

## LEGISLATIVE NOTES ON R. S. 32:1-157 et seq.

(Suits Against Port of New York Authority)

Earlier bills introduced:

S-252 - 1950 - Introduced March 6, 1950 by Mr. Van Alstyne.

Died in committee. This bill had statement. (Photostat of bill and statement available at your expense: 5 pages at 50¢ a page.)

Laws 1951, Chapter 204 - S-183 - Introduced March 5, 1951 by Mr. Van Alstyne.

Not amended during passage. This bill had statement:

The purpose of this bill is to provide for an agreement with the State of New York consenting to suits, actions or proceedings against the Port of New York Authority. It is not retroactive.

The bill requires that suits, actions or proceedings be commenced within one year and that a notice of claim shall be served on the Port Authority at least sixty days before any suit, action or proceeding is commenced.

The bill provides that no injunction shall lie against the Port Authority, its commissioners, officers or employees except upon complaint of the Attorney-General of either State, each of whom is expressly authorized to bring any proceeding for an injunction, in his discretion, on behalf of any person.

The previous consents to suits, actions or proceedings against the Port Authority, which were given by agreements between the States of New Jersey and New York in connection with the authorization for its operation of airports (P.L. 1947, c. 43), marine terminals (P. L. 1947, c. 44) and rehousing projects (P.L. 1948, c. 97), are saved from repeal.

This bill would become effective immediately upon its enactment in New Jersey because in 1950 New York enacted its concurrent counterpart to the within proposal (Chapter 301, Laws of New York, 1950).

We have been unable to locate any hearings or reports on these two bills. You may wish to check the Legislative history of the 1950 New York Act. Address your request to: Mr. William Leonard, New York State Legislative Research Library, Albany, N. Y.

(518) GR.4-5943

The following articles discuss this legislation:

New York State Senator Mitchell and Assemblyman Stephens offer bills making Authority liable to suits. New York Times, February 22, 1950, p. 22.

New York State Senate Committees approve Bills Making Authority Liable to Suits. New York Times, March 20, 1950, p. 20.

New York State Bill Making Authority Liable to Suit Passed by Assembly. New York Times, March 16, 1950, p. 3 ... by Senate. New York Times, March 21, 1950, p. 20.

Newark Commissioner Ellenstein Urges New Jersey Legislature Reject Similar Bill: scores authority entry into private business. New York Times, March 25, 1950, p. 29.

New York State Bill Making Authority Liable to Suit Signed. New York Times, April 2, 1950, p. 54.

New Jersey Bill Stalled in Legislature; A. J. Tobin Assails Dir. Ellenstein charges; cites provisions for suit. New York Times, April 2, 1950, V, p. 8

Senator Van Alstyne Reports Bill Still Stalled. New York Times, April 7, 1950, p. 45.

Assails Bill on Port Authority Suits; Ellenstein Says Agency Again Tries to Get Immunity Grant. Newark Evening News, April 19, 1951.

Takes Issue on Port Authority Bills; Ellenstein in reply to Van Alstyne insists immunity is aim. Newark Sunday News, April 22, 1951.

New Jersey Senate Passes Van Alstyne Bill to Make Authority Liable to Lawsuits ... New York Times, April 24, 1951, p. 24

New Jersey Bill Making Authority Liable to Lawsuits Signed. New York Times, June 16, 1951, p. 15.

RS/jmg

SENATE, No. 183

STATE OF NEW JERSEY

INTRODUCED MARCH 5, 1951

By Mr. VAN ALSTYNE

Referred to Committee on Interstate Co-operation

AN Act agreeing with the State of New York with respect to suits against the  
Port of New York Authority.

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

1 1. Upon the concurrence of the State of New York in accordance with  
2 section twelve hereof, the States of New York and New Jersey consent to  
3 suits, actions or proceedings of any form or nature at law, in equity or  
4 otherwise (including proceedings to enforce arbitration agreements) against  
5 the Port of New York Authority (hereinafter referred to as the "Port  
6 Authority"), and to appeals therefrom and reviews thereof, except as here-  
7 inafter provided in sections two through five, inclusive, hereof.

1 2. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever accruing before the effective date of  
3 this act, other than causes of actions upon, in connection with, or arising out  
4 of notes, bonds or other obligations or securities secured by a pledge of the  
5 general reserve fund of the Port Authority.

1 3. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever, upon, in connection with, or arising out  
3 of any contract, express or implied, entered into or assumed by or assigned to  
4 the Port Authority before the effective date of this act (including any supple-  
5 ment to, or amendment, extension or renewal of any such contract, even if

6 such supplement, amendment, extension or renewal is made on or after the  
7 effective date of this act), regardless of whether such cause of action accrued  
8 before or after that date, other than causes of action upon, in connection with  
9 or arising out of notes, bonds or other obligations or securities secured by a  
10 pledge of the general reserve fund of the Port Authority.

1     4. The foregoing consent does not extend to civil suits, actions or proceed-  
2 ings for the recovery of statutory penalties.

1     5. The foregoing consent does not extend to suits, actions or proceedings  
2 for judgments, orders or decrees restraining, enjoining or preventing the  
3 Port Authority from committing or continuing to commit any act or acts, other  
4 than suits, actions or proceedings by the Attorney-General of New York or by  
5 the Attorney-General of New Jersey—each of whom is hereby authorized  
6 to bring such suits, actions or proceedings in his discretion on behalf of any  
7 person or persons whatsoever who requests him so to do except in the cases  
8 excluded by sections two, three and four of this act; *provided*, that in any  
9 such suit, action or proceeding, no judgment, order or decree shall be entered  
10 except upon at least two days' prior written notice to the Port Authority of  
11 the proposed entry thereof.

1     6. The foregoing consent is granted upon the condition that venue in any  
2 suit, action or proceeding against the Port Authority shall be laid within a  
3 county or a judicial district, established by one of said States or by the  
4 United States, and situated wholly or partially within the Port of New York  
5 District. The Port Authority shall be deemed to be a resident of each such  
6 county or judicial district for the purpose of such suits, actions or proceed-  
7 ings. Although the Port Authority is engaged in the performance of gov-  
8 ernmental functions, the said two States consent to liability on the part of  
9 the Port Authority in such suits, actions or proceedings for tortious acts  
10 committed by it and its agents to the same extent as though it were a private  
11 corporation.

