

LEGISLATIVE HISTORY OF R.S. 32:3-3
(Delaware River Joint Commission)

L. 1948, Chapter 443 - A47
Introduced May 12 by Messrs. Kates, Brown, and Peal.
Amended during passage.
No statement on bill. (copy of bill and amendments enclosed).

L. 1950, Chapter 344 - S348
Introduced May 30 by Mr. Wallace.
Amended during passage.
No statement on bill. (copy of bill and amendments enclosed).

L. 1951, Chapter 287 - S308
Introduced April 23 by Mr. Wallace.
Not amended during passage.
No statement on bill.

No hearing on these bill could be located.

For background material, see:

- 974.90 Kappen Tippets Abbett Engineering Co.
- D343 Delaware River Port Development Plan.
- 1948 p. 1-9.

- 974.90 Delaware River Joint Commission of PA & NJ
- B851 The Delaware River Bridge, p. 7 ff., p. 19 ff.f
- 1951

- 974.901 Delaware River Port Authority.
- D55 Report. 1948, 1949, (901 D54) 1952

Original laws relevant to this statute:

L. 1929, Chapter 271-S152
Introduced February 18 by Mr. Davis.
Amended during passage.
Statement on bill. (copy of bill and amendments enclosed).

L. 1931, Chapter 391
Introduced June 29 by Mr. Bleakly.
Not amended during passage.
No statement on bill.

DO NOT WRITE IN THESE SPACES

1 4. The commission in this act created shall exercise and succeed to all the
2 powers and authority and shall perform all the duties and be bound by all the rules
3 insofar as the same relate to, or affect, the construction, maintenance and oper-
4 ation of the Delaware River Bridge connecting the cities of Camden, New Jersey,
5 and Philadelphia, Pennsylvania, as set forth in the provisions of an act entitled
6 "An act to provide for the appointment of an Interstate Bridge and Tunnel Commis-
7 sion and to define its powers and duties," approved February fourteenth, one thou-
8 sand nine hundred and eighteen, and as further set forth in the provisions of a
9 certain other act entitled "An act to extend the system of highways in this State by
10 providing for the construction, maintenance and operation of bridges and tunnels
11 for vehicular or other traffic across the Delaware River and the Hudson River, or
12 either of them, in co-operation with the city or State, or both, with which such
13 bridges or tunnels, or either of them, shall connect," approved February fourteenth,
14 one thousand nine hundred and eighteen, and the various acts amendatory thereto
15 and supplementary thereof.

1 5. It is intended by this legislation to authorize and empower the commission
2 hereby created to have full jurisdiction over, and do all things necessary for the
3 construction, maintenance and operation of said bridge, but said commission shall
4 not exercise any authority or jurisdiction over the construction, maintenance and
5 operation of the tunnel connecting the cities of Jersey City, New Jersey, and New
6 York, New York.

1 6. All acts or parts of acts inconsistent herewith are hereby repealed to the
2 extent of such inconsistency.

1 7. If any part or parts of this act shall in any court of competent juris-
2 diction be declared void, invalid or unconstitutional, such part or parts shall be
3 rescinded and the remainder of the act shall continue in effect.

STATEMENT

This act creates a commission to complete and operate the Delaware River Bridge. It ends the existence of the present New Jersey Interstate Bridge and Tunnel Commission.

[OFFICIAL COPY REPRINT]
ASSEMBLY AMENDMENT TO
SENATE, No. 152

STATE OF NEW JERSEY

- 1 In paragraph 3, line 2, strike out the words "remaining members" and insert in
- 2 lieu thereof the word "Governor".

[OFFICIAL COPY REPRINT.]

SENATE, No. 152

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 18, 1929

By Mr. DAVIS

Referred to Committee on Judiciary

AN ACT authorizing and providing for the appointment of an interstate bridge commission and defining its powers and duties.

