and charges in connection
116 with the construction, management, operation, maintenance and
117 betterment of bridges within the jurisdiction and control of the
118 commission shall be the financial responsibility of the states as
119 provided by law."

1 2. Upon its signature on behalf of the State of New Jersey and
2 the Commonwealth of Pennsylvania, the supplemental compact or
3 agreement set forth in section 1 of this act shall become binding,
4 and shall have the force and effect of a statute of the State of
5 New Jersey and the Delaware River Joint Toll Bridge Commission
6 shall thereupon become vested with all the powers, rights, and
7 privileges, and be subject to the duties, obligations, conditions and
8 limitations contained therein, as though the same were specifically
9 authorized and imposed by statute, and the State of New Jersey
10 shall be bound by all of the obligations assumed by it under such
11 supplemental compact or agreement, and the Governor shall trans-
12 mit an original signed copy thereof to the Secretary of State for
13 filing in his office.

1 3. The Governor is authorized to apply, on behalf of the State
2 of New Jersey to the Congress of the United States for its consent
3 and approval to such supplemental compact or agreement.

1 4. Notwithstanding the authority granted to the Delaware River

2 Joint Toll Bridge Commission in its compact to construct bridges
 3 across the Delaware river, the Commissioner of Transportation
 4 in cooperation with the Department of Transportation of the
 5 Commonwealth of Pennsylvania and the United States Department
 6 of Transportation is authorized to construct as part of the National
 7 System of Interstate and Defense Highways a bridge across the
 8 Delaware river in the vicinity of Easton, Pennsylvania and Phil-
 9 lipsburg, New Jersey within 10 miles of the existing toll bridge
 10 owned and operated by the commission.

11 The Commissioner of Transportation is further authorized to
 12 enter into an agreement with the Department of Transportation of
 13 Pennsylvania, the United States Department of Transportation
 14 and the Delaware River Joint Toll Bridge Commission providing
 15 for the operation and maintenance or the construction, operation
 16 and maintenance of the proposed Easton-Phillipsburg bridge by
 17 the commission. The provisions of the commission's compact, and
 18 all amendments and supplements thereto, shall be applicable to the
 19 construction, operation and maintenance of the bridge facility ex-
 20 cept as otherwise provided for by federal law or in the agreement
 21 between the parties.

1 5. The states, at their discretion, shall have authority to provide
 2 funds to the Delaware River Joint Toll Bridge Commission for
 3 major capital improvements to or the replacement of the com-
 4 mission's non-toll bridges or for such other financial assistance as
 5 may be requested.

1 6. For the purposes of the location, construction, management,
 2 operation, maintenance, betterment or replacement of any bridges
 3 now existing or to be constructed within its jurisdiction and con-
 4 trol, the commission is granted the power and authority to enter
 5 upon, use, overpass, occupy, enlarge, construct, improve or close
 6 any easement, street, road or highway located within the limits of,
 7 or to use, occupy or take property, now or hereafter vested in or
 8 held by any county, or municipality.

1 7. P. L. 1968, c. 118 (C. 27:12D-1 et seq.) and section 1 of P. L.
 2 1979, c. 214 (C. 27:12D-6) are repealed.

1 8. This act shall take effect immediately **and shall remain in-*
 2 *operative until the enactment of P. L., c. . . . (now pending*
 3 *before the Legislature as Assembly Bill No. 3730),** but the
 4 Governor shall not enter into the supplemental compact or agree-
 5 ment set forth in section 1 of this act on behalf of the State of
 6 New Jersey before passage by the Commonwealth of Pennsylvania
 7 of a substantially similar act including a substantially similar
 8 supplemental compact or agreement between the two states.

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3045

STATE OF NEW JERSEY

INTRODUCED DECEMBER 17, 1984

By Assemblyman BRYANT

AN ACT relating to joint action by the State of New Jersey and the Commonwealth of Pennsylvania and through the instrumentality of the Delaware River Joint Toll Bridge Commission; authorizing the Governor to enter into a supplemental compact or agreement on behalf of the State of New Jersey with the Commonwealth of Pennsylvania, supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as amended and supplemented; authorizing the Commonwealth of Pennsylvania and State of New Jersey to construct a new bridge in the vicinity of Easton, Pennsylvania and Phillipsburg, New Jersey and repealing parts of the statutory law.