1     7. The foregoing consent is granted upon the condition that any suit,  
2 action or proceeding prosecuted or maintained under this act shall be com-

3 menced within one year after the cause of action therefor shall have accrued,  
4 and upon the further condition that in the case of any suit, action or pro-  
5 ceeding for the recovery or payment of money, prosecuted or maintained  
6 under this act, a notice of claim shall have been served upon the Port Author-  
7 ity by or on behalf of the plaintiff or plaintiffs at least sixty days before  
8 such suit, action or proceeding is commenced. The provisions of this section  
9 shall not apply to claims arising out of provisions of any workmen's compen-  
10 sation law of either State.

1 8. The notice of claim required by section seven hereof shall be in writ-  
2 ing, sworn to by or on behalf of the claimant or claimants, and shall set forth  
3 (1) the name and post-office address of each claimant and of his attorney, if  
4 any, (2) the nature of the claim, (3) the time when, the place where and the  
5 manner in which the claim arose, and (4) the items of damage or injuries  
6 claimed to have been sustained so far as then practicable. Such notice may  
7 be served in the manner in which process may be served, or in lieu thereof,  
8 may be sent by registered mail to the Port Authority at its principal office.  
9 Where the claimant is an infant or is mentally or physically incapacitated  
10 and by reason of such disability no notice of claim is filed or suit, action or  
11 proceeding commenced within the time specified in section seven hereof, or  
12 where a person entitled to make a claim dies and by reason of his death no  
13 notice of claim is filed or suit, action or proceeding commenced within the  
14 time specified in section seven hereof, then any court in which such suit,  
15 action or proceeding may be brought may in its discretion grant leave to  
16 serve the notice of claim and to commence the suit, action or proceeding  
17 within a reasonable time but in any event within three years after the cause  
18 of action accrued. Application for such leave must be made upon an affidavit  
19 showing the particular facts which caused the delay and shall be accompanied  
20 by a copy of the proposed notice of claim if such notice has not been served,  
21 and such application shall be made only upon notice to the Port Authority.

1 9. The commissioners, officers or employees of the Port Authority shall  
2 not be subject to suits, actions or proceedings for judgments, orders or de-

3 crees restraining, preventing or enjoining them in their official or personal  
4 capacities from committing or continuing to commit any act or acts on behalf  
5 of the Port Authority other than suits, actions and proceedings brought by  
6 the Attorney-General of New York or by the Attorney-General of New Jersey  
7 or by the Port Authority itself, each of said Attorneys-General being hereby  
8 authorized to bring such suits, actions or proceedings in his discretion on be-  
9 half of any person or persons whatsoever who requests him so to do except in  
10 the cases excluded by sections two, three and four of this act; *provided*, that  
11 in any such suit, action or proceeding brought by either Attorney-General, no  
12 judgment, order or decree shall be entered except upon at least two days'  
13 notice to the defendant of the proposed entry thereof.

1       10. Nothing herein contained shall be deemed to revoke, rescind or affect  
2 any consents to suits, actions or proceedings against the Port Authority  
3 heretofore given by the two said States in chapter eight hundred and two of  
4 the laws of New York of one thousand nine hundred and forty-seven, as  
5 amended, and chapter forty-three of the laws of New Jersey of one thousand  
6 nine hundred and forty-seven, as amended; chapter six hundred and thirty-  
7 one of the laws of New York of one thousand nine hundred and forty-seven,  
8 as amended; chapter forty-four of the laws of New Jersey of one thousand  
9 nine hundred and forty-seven, as amended, and chapter five hundred and  
10 thirty-four of the laws of New York of one thousand nine hundred and forty-  
11 eight and chapter ninety-seven of the laws of New Jersey of one thousand  
12 nine hundred and forty-eight.

1       11. This act together with the act of the State of New York concurring  
2 herein in accordance with section twelve hereof, shall constitute an agree-  
3 ment between the States of New York and New Jersey supplementary to  
4 and amendatory of the compact between the two said States dated April thir-  
5 tieth, one thousand nine hundred and twenty-one.

1       12. This act shall take effect upon the enactment into law by the State  
2 of New York of legislation having an identical effect with the provisions of  
3 this act; but if the State of New York shall have already enacted such leg-  
4 islation, then this act shall take effect immediately.

**STATEMENT**

The purpose of this bill is to provide for an agreement with the State of New York consenting to suits, actions or proceedings against the Port of New York Authority. It is not retroactive.

The bill requires that suits, actions or proceedings be commenced within one year and that a notice of claim shall be served on the Port Authority at least sixty days before any suit, action or proceeding is commenced.

The bill provides that no injunction shall lie against the Port Authority, its commissioners, officers or employees except upon complaint of the Attorney-General of either State, each of whom is expressly authorized to bring any proceeding for an injunction, in his discretion, on behalf of any person.

The previous consents to suits, actions or proceedings against the Port Authority, which were given by agreements between the States of New Jersey and New York in connection with the authorization for its operation of airports (P. L. 1947, c. 43), marine terminals (P. L. 1947, c. 44) and rehousing projects (P. L. 1948, c. 97), are saved from repeal.

This bill would become effective immediately upon its enactment in New Jersey because in 1950 New York enacted its concurrent counterpart to the within proposal (Chapter 301, Laws of New York, 1950).

[OFFICIAL COPY REPRINT]

SENATE, No. 183

# STATE OF NEW JERSEY

INTRODUCED MARCH 5, 1951

By Mr. VAN ALSTYNE

Referred to Committee on Interstate Co-operation

AN ACT agreeing with the State of New York with respect to suits against the  
Port of New York Authority.

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

1 1. Upon the concurrence of the State of New York in accordance with  
2 section twelve hereof, the States of New York and New Jersey consent to  
3 suits, actions or proceedings of any form or nature at law, in equity or  
4 otherwise (including proceedings to enforce arbitration agreements) against  
5 the Port of New York Authority (hereinafter referred to as the "Port  
6 Authority"), and to appeals therefrom and reviews thereof, except as here-  
7 inafter provided in sections two through five, inclusive, hereof.

1 2. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever accruing before the effective date of  
3 this act, other than causes of actions upon, in connection with, or arising out  
4 of notes, bonds or other obligations or securities secured by a pledge of the  
5 general reserve fund of the Port Authority.