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

1 1. Thomas J. S. Barlow, of the county of Burlington; John B. Kates, of the
2 county of Camden; Frank L. Suplee, of the county of Gloucester; Lucius E. Hires,
3 of the county of Salem; Barton F. Sharp, of the county of Cumberland; Henry
4 H. Ottens, of the county of Cape Hay; I. Norwood Griscom, of the county of Atlantic,
5 and Arthur C. King, of the county of Ocean, are hereby appointed members of the
6 New Jersey Interstate Bridge Commission. The members of such commission
7 shall take office upon the date when this act becomes effective and shall continue in
8 office for a period of five years and until such time as the Legislature shall other-
9 wise provide. They shall receive no compensation for their services, but the State
10 Treasurer shall, upon the warrant of the State Comptroller, reimburse them for
11 their necessary expenses.

1 2. The said commission shall organize on the date when this act becomes effec-
2 tive, or within ten days thereafter. The terms of the members of the New Jersey
3 Interstate Bridge and Tunnel Commission now in office shall cease and terminate
4 when this act becomes effective.

1 3. In the event a vacancy occurs in the membership of this commission, the
2 remaining members shall appoint a suitable person who shall serve until his suc-
3 cessor shall have been appointed by an act of the Legislature.

1 4. The commission in this act created shall exercise and succeed to all the
2 powers and authority and shall perform all the duties and be bound by all the rules
3 insofar as the same relate to, or affect, the construction, maintenance and oper-
4 ation of the Delaware River Bridge connecting the cities of Camden, New Jersey,
5 and Philadelphia, Pennsylvania, as set forth in the provisions of an act entitled
6 "An act to provide for the appointment of an Interstate Bridge and Tunnel Commis-
7 sion and to define its powers and duties," approved February fourteenth, one thou-
8 sand nine hundred and eighteen, and as further set forth in the provisions of a
9 certain other act entitled "An act to extend the system of highways in this State by
10 providing for the construction, maintenance and operation of bridges and tunnels
11 for vehicular or other traffic across the Delaware River and the Hudson River, or
12 either of them, in co-operation with the city or State, or both, with which such
13 bridges or tunnels, or either of them, shall connect," approved February fourteenth,
14 one thousand nine hundred and eighteen, and the various acts amendatory thereto
15 and supplementary thereof.

1 5. It is intended by this legislation to authorize and empower the commission
2 hereby created to have full jurisdiction over, and do all things necessary for the
3 construction, maintenance and operation of said bridge, but said commission shall
4 not exercise any authority or jurisdiction over the construction, maintenance and
5 operation of the tunnel connecting the cities of Jersey City, New Jersey, and New
6 York, New York.

1 6. All acts or parts of acts inconsistent herewith are hereby repealed to the
2 extent of such inconsistency.

1 7. If any part or parts of this act shall in any court of competent juris-
2 diction be declared void, invalid or unconstitutional, such part or parts shall be
3 rescinded and the remainder of the act shall continue in effect.

1 8. This act shall take effect on the first day of July, nineteen hundred and
2 twenty-nine.

1948

A 47

86 ministrative, judicial, or legislative, having jurisdiction in the premises,
87 for the adoption and execution of any physical improvement, change in
88 method, rate of transportation, system of handling freight, warehousing,
89 docking, lightering or transfer of freight, which, in the opinion of the
90 commission, may be designed to improve or better the handling of com-
91 merce in and through the vicinity of Philadelphia and Camden and the
92 Delaware river from Philadelphia and Camden to the sea, or improve
93 terminal and transportation facilities therein. It may intervene in any
94 proceeding affecting the commerce of the port area.

95 j. Any other functions which may be of mutual benefit to the Com-
96 monwealth of Pennsylvania and the State of New Jersey in so far as
97 concerns the promotion and development of the ports of Philadelphia
98 and of Camden and the use by commercial vessels of their facilities.

99 (2) Article II of said Agreement be and the same is hereby amended to
100 read as follows:

ARTICLE II

101 The commission shall consist of sixteen commissioners, eight resident
102 voters of the Commonwealth of Pennsylvania and eight resident voters of the
103 State of New Jersey, who shall serve without compensation.