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

1 1. The Governor is authorized to enter into a supplemental com-
2 pact or agreement on behalf of the State of New Jersey with the
3 Commonwealth of Pennsylvania, supplementing the compact or
4 agreement entitled "Agreement between the Commonwealth of
5 Pennsylvania and the State of New Jersey creating the Delaware
6 River Joint Toll Bridge Commission as a body corporate and
7 politic and defining its powers and duties," which was executed on
8 behalf of the State of New Jersey by its Governor on December 18,
9 1934, and on behalf of the Commonwealth of Pennsylvania by its
10 Governor on December 19, 1934, and which compact or agreement

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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted May 6, 1985.

**—Assembly committee amendments adopted September 12, 1985.

11 was thereafter amended and supplemented by compacts or agree-
12 ments executed by the respective states, such supplemental com-
13 pact or agreement to be in substantially the following form:

14 "Supplemental agreement between the Commonwealth of Penn-
15 sylvania and the State of New Jersey supplementing the compact
16 or agreement entitled 'Agreement between the Commonwealth of
17 Pennsylvania and the State of New Jersey creating the Delaware
18 River Joint Toll Bridge Commission as a body corporate and
19 politic and defining its powers and duties,' as heretofore amended
20 and supplemented, to establish the purposes for which the com-
21 mission may fix, charge and collect tolls, rates, rents and other
22 charges for the use of commission facilities and properties.

23 "The Commonwealth of Pennsylvania and the State of New
24 Jersey do solemnly covenant and agree, each with the other, as
25 follows:

26 A. (1) Notwithstanding any other provision of the compact or
27 agreement hereby supplemented, or any provision of law, State or
28 federal, to the contrary, as soon as the existing outstanding bonded
29 indebtedness of the commission shall be refunded, defeased, re-
30 tired or otherwise satisfied and thereafter, the commission may fix,
31 charge and collect tolls, rates, rents and other charges for the use
32 of any commission facility or property and in addition to any pur-
33 pose now or heretofore or hereafter authorized for which the reve-
34 nues from such tolls, rates, rents or other charges may be applied,
35 the commission is authorized to apply or expend any such revenue
36 for the management, operation, maintenance, betterment, recon-
37 struction or replacement (a) of the existing non-toll bridges, for-
38 merly toll or otherwise, over the Delaware river between the State
39 of New Jersey and the Commonwealth of Pennsylvania heretofore
40 acquired by the commission pursuant to the provisions of the act
41 of the State of New Jersey approved April 1, 1912 (chapter 297),
42 and all supplements and amendments thereto, and the act of the
43 Commonwealth of Pennsylvania approved May 8, 1919 (Pamphlet
44 Laws 148), and all supplements and amendments thereto and (b)
45 of all other bridges within the commission's jurisdiction and con-
46 trol. Betterment shall include but not be limited to parking areas
47 for public transportation services and all facilities appurtenant to
48 approved projects.

49 (2) The commission may borrow money or otherwise incur
50 indebtedness and provide from time to time for the issuance of its
51 bonds or other obligations for one or more of the purposes autho-
52 rized in this supplemental agreement. ***[**The commission shall
53 include in its next issuance of bonds following the effective date of

54 this act, such funds as are necessary for the betterment, improve-
 55 ment, reconstruction or replacement of a certain bridge under its
 56 jurisdiction and control between Trenton, New Jersey and Morris-
 57 ville, Pennsylvania, sometimes referred to as the Calhoun Street
 58 bridge, provided, that such funds shall be used for increasing the
 59 vehicular traffic capacity of that bridge or the construction of a new
 60 bridge with increased vehicular traffic capacity.】* The commission
 61 is authorized to pledge its tolls, rates, rents and other revenues, or
 62 any part thereof, as security for the repayment, with interest, of any
 63 moneys borrowed by it or advanced to it for any of its authorized
 64 purposes, and as security for the satisfaction of any other obliga-
 65 tion assumed by it in connection with such loan or advances.

66 (3) The authority of the commission to fix, charge and collect
 67 fees, rentals, tolls or any other charges on the bridges within its
 68 jurisdiction, including the bridge at the Delaware Water Gap, is
 69 confirmed.

70 (4) The covenants of the State of New Jersey and the Common-
 71 wealth of Pennsylvania as set forth in Article VI of the compact
 72 to which this is a supplemental agreement shall be fully applicable
 73 to any bonds or other obligations issued or undertaken by the com-
 74 mission. Notwithstanding Article VI or any other provision of the
 75 commission's compact, the State of New Jersey and the Common-
 76 wealth of Pennsylvania may construct a bridge across the Delaware
 77 river in the vicinity of Easton, Pennsylvania and Phillipsburg,
 78 New Jersey within 10 miles of the existing toll bridge at that loca-
 79 tion. All the rest and remainder of the commission's compact, as
 80 amended or supplemented, shall be in full force and effect except
 81 to the extent it is inconsistent with this supplemental agreement.

82 B. The commission is authorized to fix, charge or collect fees,
 83 rentals, tolls or any other charges on the proposed bridge to be
 84 constructed in the vicinity of Easton, Pennsylvania and Phillips-
 85 burg, New Jersey in the same manner and to the same extent that
 86 it can do so for other toll bridges under its jurisdiction and control
 87 provided that the United States government has approved the
 88 bridge to be a part of the National System of Interstate and De-
 89 fense Highways with 90% of the cost of construction to be con-
 90 tributed by the United States government and provided further,
 91 that the nonfederal share of such bridge project is contributed by
 92 the commission. **【If the legislatures of New Jersey and Pennsyl-
 93 vania shall both approve, the】** *The* **【may】**
 94 *is further authorized* in the same manner and to the same
 95 extent that it can do so for all other toll bridges under its jurisdic-
 95A tion and control *to* fix, charge and collect fees, rentals,

96 tolls or any other charges on any other bridge within its jurisdic-
 97 tion and control if such bridge has been constructed in part with
 98 federal funds ****[and if tolls were not charged or collected upon**
 98A **that bridge in 1984]****.

99 C. The consent of Congress to this compact shall constitute
 100 federal approval of the powers herein vested in the commission
 101 and shall also constitute authority to the United States Depart-
 102 ment of Transportation or any successor agency and the intent of
 103 Congress to grant any federal approvals required hereunder to
 104 permit the commission to fix, charge and collect fees, rentals, tolls
 105 or any other charges on the bridges within its jurisdiction to the
 106 extent provided in subsections A. and B. and this subsection and
 107 the commission's compact.

108 D. Notwithstanding the above provisions, the commission shall
 109 not fix, charge or collect fees, rentals, tolls or any other charges on
 110 any of the various bridges formerly toll or otherwise over the Dela-
 111 ware river between the State of New Jersey and the Common-
 112 wealth of Pennsylvania heretofore acquired by the commission
 113 pursuant to the provisions of the act of the State of New Jersey
 114 approved April 1, 1912 (chapter 297), and all supplements and
 115 amendments thereto, and the act of the Commonwealth of Penn-
 116 sylvania approved May 8, 1919 (Pamphlet Laws 148), and all sup-
 117 plements and amendments thereto.

118 E. At any time that the commission shall be free of all outstand-
 119 ing indebtedness, the State of New Jersey and the Commonwealth
 120 of Pennsylvania may, by the enactment of substantially similar
 121 acts, require the elimination of all tolls, rates, rents and other
 122 charges on all bridges within the commission's jurisdiction and
 123 control and, thereafter, all costs and charges in connection with the
 124 construction, management, operation, maintenance and betterment
 125 of bridges within the jurisdiction and control of the commission
 126 shall be the financial responsibility of the states as provided by
 127 law."

1 2. Upon its signature on behalf of the State of New Jersey and
 2 the Commonwealth of Pennsylvania, the supplemental compact or
 3 agreement set forth in section 1 of this act shall become binding,
 4 and shall have the force and effect of a statute of the State of New
 5 Jersey and the Delaware River Joint Toll Bridge Commission shall
 6 thereupon become vested with all the powers, rights, and privileges,
 7 and be subject to the duties, obligations, conditions and limitations
 8 contained therein, as though the same were specifically authorized
 9 and imposed by statute, and the State of New Jersey shall be bound
 10 by all of the obligations assumed by it under such supplemental

11 compact or agreement, and the Governor shall transmit an original
12 signed copy thereof to the Secretary of State for filing in his office.

1 3. The Governor is authorized to apply, on behalf of the State
2 of New Jersey to the Congress of the United States for its consent
3 and approval to such supplemental compact or agreement.

1 4. Notwithstanding the authority granted to the Delaware River
2 Joint Toll Bridge Commission in its compact to construct bridges
3 across the Delaware river, the Commissioner of Transportation in
4 cooperation with the Department of Transportation of the Com-
5 monwealth of Pennsylvania and the United States Department of
6 Transportation is authorized to construct as part of the National
7 System of Interstate and Defense Highways a bridge across the
8 Delaware river in the vicinity of Easton, Pennsylvania and Phillips-
9 burg, New Jersey within 10 miles of the existing toll bridge owned
10 and operated by the commission.

11 The Commissioner of Transportation is further authorized to
12 enter into an agreement with the Department of Transportation of
13 Pennsylvania, the United States Department of Transportation
14 and the Delaware River Joint Toll Bridge Commission providing
15 for the operation and maintenance or the construction, operation
16 and maintenance of the proposed Easton-Phillipsburg bridge by
17 the commission. The provisions of the commission's compact, and
18 all amendments and supplements thereto, shall be applicable to the
19 construction, operation and maintenance of the bridge facility ex-
20 cept as otherwise provided for by federal law or in the agreement
21 between the parties.

1 5. The states, at their discretion, shall have authority to provide
2 funds to the Delaware River Joint Toll Bridge Commission for
3 major capital improvements to or the replacement of the commis-
4 sion's non-toll bridges or for such other financial assistance as may
5 be requested **[and shall include in such funding moneys to in-
6 crease the vehicular traffic capacity of a certain bridge under the
7 commission's jurisdiction and control between Trenton, New Jersey
8 and Morrisville, Pennsylvania, sometimes referred to as the Calhoun
9 Street bridge, or to construct a new bridge with increased vehicular
10 traffic capacity in that location]**.

1 6. For the purposes of the location, construction, management,
2 operation, maintenance, betterment or replacement of any bridges
3 now existing or to be constructed within its jurisdiction and control,
4 the commission is granted the power and authority to enter upon,
5 use, overpass, occupy, enlarge, construct, improve or close any
6 easement, street, road or highway located within the limits of, or

7 to use, occupy or take property, now or hereafter vested in or held
8 by any county, or municipality.

1 7. P. L. 1968, c. 118 (C. 27:12D-1 et seq.) and section 1 of P. L.
2 1979, c. 214 (C. 27:12D-6) are repealed.

1 8. This act shall take effect immediately ***and shall remain*
2 *inoperative until the enactment of P. L. , c. . . . (now pend-*
3 *ing before the Legislature as Assembly Bill No. 3730),*** but the
4 Governor shall not enter into the supplemental compact or agree-
5 ment set forth in section 1 of this act on behalf of the State of New
6 Jersey before passage by the Commonwealth of Pennsylvania of a
7 substantially similar act including a substantially similar supple-
8 mental compact or agreement between the two states.

STATEMENT

This bill authorizes the Governor to enter into a supplemental compact with the Commonwealth of Pennsylvania concerning the construction, operation and maintenance of bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission. The supplemental compact would, among other things, authorize the commission to operate the proposed I-78 Easton-Phillipsburg bridge as a toll facility, to continue to operate the I-80 bridge as a toll facility and to assume full financial responsibility for all bridges under its jurisdiction.

The supplemental compact requires enactment of substantially similar legislation by the Commonwealth of Pennsylvania to become effective.

~~52096~~ (1985)

2 Joint Toll Bridge Commission in its compact to construct bridges
3 across the Delaware river, the Commissioner of Transportation
4 in cooperation with the Department of Transportation of the
5 Commonwealth of Pennsylvania and the United States Department
6 of Transportation is authorized to construct as part of the National
7 System of Interstate and Defense Highways a bridge across the
8 Delaware river in the vicinity of Easton, Pennsylvania and Phil-
9 lipsburg, New Jersey within 10 miles of the existing toll bridge
10 owned and operated by the commission.

11 The Commissioner of Transportation is further authorized to
12 enter into an agreement with the Department of Transportation of
13 Pennsylvania, the United States Department of Transportation
14 and the Delaware River Joint Toll Bridge Commission providing
15 for the operation and maintenance or the construction, operation
16 and maintenance of the proposed Easton-Phillipsburg bridge by
17 the commission. The provisions of the commission's compact, and
18 all amendments and supplements thereto, shall be applicable to the
19 construction, operation and maintenance of the bridge facility ex-
20 cept as otherwise provided for by federal law or in the agreement
21 between the parties.