1 3. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever, upon, in connection with, or arising out  
3 of any contract, express or implied, entered into or assumed by or assigned to  
4 the Port Authority before the effective date of this act (including any supple-  
5 ment to, or amendment, extension or renewal of any such contract, even if

6 such supplement, amendment, extension or renewal is made on or after the  
7 effective date of this act), regardless of whether such cause of action accrued  
8 before or after that date, other than causes of action upon, in connection with  
9 or arising out of notes, bonds or other obligations or securities secured by a  
10 pledge of the general reserve fund of the Port Authority.

1     4. The foregoing consent does not extend to civil suits, actions or proceed-  
2 ings for the recovery of statutory penalties.

1     5. The foregoing consent does not extend to suits, actions or proceedings  
2 for judgments, orders or decrees restraining, enjoining or preventing the  
3 Port Authority from committing or continuing to commit any act or acts, other  
4 than suits, actions or proceedings by the Attorney-General of New York or by  
5 the Attorney-General of New Jersey—each of whom is hereby authorized  
6 to bring such suits, actions or proceedings in his discretion on behalf of any  
7 person or persons whatsoever who requests him so to do except in the cases  
8 excluded by sections two, three and four of this act; *provided*, that in any  
9 such suit, action or proceeding, no judgment, order or decree shall be entered  
10 except upon at least two days' prior written notice to the Port Authority of  
11 the proposed entry thereof.

1     6. The foregoing consent is granted upon the condition that venue in any  
2 suit, action or proceeding against the Port Authority shall be laid within a  
3 county or a judicial district, established by one of said States or by the  
4 United States, and situated wholly or partially within the Port of New York  
5 District. The Port Authority shall be deemed to be a resident of each such  
6 county or judicial district for the purpose of such suits, actions or proceed-  
7 ings. Although the Port Authority is engaged in the performance of gov-  
8 ernmental functions, the said two States consent to liability on the part of  
9 the Port Authority in such suits, actions or proceedings for tortious acts  
10 committed by it and its agents to the same extent as though it were a private  
11 corporation.

1     7. The foregoing consent is granted upon the condition that any suit,  
2 action or proceeding prosecuted or maintained under this act shall be com-

3 menced within one year after the cause of action therefor shall have accrued,  
4 and upon the further condition that in the case of any suit, action or pro-  
5 ceeding for the recovery or payment of money, prosecuted or maintained  
6 under this act, a notice of claim shall have been served upon the Port Author-  
7 ity by or on behalf of the plaintiff or plaintiffs at least sixty days before  
8 such suit, action or proceeding is commenced. The provisions of this section  
9 shall not apply to claims arising out of provisions of any workmen's compen-  
10 sation law of either State.

1 8. The notice of claim required by section seven hereof shall be in writ-  
2 ing, sworn to by or on behalf of the claimant or claimants, and shall set forth  
3 (1) the name and post-office address of each claimant and of his attorney, if  
4 any, (2) the nature of the claim, (3) the time when, the place where and the  
5 manner in which the claim arose, and (4) the items of damage or injuries  
6 claimed to have been sustained so far as then practicable. Such notice may  
7 be served in the manner in which process may be served, or in lieu thereof,  
8 may be sent by registered mail to the Port Authority at its principal office.  
9 Where the claimant is an infant or is mentally or physically incapacitated  
10 and by reason of such disability no notice of claim is filed or suit, action or  
11 proceeding commenced within the time specified in section seven hereof, or  
12 where a person entitled to make a claim dies and by reason of his death no  
13 notice of claim is filed or suit, action or proceeding commenced within the  
14 time specified in section seven hereof, then any court in which such suit,  
15 action or proceeding may be brought may in its discretion grant leave to  
16 serve the notice of claim and to commence the suit, action or proceeding  
17 within a reasonable time but in any event within three years after the cause  
18 of action accrued. Application for such leave must be made upon an affidavit  
19 showing the particular facts which caused the delay and shall be accompanied  
20 by a copy of the proposed notice of claim if such notice has not been served,  
21 and such application shall be made only upon notice to the Port Authority.

1 9. The commissioners, officers or employees of the Port Authority shall  
2 not be subject to suits, actions or proceedings for judgments, orders or de-

3 crees restraining, preventing or enjoining them in their official or personal  
4 capacities from committing or continuing to commit any act or acts on behalf  
5 of the Port Authority other than suits, actions and proceedings brought by  
6 the Attorney-General of New York or by the Attorney-General of New Jersey  
7 or by the Port Authority itself, each of said Attorneys-General being hereby  
8 authorized to bring such suits, actions or proceedings in his discretion on be-  
9 half of any person or persons whatsoever who requests him so to do except in  
10 the cases excluded by sections two, three and four of this act; *provided*, that  
11 in any such suit, action or proceeding brought by either Attorney-General, no  
12 judgment, order or decree shall be entered except upon at least two days'  
13 notice to the defendant of the proposed entry thereof.

1     10. Nothing herein contained shall be deemed to revoke, rescind or affect  
2 any consents to suits, actions or proceedings against the Port Authority  
3 heretofore given by the two said States in chapter eight hundred and two of  
4 the laws of New York of one thousand nine hundred and forty-seven, as  
5 amended, and chapter forty-three of the laws of New Jersey of one thousand  
6 nine hundred and forty-seven, as amended; chapter six hundred and thirty-  
7 one of the laws of New York of one thousand nine hundred and forty-seven,  
8 as amended; chapter forty-four of the laws of New Jersey of one thousand  
9 nine hundred and forty-seven, as amended, and chapter five hundred and  
10 thirty-four of the laws of New York of one thousand nine hundred and forty-  
11 eight and chapter ninety-seven of the laws of New Jersey of one thousand  
12 nine hundred and forty-eight.

1     11. This act together with the act of the State of New York concurring  
2 herein in accordance with section twelve hereof, shall constitute an agree-  
3 ment between the States of New York and New Jersey supplementary to  
4 and amendatory of the compact between the two said States dated April thir-  
5 tieth, one thousand nine hundred and twenty-one.

1     12. This act shall take effect upon the enactment into law by the State  
2 of New York of legislation having an identical effect with the provisions of  
3 this act; but if the State of New York shall have already enacted such leg-  
4 islation, then this act shall take effect immediately.

SENATE, No. 252

STATE OF NEW JERSEY

INTRODUCED MARCH 6, 1950

By Mr. VAN ALSTYNE

Referred to Committee on Interstate Co-operation

AN ACT agreeing with the State of New York with respect to suits against the  
Port of New York Authority.