104 The first eight commissioners for the Commonwealth of Pennsylvania
105 shall be the Governor of the Commonwealth, the Auditor General, the State
106 Treasurer, the mayor of the city of Philadelphia and the four additional
107 persons now serving as members of the Pennsylvania commission, existing
108 by virtue of Act No. 338, of the Commonwealth of Pennsylvania, approved
109 July ninth, one thousand nine hundred and nineteen (Pamphlet Laws 814),
110 and acts amendatory thereof and supplementary thereto.

111 The first eight commissioners for the State of New Jersey shall be the
112 eight individuals now holding office as members of the New Jersey Interstate
113 Bridge Commission, existing by virtue of chapter two hundred seventy-one
114 of the laws of said State of one thousand nine hundred and twenty-nine,
115 approved May sixth, one thousand nine hundred and twenty-nine, and acts

116 amendatory thereof and supplementary thereto, which said eight individuals
117 are hereby appointed by said State as such commissioners, who shall serve
118 for their unexpired terms as members of the New Jersey Interstate Bridge
119 Commission. [Succeeding commissioners shall be elected by the Legislature
120 to serve for terms of five years.]

121 For the Commonwealth of Pennsylvania, the Governor, the Auditor Gen-
122 eral, the State Treasurer and the executive head of the city of Philadelphia
123 in office at the time shall always be members of the commission and in addi-
124 tion thereto there shall be four members appointed by the Governor, who
125 shall be known as appointive members. Whenever a vacancy occurs in the
126 appointive membership of the commission the Governor shall appoint a mem-
127 ber to serve for a term of five years from the date of his appointment.

128 [For the State of New Jersey, whenever a vacancy in the office of com-
129 missioner shall occur such vacancy shall be filled for the unexpired term by
130 the Legislature. If the Legislature shall not be in session when the vacancy
131 occurs, such vacancy shall be filled by the Governor and such appointee shall
132 hold office until the Legislature convenes.]

133 The commissioners for the State of New Jersey shall be appointed by
134 the Governor, with the advice and consent of the Senate, for terms of five
135 years; and in case of a vacancy occurring in the office of commissioner dur-
136 ing a recess of the Legislature, it may be filled by the Governor by an ad
137 interim appointment which shall expire at the end of the next regular session
138 of the Senate unless a successor shall be sooner appointed and qualify and,
139 after the end of the session, no ad interim appointment to the same vacancy
140 shall be made unless the Governor shall have submitted to the Senate a
141 nomination to the office during the session and the Senate shall have
142 adjourned without confirming or rejecting it and no person nominated for
143 any such vacancy shall be eligible for an ad interim appointment to such
144 office if the nomination shall have failed of confirmation by the Senate. The
145 commissioners in office when this amendment takes effect shall continue in

146 office until the expiration of their respective terms and until their respective
147 successors shall be appointed and shall qualify.

148 All commissioners shall continue to hold office after the expiration of the
149 terms for which they are appointed or elected unless and until their respective
150 successors are appointed and qualified, but no period during which any com-
151 missioner shall hold over shall be deemed to be an extension of his term of
152 office for the purpose of computing the date on which his successor's term
153 expires.

154 (3) Article IV of said Agreement be and the same is hereby amended to
155 read as follows:

ARTICLE IV

156 For the effectuation of its authorized purposes the commission is hereby
157 granted the following powers:

- 158 a. To have perpetual succession.
- 159 b. To sue and be sued.
- 160 c. To adopt and use an official seal.
- 161 d. To elect a chairman, vice chairman, secretary and treasurer, and
162 to adopt suitable by-laws for the management of its affairs. The secre-
163 tary and treasurer need not be members of the commission.
- 164 e. To appoint such other officers and such agents and employees as
165 it may require for the performance of its duties and fix and determine
166 their qualifications, duties and compensation.
- 167 f. To enter into contracts.
- 168 g. To acquire, own, hire, use, operate and dispose of personal
169 property.
- 170 h. To acquire, own, use, lease, operate and dispose of real property
171 and interests in real property, and to make improvements thereon.
- 172 i. To grant the use of, by franchise, lease or otherwise and to make
173 charges for the use of, any property or facility owned or controlled by it.
- 174 j. To borrow money upon its bonds or other obligations, either with
175 or without security.

