

32: 3-4a

LEGISLATIVE HISTORY CHECKLIST
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(Delaware River Port Authority--
actions--veto by Governor)

NJSA: 32:3-4a

LAWS OF: 1991 CHAPTER: 516

BILL NO: S3785

SPONSOR(S): Rand

DATE INTRODUCED: December 16, 1991

COMMITTEE: ASSEMBLY: _____
SENATE: Transportation

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: January 10, 1992
SENATE: January 9, 1992

DATE OF APPROVAL: January 19, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: No
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

P.L.1991, CHAPTER 516, *approved January 19, 1992*
1991 Senate No. 3785

1 ~~AN ACT~~ concerning gubernatorial veto over actions of the New
2 Jersey commissioners to the Delaware River Port Authority,
3 supplementing R.S.32:3-1 et seq., and repealing P.L.1966, c.72.
4

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

7 1. a. The minutes of every meeting of the Delaware River
8 Port Authority, established under R.S.32:3-1 et seq., shall, as
9 soon as possible after the meeting, be delivered, by and under the
10 certification of the secretary of the authority, to the Governor of
11 the State of New Jersey, at the State House, in Trenton.

12 b. No action taken by a New Jersey commissioner at the
13 meeting shall have force or effect for a period of 10 days, except
14 Saturdays, Sundays and State public holidays, after the minutes
15 have been delivered to the Governor under this section, unless the
16 Governor approves the minutes, or any part thereof, in writing,
17 by reciting the action approved, within this 10-day period. This
18 veto power shall not be construed to affect the covenants
19 contained in the bonds of the authority.

20 2. The Governor of New Jersey shall return the minutes to the
21 Delaware River Port Authority, not later than the 10-day period
22 described in subsection b. of section 1 of this act, either with or
23 without a veto of any action recited in the minutes to have been
24 taken by a commissioner appointed from New Jersey. If the
25 Governor does not return the minutes within this 10-day period,
26 the action taken by the New Jersey commissioners shall have the
27 force and effect as recited in the minutes, according to the
28 wording thereof.

29 3. If the Governor of New Jersey, within the 10-day period
30 described in subsection b. of section 1 of this act, returns the
31 minutes to the Delaware River Port Authority with a veto against
32 the action of a commissioner from New Jersey, the action of that
33 commissioner shall be null and void and of no effect.

34 4. P.L.1966, c.72 (C.32:3-4.1 through 4.4, inclusive) is repealed.

35 5. This act shall take effect immediately, but shall remain
36 inoperative until the enactment into law of P.L. c. (C.)
37 (now pending before the Legislature as Senate Bill No. 3757 of
38 1991), the enactment into law of legislation substantially similar
39 to P.L. c. (C.) (now pending before the Legislature as
40 Senate Bill No. 3757 of 1991) by the Commonwealth of

1 Pennsylvania, and the approval, by Congress, if necessary, of the
2 supplemental compact or agreement provided for in P.L. c.
3 (C.) (now pending before the Legislature as Senate Bill No.
4 3757 of 1991).

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7 STATEMENT

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9 This bill would provide for veto by the Governor of this State
10 of the actions of the New Jersey commissioners serving on the
11 Delaware River Port Authority, as a companion measure to the
12 provisions of section 4 of P.L.1991, c. (C.) (now pending
13 before the Legislature as Senate Bill No. 3757 of 1991). That bill
14 amends the compact creating the authority, codified under
15 R.S.32:3-1 et seq., to permit New Jersey and Pennsylvania to
16 enact their own (unilateral) legislation concerning gubernatorial
17 veto. In 1966, New Jersey enacted legislation which contained
18 gubernatorial veto provisions which would have applied to both
19 party states to the compact, but the enactment of similar
20 legislation by Pennsylvania was required. See P.L.1966, c.72
21 (C.32:3-4.1 et seq.). Pennsylvania apparently never enacted this
22 similar legislation, so the law enacted by New Jersey did not take
23 effect. If Senate Bill No. 3757 is enacted into law by both states
24 and approved by Congress, if necessary, this bill would take
25 effect and give New Jersey its own veto provisions.
26 Pennsylvania, then, would be free to enact its own legislation,
27 should it desire to do so, but New Jersey's gubernatorial veto
28 provisions would be effective regardless of Pennsylvania's action
29 in this regard. The veto provisions contained in this bill are
30 similar to those contained in the laws relating to the Port
31 Authority of New York and New Jersey, under R.S.32:2-6 et seq.
32 This bill would repeal the 1966 law, which is not effective now,
33 and would be surplusage in the statutory law after the enactment
34 into law of this bill.