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

1 1. Upon the concurrence of the State of New York in accordance with  
2 section twelve hereof, the States of New York and New Jersey consent to  
3 suits, actions or proceedings of any form or nature at law, in equity or  
4 otherwise (including proceedings to enforce arbitration agreements) against  
5 the Port of New York Authority (hereinafter referred to as the "Port Au-  
6 thority"), and to appeals therefrom and reviews thereof, except as herein-  
7 after provided in sections two through five, inclusive, hereof.

1 2. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever accruing before the effective date of  
3 this act, other than causes of actions upon, in connection with, or arising  
4 out of notes, bonds or other obligations or securities secured by a pledge  
5 of the general reserve fund of the Port Authority.

1 3. The foregoing consent does not extend to suits, actions or proceed-  
2 ings upon any causes of action whatsoever, upon, in connection with, or aris-  
3 ing out of any contract, express or implied, entered into or assumed by  
4 or assigned to the Port Authority before the effective date of this act (in-  
5 cluding any supplement to, or amendment, extension or renewal of any such

6 contract, even if such supplement, amendment, extension or renewal is made  
7 on or after the effective date of this act), regardless of whether such cause  
8 of action accrued before or after that date, other than causes of action upon,  
9 in connection with or arising out of notes, bonds or other obligations or  
10 securities secured by a pledge of the general reserve fund of the Port Au-  
11 thority.

1       4. The foregoing consent does not extend to civil suits, actions or pro-  
2 ceedings for the recovery of statutory penalties.

1       5. The foregoing consent does not extend to suits, actions or proceedings  
2 for judgments, orders or decrees restraining, enjoining or preventing the  
3 Port Authority from committing or continuing to commit any act or acts,  
4 other than suits, actions or proceedings by the Attorney-General of New  
5 York or by the Attorney-General of New Jersey, each of whom is  
6 hereby authorized to bring such suits, actions or proceedings in his discre-  
7 tion on behalf of any person or persons whatsoever who requests him so to  
8 do except in the cases excluded by sections two, three and four of this act;  
9 *provided*, that in any such suit, action or proceeding, no judgment, order  
10 or decree shall be entered except upon at least two days' prior written no-  
11 tice to the Port Authority of the proposed entry thereof.

1       6. The foregoing consent is granted upon the condition that venue in  
2 any suit, action or proceeding against the Port Authority shall be laid  
3 within a county or a judicial district, established by one of said States  
4 or by the United States, and situated wholly or partially within the Port  
5 of New York District. The Port Authority shall be deemed to be a resi-  
6 dent of each such county or judicial district for the purpose of such suits,  
7 actions or proceedings. Although the Port Authority is engaged in the per-  
8 formance of governmental functions, the said two States consent to liability  
9 on the part of the Port Authority in such suits, actions or proceedings for  
10 tortious acts committed by it and its agents to the same extent as though  
11 it were a private corporation.

1 7. The foregoing consent is granted upon the condition that any suit,  
2 action or proceeding prosecuted or maintained under this act shall be com-  
3 menced within one year after the cause of action therefor shall have accrued,  
4 and upon the further condition that in the case of any suit, action or pro-  
5 ceeding for the recovery or payment of money, prosecuted or maintained  
6 under this act, a notice of claim shall have been served upon the Port Au-  
7 thority by or on behalf of the plaintiff or plaintiffs at least sixty days be-  
8 fore such suit, action or proceeding is commenced. The provisions of this  
9 section shall not apply to claims arising out of provisions of any work-  
10 men's compensation law of either State.

1 8. The notice of claim required by section seven hereof shall be in writing,  
2 sworn to by or on behalf of the claimant or claimants, and shall set forth (1)  
3 the name and post-office address of each claimant and of his attorney, if any,  
4 (2) the nature of the claim, (3) the time when, the place where and the man-  
5 ner in which the claim arose, and (4) the items of damage or injuries claimed  
6 to have been sustained so far as then practicable. Such notice may be served  
7 in the manner in which process may be served, or in lieu thereof, may be sent  
8 by registered mail to the Port Authority at its principal office. Where the  
9 claimant is an infant or is mentally or physically incapacitated and by reason  
10 of such disability no notice of claim is filed or suit, action or proceeding com-  
11 menced within the time specified in section seven hereof, or where a person  
12 entitled to make a claim dies and by reason of his death no notice of claim  
13 is filed or suit, action or proceeding commenced within the time specified in  
14 section seven hereof, then any court in which such suit, action or proceeding  
15 may be brought may in its discretion grant leave to serve the notice of claim  
16 and to commence the suit, action or proceeding within a reasonable time but  
17 in any event within three years after the cause of action accrued. Applica-  
18 tion for such leave must be made upon an affidavit showing the particular  
19 facts which caused the delay and shall be accompanied by a copy of the pro-  
20 posed notice of claim if such notice has not been served, and such application  
21 shall be made only upon notice to the Port Authority.

1       9. The commissioners, officers or employees of the Port Authority shall  
2 not be subject to suits, actions or proceedings for judgments, orders or de-  
3 crees restraining, preventing or enjoining them in their official or personal  
4 capacities from committing or continuing to commit any act or acts on be-  
5 half of the Port Authority other than suits, actions and proceedings brought  
6 by the Attorney-General of New York or by the Attorney-General of New  
7 Jersey or by the Port Authority itself, each of said Attorneys-General being  
8 hereby authorized to bring such suits, actions or proceedings in his discretion  
9 on behalf of any person or persons whatsoever who requests him so to do ex-  
10 cept in the cases excluded by sections two, three and four of this act; *pro-*  
11 *vided*, that in any such suit, action or proceeding brought by either Attorney-  
12 General, no judgment, order or decree shall be entered except upon at least  
13 two days' notice to the defendant of the proposed entry thereof.

1       10. Nothing herein contained shall be deemed to revoke, rescind or affect  
2 any consents to suits, actions or proceedings against the Port Authority  
3 heretofore given by the two said States in chapter eight hundred two of the  
4 laws of New York of one thousand nine hundred and forty-seven, as amended,  
5 and chapter forty-three of the laws of New Jersey of one thousand nine hun-  
6 dred and forty-seven, as amended; chapter six hundred thirty-one of the laws  
7 of New York of one thousand nine hundred and forty-seven, as amended;  
8 chapter forty-four of the laws of New Jersey of one thousand nine hundred  
9 and forty-seven, as amended, and chapter five hundred thirty-four of the  
10 laws of New York of one thousand nine hundred and forty-eight and chapter  
11 ninety-seven of the laws of New Jersey of one thousand nine hundred and  
12 forty-eight.

1       11. This act together with the act of the State of New York concurring  
2 herein in accordance with section twelve hereof, shall constitute an agree-  
3 ment between the States of New York and New Jersey supplementary to and  
4 amendatory of the compact between the two said States dated April thirtieth,  
5 one thousand nine hundred and twenty-one.

1     12. This act shall take effect upon the enactment into law by the State of  
2 New York of legislation having an identical effect with the provisions of  
3 this act; but if the State of New York shall have already enacted such legis-  
4 lation, then this act shall take effect immediately.

---

#### STATEMENT

The purpose of this bill is to provide for an agreement with the State of New York consenting to suits, actions or proceedings against the Port of New York Authority. It is not retroactive.

The bill requires that suits, actions or proceedings be commenced within one year and that a notice of claim shall be served on the Port Authority at least sixty days before any suit, action or proceeding is commenced.

The bill provides that no injunction shall lie against the Port Authority, its commissioners, officers or employees except upon complaint of the Attorney-General of either State, each of whom is expressly authorized to bring any proceeding for an injunction, in his discretion, on behalf of any person.

The previous consents to suits, actions or proceedings against the Port Authority, which were given by agreements between the States of New Jersey and New York in connection with the authorization for its operation of airports (P. L. 1947, c. 43), marine terminals (P. L. 1947, c. 44) and rehousing projects (P. L. 1948, c. 97) are saved from repeal.

32:1-161

LEGISLATIVE HISTORY CHECKLIST

NJSA 32:1-161

Laws of 1951 Chapter 204

Bill No. S183

Sponsor(s) Van Alstyne

Date Introduced March 5, 1951

Committee: Assembly -

Senate Interstate Cooperation

Amended during passage Yes No

Date of passage: Assembly May 4

Senate April 23

Date of approval June 13, 1951

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Do Not Remove From Library  
DEPOSITORY COPY

10/4/76

SENATE, No. 183

STATE OF NEW JERSEY

INTRODUCED MARCH 5, 1951

By Mr. VAN ALSTYNE

Referred to Committee on Interstate Co-operation

AN Act agreeing with the State of New York with respect to suits against the  
Port of New York Authority.

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

1 1. Upon the concurrence of the State of New York in accordance with  
2 section twelve hereof, the States of New York and New Jersey consent to  
3 suits, actions or proceedings of any form or nature at law, in equity or  
4 otherwise (including proceedings to enforce arbitration agreements) against  
5 the Port of New York Authority (hereinafter referred to as the "Port  
6 Authority"), and to appeals therefrom and reviews thereof, except as here-  
7 inafter provided in sections two through five, inclusive, hereof.

1 2. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever accruing before the effective date of  
3 this act, other than causes of actions upon, in connection with, or arising out  
4 of notes, bonds or other obligations or securities secured by a pledge of the  
5 general reserve fund of the Port Authority.

1 3. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever, upon, in connection with, or arising out  
3 of any contract, express or implied, entered into or assumed by or assigned to  
4 the Port Authority before the effective date of this act (including any supple-  
5 ment to, or amendment, extension or renewal of any such contract, even if

6 such supplement, amendment, extension or renewal is made on or after the  
7 effective date of this act), regardless of whether such cause of action accrued  
8 before or after that date, other than causes of action upon, in connection with  
9 or arising out of notes, bonds or other obligations or securities secured by a  
10 pledge of the general reserve fund of the Port Authority.

1     4. The foregoing consent does not extend to civil suits, actions or proceed-  
2 ings for the recovery of statutory penalties.

1     5. The foregoing consent does not extend to suits, actions or proceedings  
2 for judgments, orders or decrees restraining, enjoining or preventing the  
3 Port Authority from committing or continuing to commit any act or acts, other  
4 than suits, actions or proceedings by the Attorney-General of New York or by  
5 the Attorney-General of New Jersey—each of whom is hereby authorized  
6 to bring such suits, actions or proceedings in his discretion on behalf of any  
7 person or persons whatsoever who requests him so to do except in the cases  
8 excluded by sections two, three and four of this act; *provided*, that in any  
9 such suit, action or proceeding, no judgment, order or decree shall be entered  
10 except upon at least two days' prior written notice to the Port Authority of  
11 the proposed entry thereof.

1     6. The foregoing consent is granted upon the condition that venue in any  
2 suit, action or proceeding against the Port Authority shall be laid within a  
3 county or a judicial district, established by one of said States or by the  
4 United States, and situated wholly or partially within the Port of New York  
5 District. The Port Authority shall be deemed to be a resident of each such  
6 county or judicial district for the purpose of such suits, actions or proceed-  
7 ings. Although the Port Authority is engaged in the performance of gov-  
8 ernmental functions, the said two States consent to liability on the part of  
9 the Port Authority in such suits, actions or proceedings for tortious acts  
10 committed by it and its agents to the same extent as though it were a private  
11 corporation.

1     7. The foregoing consent is granted upon the condition that any suit,  
2 action or proceeding prosecuted or maintained under this act shall be com-

3 menced within one year after the cause of action therefor shall have accrued,  
4 and upon the further condition that in the case of any suit, action or pro-  
5 ceeding for the recovery or payment of money, prosecuted or maintained  
6 under this act, a notice of claim shall have been served upon the Port Author-  
7 ity by or on behalf of the plaintiff or plaintiffs at least sixty days before  
8 such suit, action or proceeding is commenced. The provisions of this section  
9 shall not apply to claims arising out of provisions of any workmen's compen-  
10 sation law of either State.

1 8. The notice of claim required by section seven hereof shall be in writ-  
2 ing, sworn to by or on behalf of the claimant or claimants, and shall set forth  
3 (1) the name and post-office address of each claimant and of his attorney, if  
4 any, (2) the nature of the claim, (3) the time when, the place where and the  
5 manner in which the claim arose, and (4) the items of damage or injuries  
6 claimed to have been sustained so far as then practicable. Such notice may  
7 be served in the manner in which process may be served, or in lieu thereof,  
8 may be sent by registered mail to the Port Authority at its principal office.  
9 Where the claimant is an infant or is mentally or physically incapacitated  
10 and by reason of such disability no notice of claim is filed or suit, action or  
11 proceeding commenced within the time specified in section seven hereof, or  
12 where a person entitled to make a claim dies and by reason of his death no  
13 notice of claim is filed or suit, action or proceeding commenced within the  
14 time specified in section seven hereof, then any court in which such suit,  
15 action or proceeding may be brought may in its discretion grant leave to  
16 serve the notice of claim and to commence the suit, action or proceeding  
17 within a reasonable time but in any event within three years after the cause  
18 of action accrued. Application for such leave must be made upon an affidavit  
19 showing the particular facts which caused the delay and shall be accompanied  
20 by a copy of the proposed notice of claim if such notice has not been served,  
21 and such application shall be made only upon notice to the Port Authority.

1 9. The commissioners, officers or employees of the Port Authority shall  
2 not be subject to suits, actions or proceedings for judgments, orders or de-

3 crees restraining, preventing or enjoining them in their official or personal  
4 capacities from committing or continuing to commit any act or acts on behalf  
5 of the Port Authority other than suits, actions and proceedings brought by  
6 the Attorney-General of New York or by the Attorney-General of New Jersey  
7 or by the Port Authority itself, each of said Attorneys-General being hereby  
8 authorized to bring such suits, actions or proceedings in his discretion on be-  
9 half of any person or persons whatsoever who requests him so to do except in  
10 the cases excluded by sections two, three and four of this act; *provided*, that  
11 in any such suit, action or proceeding brought by either Attorney-General, no  
12 judgment, order or decree shall be entered except upon at least two days'  
13 notice to the defendant of the proposed entry thereof.

1       10. Nothing herein contained shall be deemed to revoke, rescind or affect  
2 any consents to suits, actions or proceedings against the Port Authority  
3 heretofore given by the two said States in chapter eight hundred and two of  
4 the laws of New York of one thousand nine hundred and forty-seven, as  
5 amended, and chapter forty-three of the laws of New Jersey of one thousand  
6 nine hundred and forty-seven, as amended; chapter six hundred and thirty-  
7 one of the laws of New York of one thousand nine hundred and forty-seven,  
8 as amended; chapter forty-four of the laws of New Jersey of one thousand  
9 nine hundred and forty-seven, as amended, and chapter five hundred and  
10 thirty-four of the laws of New York of one thousand nine hundred and forty-  
11 eight and chapter ninety-seven of the laws of New Jersey of one thousand  
12 nine hundred and forty-eight.

1       11. This act together with the act of the State of New York concurring  
2 herein in accordance with section twelve hereof, shall constitute an agree-  
3 ment between the States of New York and New Jersey supplementary to  
4 and amendatory of the compact between the two said States dated April thir-  
5 tieth, one thousand nine hundred and twenty-one.

1       12. This act shall take effect upon the enactment into law by the State  
2 of New York of legislation having an identical effect with the provisions of  
3 this act; but if the State of New York shall have already enacted such leg-  
4 islation, then this act shall take effect immediately.

**STATEMENT**

The purpose of this bill is to provide for an agreement with the State of New York consenting to suits, actions or proceedings against the Port of New York Authority. It is not retroactive.

The bill requires that suits, actions or proceedings be commenced within one year and that a notice of claim shall be served on the Port Authority at least sixty days before any suit, action or proceeding is commenced.

The bill provides that no injunction shall lie against the Port Authority, its commissioners, officers or employees except upon complaint of the Attorney-General of either State, each of whom is expressly authorized to bring any proceeding for an injunction, in his discretion, on behalf of any person.

The previous consents to suits, actions or proceedings against the Port Authority, which were given by agreements between the States of New Jersey and New York in connection with the authorization for its operation of airports (P. L. 1947, c. 43), marine terminals (P. L. 1947, c. 44) and rehousing projects (P. L. 1948, c. 97), are saved from repeal.

This bill would become effective immediately upon its enactment in New Jersey because in 1950 New York enacted its concurrent counterpart to the within proposal (Chapter 301, Laws of New York, 1950).

[OFFICIAL COPY REPRINT]

SENATE, No. 183

# STATE OF NEW JERSEY

INTRODUCED MARCH 5, 1951

By Mr. VAN ALSTYNE

Referred to Committee on Interstate Co-operation

AN ACT agreeing with the State of New York with respect to suits against the  
Port of New York Authority.

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

1 1. Upon the concurrence of the State of New York in accordance with  
2 section twelve hereof, the States of New York and New Jersey consent to  
3 suits, actions or proceedings of any form or nature at law, in equity or  
4 otherwise (including proceedings to enforce arbitration agreements) against  
5 the Port of New York Authority (hereinafter referred to as the "Port  
6 Authority"), and to appeals therefrom and reviews thereof, except as here-  
7 inafter provided in sections two through five, inclusive, hereof.

1 2. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever accruing before the effective date of  
3 this act, other than causes of actions upon, in connection with, or arising out  
4 of notes, bonds or other obligations or securities secured by a pledge of the  
5 general reserve fund of the Port Authority.

1 3. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever, upon, in connection with, or arising out  
3 of any contract, express or implied, entered into or assumed by or assigned to  
4 the Port Authority before the effective date of this act (including any supple-  
5 ment to, or amendment, extension or renewal of any such contract, even if

6 such supplement, amendment, extension or renewal is made on or after the  
7 effective date of this act), regardless of whether such cause of action accrued  
8 before or after that date, other than causes of action upon, in connection with  
9 or arising out of notes, bonds or other obligations or securities secured by a  
10 pledge of the general reserve fund of the Port Authority.

1     4. The foregoing consent does not extend to civil suits, actions or proceed-  
2 ings for the recovery of statutory penalties.

1     5. The foregoing consent does not extend to suits, actions or proceedings  
2 for judgments, orders or decrees restraining, enjoining or preventing the  
3 Port Authority from committing or continuing to commit any act or acts, other  
4 than suits, actions or proceedings by the Attorney-General of New York or by  
5 the Attorney-General of New Jersey—each of whom is hereby authorized  
6 to bring such suits, actions or proceedings in his discretion on behalf of any  
7 person or persons whatsoever who requests him so to do except in the cases  
8 excluded by sections two, three and four of this act; *provided*, that in any  
9 such suit, action or proceeding, no judgment, order or decree shall be entered  
10 except upon at least two days' prior written notice to the Port Authority of  
11 the proposed entry thereof.

1     6. The foregoing consent is granted upon the condition that venue in any  
2 suit, action or proceeding against the Port Authority shall be laid within a  
3 county or a judicial district, established by one of said States or by the  
4 United States, and situated wholly or partially within the Port of New York  
5 District. The Port Authority shall be deemed to be a resident of each such  
6 county or judicial district for the purpose of such suits, actions or proceed-  
7 ings. Although the Port Authority is engaged in the performance of gov-  
8 ernmental functions, the said two States consent to liability on the part of  
9 the Port Authority in such suits, actions or proceedings for tortious acts  
10 committed by it and its agents to the same extent as though it were a private  
11 corporation.

1     7. The foregoing consent is granted upon the condition that any suit,  
2 action or proceeding prosecuted or maintained under this act shall be com-

3 menced within one year after the cause of action therefor shall have accrued,  
4 and upon the further condition that in the case of any suit, action or pro-  
5 ceeding for the recovery or payment of money, prosecuted or maintained  
6 under this act, a notice of claim shall have been served upon the Port Author-  
7 ity by or on behalf of the plaintiff or plaintiffs at least sixty days before  
8 such suit, action or proceeding is commenced. The provisions of this section  
9 shall not apply to claims arising out of provisions of any workmen's compen-  
10 sation law of either State.

1 8. The notice of claim required by section seven hereof shall be in writ-  
2 ing, sworn to by or on behalf of the claimant or claimants, and shall set forth  
3 (1) the name and post-office address of each claimant and of his attorney, if  
4 any, (2) the nature of the claim, (3) the time when, the place where and the  
5 manner in which the claim arose, and (4) the items of damage or injuries  
6 claimed to have been sustained so far as then practicable. Such notice may  
7 be served in the manner in which process may be served, or in lieu thereof,  
8 may be sent by registered mail to the Port Authority at its principal office.  
9 Where the claimant is an infant or is mentally or physically incapacitated  
10 and by reason of such disability no notice of claim is filed or suit, action or  
11 proceeding commenced within the time specified in section seven hereof, or  
12 where a person entitled to make a claim dies and by reason of his death no  
13 notice of claim is filed or suit, action or proceeding commenced within the  
14 time specified in section seven hereof, then any court in which such suit,  
15 action or proceeding may be brought may in its discretion grant leave to  
16 serve the notice of claim and to commence the suit, action or proceeding  
17 within a reasonable time but in any event within three years after the cause  
18 of action accrued. Application for such leave must be made upon an affidavit  
19 showing the particular facts which caused the delay and shall be accompanied  
20 by a copy of the proposed notice of claim if such notice has not been served,  
21 and such application shall be made only upon notice to the Port Authority.

1 9. The commissioners, officers or employees of the Port Authority shall  
2 not be subject to suits, actions or proceedings for judgments, orders or de-

3 crees restraining, preventing or enjoining them in their official or personal  
4 capacities from committing or continuing to commit any act or acts on behalf  
5 of the Port Authority other than suits, actions and proceedings brought by  
6 the Attorney-General of New York or by the Attorney-General of New Jersey  
7 or by the Port Authority itself, each of said Attorneys-General being hereby  
8 authorized to bring such suits, actions or proceedings in his discretion on be-  
9 half of any person or persons whatsoever who requests him so to do except in  
10 the cases excluded by sections two, three and four of this act; *provided*, that  
11 in any such suit, action or proceeding brought by either Attorney-General, no  
12 judgment, order or decree shall be entered except upon at least two days'  
13 notice to the defendant of the proposed entry thereof.

1 10. Nothing herein contained shall be deemed to revoke, rescind or affect  
2 any consents to suits, actions or proceedings against the Port Authority  
3 heretofore given by the two said States in chapter eight hundred and two of  
4 the laws of New York of one thousand nine hundred and forty-seven, as  
5 amended, and chapter forty-three of the laws of New Jersey of one thousand  
6 nine hundred and forty-seven, as amended; chapter six hundred and thirty-  
7 one of the laws of New York of one thousand nine hundred and forty-seven,  
8 as amended; chapter forty-four of the laws of New Jersey of one thousand  
9 nine hundred and forty-seven, as amended, and chapter five hundred and  
10 thirty-four of the laws of New York of one thousand nine hundred and forty-  
11 eight and chapter ninety-seven of the laws of New Jersey of one thousand  
12 nine hundred and forty-eight.

1 11. This act together with the act of the State of New York concurring  
2 herein in accordance with section twelve hereof, shall constitute an agree-  
3 ment between the States of New York and New Jersey supplementary to  
4 and amendatory of the compact between the two said States dated April thir-  
5 tieth, one thousand nine hundred and twenty-one.

1 12. This act shall take effect upon the enactment into law by the State  
2 of New York of legislation having an identical effect with the provisions of  
3 this act; but if the State of New York shall have already enacted such leg-  
4 islation, then this act shall take effect immediately.

SENATE, No. 252

STATE OF NEW JERSEY

INTRODUCED MARCH 6, 1950

By Mr. VAN ALSTYNE

Referred to Committee on Interstate Co-operation

AN ACT agreeing with the State of New York with respect to suits against the  
Port of New York Authority.

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

1 1. Upon the concurrence of the State of New York in accordance with  
2 section twelve hereof, the States of New York and New Jersey consent to  
3 suits, actions or proceedings of any form or nature at law, in equity or  
4 otherwise (including proceedings to enforce arbitration agreements) against  
5 the Port of New York Authority (hereinafter referred to as the "Port Au-  
6 thority"), and to appeals therefrom and reviews thereof, except as herein-  
7 after provided in sections two through five, inclusive, hereof.

1 2. The foregoing consent does not extend to suits, actions or proceedings  
2 upon any causes of action whatsoever accruing before the effective date of  
3 this act, other than causes of actions upon, in connection with, or arising  
4 out of notes, bonds or other obligations or securities secured by a pledge  
5 of the general reserve fund of the Port Authority.

1 3. The foregoing consent does not extend to suits, actions or proceed-  
2 ings upon any causes of action whatsoever, upon, in connection with, or aris-  
3 ing out of any contract, express or implied, entered into or assumed by  
4 or assigned to the Port Authority before the effective date of this act (in-  
5 cluding any supplement to, or amendment, extension or renewal of any such

6 contract, even if such supplement, amendment, extension or renewal is made  
7 on or after the effective date of this act), regardless of whether such cause  
8 of action accrued before or after that date, other than causes of action upon,  
9 in connection with or arising out of notes, bonds or other obligations or  
10 securities secured by a pledge of the general reserve fund of the Port Au-  
11 thority.

1 4. The foregoing consent does not extend to civil suits, actions or pro-  
2 ceedings for the recovery of statutory penalties.

