

SENATE, No. 158

STATE OF NEW JERSEY

INTRODUCED MARCH 22, 1954

By Messrs. JONES and LANCE

(Without Reference)

AN ACT to amend and supplement chapter 4 of the laws of 1931, entitled "An act declaring the policy of the States of New York and New Jersey in regard to certain vehicular bridges and tunnels within the Port of New York District; and in furtherance of the said policy, vesting the control and operation of the Holland Tunnel in the Port of New York Authority, Authorizing the Port Authority to construct an additional interstate vehicular tunnel, and regulating the construction and operation of bridges and tunnels by the Port 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 herein, in the man-
2 ner indicated in section 4 hereof, the States of New York and New Jersey
3 agree that section 2 of chapter 47 of the laws of New York, 1931, and chap-
4 ter 4 of the laws of New Jersey, 1931, entitled "An act declaring the policy
5 of the States of New York and New Jersey in regard to certain vehicular
6 bridges and tunnels within the Port of New York District; and in further-
7 ance of the said policy, vesting the control and operation of the Holland Tun-
8 nel in the Port of New York Authority, authorizing the Port Authority to
9 construct an additional interstate vehicular tunnel, and regulating the con-
10 struction and operation of bridges and tunnels by the Port Authority," is
11 hereby amended to read as follows:

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

12 2. In furtherance of the aforesaid policy, and in partial effectuation
13 of the comprehensive plan heretofore adopted by the 2 said States for the
14 development of the said Port of New York District, the control, operation,
15 tolls and other revenues of the vehicular tunnel, known as the Holland Tun-
16 nel, under the Hudson river between the city of Jersey City and the city of
17 New York, shall be vested in the Port Authority as hereinafter provided;
18 and the Port Authority is hereby authorized and empowered to construct,
19 own, maintain and operate an interstate vehicular *crossing under the Hud-*
20 *son river to consist of 3 tubes* [tunnel or tunnels] (hereinafter called the
21 Midtown Hudson Tunnel) [under the Hudson river], together with such
22 approaches thereto and connections with highways as the Port Authority
23 may deem necessary or desirable.

24 The Port Authority shall from time to time make studies, surveys and
25 investigations to determine the necessity and practicability of [additional]
26 vehicular bridges and tunnels over or under interstate waters within the
27 said Port of New York District, *in addition to the said Midtown Hudson*
28 *Tunnel and Holland Tunnel and to the George Washington Bridge, Goe-*
29 *thals Bridge, Outerbridge Crossing and Bayonne Bridge*, and report to the
30 Governors and Legislatures of the 2 States thereon. The Port Authority
31 shall not proceed with the construction of any *such* additional vehicular
32 bridges and tunnels over or under said interstate waters, until hereafter
33 expressly authorized by the 2 said States.

1 2. Upon the concurrence of the State of New York herein, in the man-
2 ner indicated in section 4 hereof, the States of New York and New Jersey
3 agree that sections 10 and 16 of chapter 47 of the laws of New York, 1931,
4 and chapter 4 of the laws of New Jersey, 1931, entitled "An act declaring
5 the policy of the States of New York and New Jersey in regard to certain
6 vehicular bridges and tunnels within the Port of New York District; and in
7 furtherance of the said policy, vesting the control and operation of the Hol-
8 land Tunnel in the Port of New York Authority, authorizing the Port Au-
9 thority to construct an additional interstate vehicular tunnel, and regulat-

10 ing the construction and operation of bridges and tunnels by the Port Au-
11 thority," are hereby amended to read as follows:

12 10. The plans of the connections with State or municipal highways of
13 any vehicular bridge or tunnel which the Port Authority may hereafter
14 construct (including the plans of any additional connections of existing
15 bridges or tunnels with State or municipal highways), shall be subject to
16 the approval of the Governor of the State in which such connections shall
17 be located [and subject to the approval of the municipality in which they
18 shall be located]. *Either State may require by appropriate legislation that*
19 *such connections shall be subject to the approval of the municipality of that*
20 *State in which they shall be located; and in such event, the [The] approval*
21 *of such municipality shall be given as provided in article 12 of the said com-*
22 *pact of April 30, 1921. Except as limited herein, the Port Authority shall*
23 *determine all matters pertaining to such bridges and tunnels.*

24 16. Anything in this act to the contrary notwithstanding, no property now
25 or hereafter vested in or held by any county, city, borough, village, town-
26 ship or other municipality shall be taken by the Port Authority, without the
27 authority or consent of such county, city, borough, village, township or other
28 municipality as provided in said compact of April 30, 1921, *provided that if*
29 *such property is required for Midtown Hudson Tunnel purposes the State in*
30 *which such county, city, borough, village, township or other municipality is*
31 *located may authorize such property to be taken by the Port Authority by*
32 *condemnation or the exercise of the right of eminent domain without such au-*
33 *thority or consent; nor shall anything herein impair or invalidate in any way*
34 *any bonded indebtedness of the State, or such county, city, borough, village,*
35 *township or other municipality, nor impair the provisions of law regulating*
36 *the payment into sinking funds of revenue derived from municipal property,*
37 *or dedicating the revenues derived from municipal property, to a specific pur-*
38 *pose. The Port Authority is hereby authorized and empowered to acquire*
39 *from any such county, city, borough, village, township or other municipality,*
40 *or from any other public agency or commission having jurisdiction in the*

41 premises, by agreement therewith, and such county, city, borough, village,
42 township, municipality, public agency or commission, notwithstanding any
43 contrary provision of law, is hereby authorized and empowered to grant and
44 convey upon reasonable terms and conditions any real property, which may be
45 necessary for the construction, operation and maintenance of such bridges and
46 tunnels, including such real property as has already been devoted to a public
47 use. Each of the 2 said States hereby consents to the use and occupation of
48 the real property of such State necessary for the construction, operation and
49 maintenance of bridges and tunnels constructed or operated pursuant to the
50 provisions of this act, including lands of the State lying under water.

1 3. Upon the concurrence of the State of New York herein in the manner
2 indicated in section 4 hereof, the States of New Jersey and New York agree
3 that all acts heretofore performed by the Port of New York Authority in con-
4 nection with the construction, ownership, maintenance and operation of the
5 Midtown Hudson Tunnel (including the third tube thereof), as defined in sec-
6 tion 1 of this act, including but not limited to the financing and effectuation
7 thereof and acquisition and taking of property therefor, are hereby ratified
8 and confirmed with the same force and effect as if section 1 hereof had been
9 in effect at the times such acts were performed.

1 4. Sections 1 and 3 of this act shall take effect upon the enactment into
2 law by the State of New York of legislation having an identical effect with such
3 sections, but if the State of New York shall have already enacted such legis-
4 lation, such sections shall take effect immediately; section 2 of this act shall
5 take effect upon the enactment into law by the State of New York of legisla-
6 tion having an identical effect with such section, but if the State of New York
7 shall have already enacted such legislation, such section shall take effect im-
8 mediately.