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37 AUTHORITIES AND REGIONAL AGENCIES

38
39 Provides for New Jersey gubernatorial veto of actions of State
40 commissioners to the Delaware River Port Authority.

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2 supplemental compact or agreement provided for in P.L. c.
3 (C.) (now pending before the Legislature as Senate Bill No.
4 3757 of 1991).

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AUTHORITIES AND REGIONAL AGENCIES

38

39 Provides for New Jersey gubernatorial veto of actions of State
40 commissioners to the Delaware River Port Authority.

SENATE TRANSPORTATION AND PUBLIC UTILITIES
COMMITTEE

STATEMENT TO

SENATE, No. 3785

STATE OF NEW JERSEY

DATED: DECEMBER 19, 1991

The Senate Transportation and Public Utilities Committee favorably reports Senate Bill No. 3785.

This bill would provide for veto by the Governor of this State of the actions of the New Jersey commissioners serving on the Delaware River Port Authority, as a companion measure to the provisions of section 4 of P.L.1991, c. (C.) (now pending before the Legislature as Senate Bill No. 3757 of 1991). That bill amends the compact creating the authority, codified under R.S.32:3-1 et seq., to permit New Jersey and Pennsylvania to enact their own (unilateral) legislation concerning gubernatorial veto. In 1966, New Jersey enacted legislation which contained gubernatorial veto provisions which would have applied to both party states to the compact, but the enactment of similar legislation by Pennsylvania was required. See P.L.1966, c.72 (C.32:3-4.1 et seq.). Pennsylvania apparently never enacted this similar legislation, so the law enacted by New Jersey did not take effect. If Senate Bill No. 3757 is enacted into law by both states and approved by Congress, if necessary, this bill would take effect and give New Jersey its own veto provisions. Pennsylvania, then, would be free to enact its own legislation, should it desire to do so, but New Jersey's gubernatorial veto provisions would be effective regardless of Pennsylvania's action in this regard. The veto provisions contained in this bill are similar to those contained in the laws relating to the Port Authority of New York and New Jersey, under R.S.32:2-6 et seq. This bill would repeal the 1966 law, which is not effective now, and would be surplusage in the statutory law after the enactment into law of this bill.



OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001**Contact:** JON SHURE 609-538-1480
JO ASTRID GLADING 609-466-4136**TRENTON, N.J. 08625****Release:** SUNDAY
JANUARY 19, 1992

GOV. FLORIO OPENS DOOR FOR MAJOR PORT DEVELOPMENT BY SIGNING UNIFICATION MEASURE

CAMDEN -- Gov. Jim Florio today signed legislation that will give a shot in the arm to the prospects of the Delaware River port area, by allowing unification of the ports to go forward.

At the headquarters of the Delaware River Port Authority, Gov. Florio signed a measure that amends the DRPA compact to allow unification through agreements among any of the port-related entities within the Port District. Those entities include the South Jersey Port Corp. and the Philadelphia Regional Port Authority.

"We're building a bridge to opportunity and economic growth," Gov. Florio said. "This great port is too important a resource to waste. It all comes down to jobs. Pooling our resources and acting together we can create more jobs to help more families, and help an entire region reach its full potential. This new law will help us cut red tape and get down to business."

The legislation is still pending in Pennsylvania. Upon passage there, Congressional authorization would be needed for the unification to go forward. The measure allows the DRPA to take a number of actions to unify the ports, including acquiring facilities and merging existing entities.

The authority is now developing its plan for unifying the ports. Under the new law, for the first time the DRPA can undertake economic development projects. For years, many people on both sides of the Delaware River have been urging this action, noting that it will help the Pennsylvania-New Jersey port region compete with others that have marshalled their economic resources and created powerful world competitors.

Under the new law, the governors of New Jersey and Pennsylvania could veto DRPA actions; and the authority must submit detailed annual reports to the governors and legislatures of both states.

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