1 5. The foregoing consent does not extend to suits, actions or proceedings  
2 for judgments, orders or decrees restraining, enjoining or preventing the  
3 Port Authority from committing or continuing to commit any act or acts,  
4 other than suits, actions or proceedings by the Attorney-General of New  
5 York or by the Attorney-General of New Jersey, each of whom is  
6 hereby authorized to bring such suits, actions or proceedings in his discre-  
7 tion on behalf of any person or persons whatsoever who requests him so to  
8 do except in the cases excluded by sections two, three and four of this act;  
9 *provided*, that in any such suit, action or proceeding, no judgment, order  
10 or decree shall be entered except upon at least two days' prior written no-  
11 tice to the Port Authority of the proposed entry thereof.

1 6. The foregoing consent is granted upon the condition that venue in  
2 any suit, action or proceeding against the Port Authority shall be laid  
3 within a county or a judicial district, established by one of said States  
4 or by the United States, and situated wholly or partially within the Port  
5 of New York District. The Port Authority shall be deemed to be a resi-  
6 dent of each such county or judicial district for the purpose of such suits,  
7 actions or proceedings. Although the Port Authority is engaged in the per-  
8 formance of governmental functions, the said two States consent to liability  
9 on the part of the Port Authority in such suits, actions or proceedings for  
10 tortious acts committed by it and its agents to the same extent as though  
11 it were a private corporation.

1 7. The foregoing consent is granted upon the condition that any suit,  
2 action or proceeding prosecuted or maintained under this act shall be com-  
3 menced within one year after the cause of action therefor shall have accrued,  
4 and upon the further condition that in the case of any suit, action or pro-  
5 ceeding for the recovery or payment of money, prosecuted or maintained  
6 under this act, a notice of claim shall have been served upon the Port Au-  
7 thority by or on behalf of the plaintiff or plaintiffs at least sixty days be-  
8 fore such suit, action or proceeding is commenced. The provisions of this  
9 section shall not apply to claims arising out of provisions of any work-  
10 men's compensation law of either State.

1 8. The notice of claim required by section seven hereof shall be in writing,  
2 sworn to by or on behalf of the claimant or claimants, and shall set forth (1)  
3 the name and post-office address of each claimant and of his attorney, if any,  
4 (2) the nature of the claim, (3) the time when, the place where and the man-  
5 ner in which the claim arose, and (4) the items of damage or injuries claimed  
6 to have been sustained so far as then practicable. Such notice may be served  
7 in the manner in which process may be served, or in lieu thereof, may be sent  
8 by registered mail to the Port Authority at its principal office. Where the  
9 claimant is an infant or is mentally or physically incapacitated and by reason  
10 of such disability no notice of claim is filed or suit, action or proceeding com-  
11 menced within the time specified in section seven hereof, or where a person  
12 entitled to make a claim dies and by reason of his death no notice of claim  
13 is filed or suit, action or proceeding commenced within the time specified in  
14 section seven hereof, then any court in which such suit, action or proceeding  
15 may be brought may in its discretion grant leave to serve the notice of claim  
16 and to commence the suit, action or proceeding within a reasonable time but  
17 in any event within three years after the cause of action accrued. Applica-  
18 tion for such leave must be made upon an affidavit showing the particular  
19 facts which caused the delay and shall be accompanied by a copy of the pro-  
20 posed notice of claim if such notice has not been served, and such application  
21 shall be made only upon notice to the Port Authority.

1       9. The commissioners, officers or employees of the Port Authority shall  
2 not be subject to suits, actions or proceedings for judgments, orders or de-  
3 crees restraining, preventing or enjoining them in their official or personal  
4 capacities from committing or continuing to commit any act or acts on be-  
5 half of the Port Authority other than suits, actions and proceedings brought  
6 by the Attorney-General of New York or by the Attorney-General of New  
7 Jersey or by the Port Authority itself, each of said Attorneys-General being  
8 hereby authorized to bring such suits, actions or proceedings in his discretion  
9 on behalf of any person or persons whatsoever who requests him so to do ex-  
10 cept in the cases excluded by sections two, three and four of this act; *pro-*  
11 *vided*, that in any such suit, action or proceeding brought by either Attorney-  
12 General, no judgment, order or decree shall be entered except upon at least  
13 two days' notice to the defendant of the proposed entry thereof.

1       10. Nothing herein contained shall be deemed to revoke, rescind or affect  
2 any consents to suits, actions or proceedings against the Port Authority  
3 heretofore given by the two said States in chapter eight hundred two of the  
4 laws of New York of one thousand nine hundred and forty-seven, as amended,  
5 and chapter forty-three of the laws of New Jersey of one thousand nine hun-  
6 dred and forty-seven, as amended; chapter six hundred thirty-one of the laws  
7 of New York of one thousand nine hundred and forty-seven, as amended;  
8 chapter forty-four of the laws of New Jersey of one thousand nine hundred  
9 and forty-seven, as amended, and chapter five hundred thirty-four of the  
10 laws of New York of one thousand nine hundred and forty-eight and chapter  
11 ninety-seven of the laws of New Jersey of one thousand nine hundred and  
12 forty-eight.

1       11. This act together with the act of the State of New York concurring  
2 herein in accordance with section twelve hereof, shall constitute an agree-  
3 ment between the States of New York and New Jersey supplementary to and  
4 amendatory of the compact between the two said States dated April thirtieth,  
5 one thousand nine hundred and twenty-one.

1      12. This act shall take effect upon the enactment into law by the State of  
2 New York of legislation having an identical effect with the provisions of  
3 this act; but if the State of New York shall have already enacted such legis-  
4 lation, then this act shall take effect immediately.

---

#### STATEMENT

The purpose of this bill is to provide for an agreement with the State of New York consenting to suits, actions or proceedings against the Port of New York Authority. It is not retroactive.

The bill requires that suits, actions or proceedings be commenced within one year and that a notice of claim shall be served on the Port Authority at least sixty days before any suit, action or proceeding is commenced.

The bill provides that no injunction shall lie against the Port Authority, its commissioners, officers or employees except upon complaint of the Attorney-General of either State, each of whom is expressly authorized to bring any proceeding for an injunction, in his discretion, on behalf of any person.

The previous consents to suits, actions or proceedings against the Port Authority, which were given by agreements between the States of New Jersey and New York in connection with the authorization for its operation of airports (P. L. 1947, c. 43), marine terminals (P. L. 1947, c. 44) and rehousing projects (P. L. 1948, c. 97) are saved from repeal.