1 5. The states, at their discretion, shall have authority to provide
2 funds to the Delaware River Joint Toll Bridge Commission for
3 major capital improvements to or the replacement of the com-
4 mission's non-toll bridges or for such other financial assistance as
5 may be requested.

1 6. For the purposes of the location, construction, management,
2 operation, maintenance, betterment or replacement of any bridges
3 now existing or to be constructed within its jurisdiction and con-
4 trol, the commission is granted the power and authority to enter
5 upon, use, overpass, occupy, enlarge, construct, improve or close
6 any easement, street, road or highway located within the limits of,
7 or to use, occupy or take property, now or hereafter vested in or
8 held by any county, or municipality.

1 7. P. L. 1968, c. 118 (C. 27:12D-1 et seq.) and section 1 of P. L.
2 1979, c. 214 (C. 27:12D-6) are repealed.

1 8. This act shall take effect immediately but the Governor shall
2 not enter into the supplemental compact or agreement set forth
3 in section 1 of this act on behalf of the State of New Jersey before
4 passage by the Commonwealth of Pennsylvania of a substantially
5 similar act including a substantially similar supplemental compact
6 or agreement between the two states.

SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
SENATE, No. 2096

STATE OF NEW JERSEY

DATED: OCTOBER 22, 1984

This bill authorizes the Governor to enter into a supplemental compact or agreement with Pennsylvania, supplementing the agreement creating the Delaware River Joint Toll Bridge Commission. The supplemental agreement would be to establish the purposes for which the commission may fix tolls, rents and other charges for the use of commission facilities and properties.

The supplemental compact would, among other things, authorize the following:

1. The construction of a bridge by New Jersey and Pennsylvania across the Delaware river in the vicinity of Easton, Pennsylvania and Phillipsburg, New Jersey.

The proposed Easton-Phillipsburg bridge would carry I-78 and would be a toll facility. The current I-80 bridge would continue to be operated as a toll facility beyond the current 1990 deadline for ending of tolls.

2. The commission, as soon as its existing outstanding bonded indebtedness is refunded, retired or satisfied, may fix tolls and charges on any of its facilities and properties and use the revenue for all bridges, non-toll and otherwise, under its jurisdiction.

The commission has 19 bridges, of which six are toll. Currently, the 13 remaining bridges are supported by State tax revenues.

3. The commission would be authorized to fix tolls on bridges within its jurisdiction if the bridge has been constructed in part with federal funds.

4. The bridges acquired by the commission pursuant to chapter 297 of the New Jersey Laws of 1912 (now R. S. 32:9-1 et seq., "Acquisition of Toll Bridges and Maintenance Thereof as Free Bridges") and Pennsylvania Pamphlet Laws 148 of 1919 would, however, be continued as free bridges.

The bill repeals previous laws providing for the construction of an Easton-Phillipsburg bridge and a Burlington-Bristol bridge.

The supplemental compact requires enactment of substantially similar legislation by the Commonwealth of Pennsylvania to become effective. Congressional consent would also be required for the supplemental compact.



11/1/85
661

OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

Contact: PAUL WOLCOTT
609-292-8956

TRENTON, N.J. 08625

Release: TUES., OCT. 29, 1985

Governor Thomas H. Kean has signed the following bills:

S-2096, sponsored by State Senator Wayne Dumont, Jr., R-Warren, which authorizes the Governor to enter into a new bi-state agreement with Pennsylvania amending the present enabling compact of the Delaware River Joint Toll Bridge Commission.

The amended compact would allow the Commission to operate and maintain the proposed Interstate-78 bridge between Phillipsburg and Easton, Pennsylvania, as a toll facility and to continue to operate and maintain the current I-80 bridge as a toll facility.

A-3730, sponsored by Assemblyman John S. Watson, D-Mercer, which clarifies S-2096 to require that the Commission may only initiate tolls on any of its 13 free bridges if authorized to do so by substantially similar laws enacted in New Jersey and Pennsylvania.

A-955, sponsored by Assemblyman William P. Schuber, R-Bergen, which permits a board of education providing transportation for handicapped students to solicit bids on a per pupil, per vehicle or per mile basis, whichever is least costly. Current law provides only for per mile and per vehicle bids.