ARTICLE II

99 The commission shall consist of sixteen commissioners, eight resident
100 voters of the Commonwealth of Pennsylvania and eight resident voters of
101 the State of New Jersey, who shall serve without compensation.

102 [The first eight commissioners for the Commonwealth of Pennsylvania
103 shall be the Governor of the Commonwealth, the Auditor General, the State
104 Treasurer, the mayor of the city of Philadelphia and the four additional
105 persons now serving as members of the Pennsylvania commission, existing
106 by virtue of Act No. 338, of the Commonwealth of Pennsylvania, approved
107 July ninth, one thousand nine hundred and nineteen (Pamphlet Laws 814),
108 and acts amendatory thereof and supplementary thereto.

109 The first eight commissioners for the State of New Jersey shall be the
110 eight individuals now holding office as members of the New Jersey Inter-
111 state Bridge Commission, existing by virtue of chapter two hundred seventy-
112 one of the laws of said State of one thousand nine hundred and twenty-
113 nine, approved May sixth, one thousand nine hundred and twenty-nine, and
114 acts amendatory thereof and supplementary thereto, which said eight indi-
115 viduals are hereby appointed by said State as such commissioners, who
116 shall serve for their unexpired terms as members of the New Jersey Inter-
117 state Bridge Commission. Succeeding commissioners shall be elected by the
118 Legislature to serve for terms of five years.

119 For the Commonwealth of Pennsylvania, the Governor, the Auditor
120 General, the State Treasurer, and the executive head of the city of Phila-
121 delphia in office at the time shall always be members of the commission and
122 in addition thereto there shall be four members appointed by the Governor,
123 who shall be known as appointive members. Whenever a vacancy occurs in
124 the appointive membership of the commission the Governor shall appoint a
125 member to serve for a term of five years from the date of his appointment.

126 For the State of New Jersey, whenever a vacancy in the office of com-
127 missioner shall occur such vacancy shall be filled for the unexpired term by
128 the Legislature. If the Legislature shall not be in session when the vacancy

occurs, such vacancy shall be filled by the Governor and such appointee shall hold office until the Legislature convenes.]

The present members of the commission, including ex-officio members, shall continue to serve, respectively, as commissioners until the expiration of their terms or the terms of office by virtue of the holding of which they are members of the commission and until succeeding commissioners shall be appointed and qualify.

The commissioners for the State of New Jersey shall be appointed by the Governor, with the advice and consent of the Senate, 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.

The eight commissioners for the Commonwealth of Pennsylvania shall be appointed by the Governor of Pennsylvania for terms of five years.

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

(3) Article IV of said agreement is amended to read as follows:

70 (j) The establishment, maintenance, rehabilitation, construction and op-
71 eration of a rapid transit system for the transportation of passengers, ex-
72 press, mail, and baggage between points in New Jersey communities within
73 the Port District and within a thirty-five-mile radius of the city of Camden,
74 New Jersey, and points within the city of Philadelphia, Pennsylvania, and
75 intermediate points. Such system may be established by either utilizing exist-
76 ing rapid transit systems, railroad facilities, highways and bridges within
77 the territory involved or by the construction or provision of new facilities
78 where deemed necessary.

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

83 (2) Article II of said agreement is amended to read as follows:

ARTICLE II

1 The commission shall consist of sixteen commissioners, eight resident
2 voters of the Commonwealth of Pennsylvania and eight resident voters of
3 the State of New Jersey, who shall serve without compensation.

4 [The first eight commissioners for the Commonwealth of Pennsylvania
5 shall be the Governor of the Commonwealth, the Auditor General, the State
6 Treasurer, the Mayor of the city of Philadelphia and the four additional
7 persons now serving as members of the Pennsylvania Commission, existing
8 by virtue of act number three hundred thirty-eight, of the Commonwealth of
9 Pennsylvania, approved July ninth, one thousand nine hundred and nine-
10 teen (Pamphlet Laws 814), and acts amendatory thereof and supplementary
11 thereto.]

12 [The first eight commissioners for the State of New Jersey shall be
13 the eight individuals now holding office as members of the New Jersey Inter-
14 state Bridge Commission, existing by virtue of chapter two hundred seventy-
15 one of the laws of said State of one thousand nine hundred and twenty-nine,
16 approved May sixth, one thousand nine hundred and twenty-nine, and acts

17 amendatory thereof and supplementary thereto, which said eight individuals
18 are hereby appointed by said State as such commissioners, who shall serve
19 for their unexpired terms as members of the New Jersey Interstate Bridge
20 Commission. Succeeding commissioners shall be elected by the Legislature to
21 serve for terms of five years.]

22 [For the Commonwealth of Pennsylvania, the Governor, the Auditor
23 General, the State Treasurer and the executive head of the city of Phila-
24 delphia in office at the time shall always be members of the commission
25 and in addition thereto there shall be four members appointed by the Gov-
26 ernor, who shall be known as appointive members. Whenever a vacancy
27 occurs in the appointive membership of the commission the Governor shall
28 appoint a member to serve for a term of five years from the date of his ap-
29 pointment.]

30 [For the State of New Jersey, whenever a vacancy in the office of the
31 commissioner shall occur such vacancy shall be filled for the unexpired term
32 by the Legislature. If the Legislature shall not be in session when the
33 vacancy occurs, such vacancy shall be filled by the Governor and such ap-
34 pointee shall hold office until the Legislature convenes.]

35 The present members of the commission, including ex-officio members,
36 shall continue to serve, respectively, as commissioners until the expiration of
37 their terms or the terms of office by virtue of the holding of which they are
38 members of the commission and until succeeding commissioners shall be ap-
39 pointed and qualify, except that the terms of the present members of the
40 commission for the Commonwealth of Pennsylvania shall expire as of the
41 date of the coming into force of the supplemental compact or agreement
42 authorized by the Act of the 1951 General Assembly of said Commonwealth
43 providing for amendment of this article.

44 The commissioners for the State of New Jersey shall be appointed by the
45 Governor of New Jersey with the advice and consent of the Senate of New

46 Jersey, for terms of five years, and in case of a vacancy occurring in the office
47 of commissioner during a recess of the Legislature, it may be filled by the
48 Governor by an ad interim appointment which shall expire at the end of the
49 next regular session of the Senate unless a successor shall be sooner ap-
50 pointed and qualify and, after the end of the session, no ad interim appoint-
51 ment to the same vacancy shall be made unless the Governor shall have sub-
52 mitted to the Senate a nomination to the office during the session and the
53 Senate shall have adjourned without confirming or rejecting it, and no per-
54 son nominated for any such vacancy shall be eligible for an ad interim ap-
55 pointment to such office if the nomination shall have failed of confirmation by
56 the Senate.

57 Six of the eight commissioners for the Commonwealth of Pennsylvania
58 shall be appointed by the Governor of Pennsylvania for terms of five years.
59 The Auditor General and the State Treasurer of said Commonwealth shall
60 ex-officio be commissioners for said Commonwealth, each having the privi-
61 lege of appointing a representative to serve in his place at any meeting of
62 the commission which he does not attend personally.

63 All commissioners shall continue to hold office after the expiration of the
64 terms for which they are appointed or elected [unless and] until their respec-
65 tive successors are appointed and [qualified] qualify, but no period during
66 which any commissioner shall hold over shall be deemed to be an extension of
67 his term of office for the purpose of computing the date on which his succes-
68 sor's term expires.

69 (3) Article IV of said agreement is amended to read as follows: