

32:1-35.20

LEGISLATIVE HISTORY CHECKLIST
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(Port of NY- air terminals)

NJSA: 32:1-35.20

LAWS OF: 1971 CHAPTER: 245

BILL NO: A2509

SPONSOR(S): Parket and others

DATE INTRODUCED: June 14, 1971

COMMITTEE: ASSEMBLY: _____
SENATE: ----

AMENDED DURING PASSAGE: No

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FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

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ASSEMBLY, No. 2509

STATE OF NEW JERSEY

INTRODUCED JUNE 14, 1971

By Assemblymen PARKER, KEAN, DE KORTE, HOLLENBECK, WILSON, DENNIS, HIGGINS, KIEHN, RICHARDSON, RINALDI, RUSSO, McDONOUGH, PFALTZ, FORAN, Assemblywoman FENWICK, Assemblymen SCHLUTER, POLICASTRO, MERLINO, ESPOSITO, CONWELL, EWING, GOLDFARB, GAVAN and KALTENBACHER

(Without Reference)

AN Act authorizing the Port of New York Authority to provide access by mass transportation facilities to air terminals, amending "An act to facilitate the financing and effectuation of air terminals by the Port of New York Authority and agreeing with the State of New York with respect thereto," approved April 2, 1947 (P. L. 1947, c. 43), and authorizing the Port of New York Authority to acquire real property by condemnation or the right of eminent domain for and in connection with such mass transportation facilities.

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

1 1. The States of New York and New Jersey hereby find and
1A determine:

2 (1) Each air terminal within the Port of New York district
3 serves the entire district, and the problem of furnishing proper and
4 adequate air terminal facilities within the district is a regional and
5 interstate problem;

6 (2) Access by land travel to the great airports serving the Port
7 of New York district, particularly John F. Kennedy International
8 and Newark Airports, is becoming increasingly difficult, and such
9 access is necessary for the continued development of such airports
10 which development is vital and essential to the preservation of the
11 economic well-being of the Northern New Jersey- New York Metro-
12 politan area;

13 (3) Additional highway construction to serve these great air-
14 ports is not feasible and creates severe problems in terms of in-

15 creased air pollution and the preemption of land which might
16 otherwise be devoted to park purposes and other desirable uses;

17 (4) Access to these airports by railroads or other forms of mass
18 transportation must be undertaken if they are to maintain their
19 preeminence and continue to serve the economic well-being of the
20 Northern New Jersey-New York Metropolitan area;

21 (5) Such mass transportation facilities may properly be re-
22 garded as constituting a part of each air terminal, the development
23 of which should be the responsibility of those charged with the
24 duties of air terminal development;

25 (6) It is the purpose of this act to authorize and direct the Port
26 of New York Authority to undertake this responsibility specifically
27 with respect to John F. Kennedy International and Newark Air-
28 ports in order to preserve and develop the economic well-being of
29 the Northern New Jersey-New York Metropolitan area, and such
30 an undertaking is found and determined to be in the public interest.

1 2. P. L. 1947, c. 43, s. 3 (C. 32:1-35.3) is amended to read as
2 follows:

3 3. The following terms as used herein shall mean:

4 "Air terminals" shall mean developments consisting of runways,
5 hangars, control towers, ramps, wharves, bulkheads, buildings,
6 structures, parking areas, improvements, facilities or other real
7 property necessary, convenient or desirable for the landing, taking
8 off, accommodation and servicing of aircraft of all types, including
9 but not limited to airplanes, airships, dirigibles, helicopters, gliders,
10 amphibians, seaplanes, or any other contrivance now or hereafter
11 used for the navigation of or flight in air or space, operated by
12 carriers engaged in the transportation of passengers or cargo, or
13 for the loading, unloading, interchange or transfer of such pas-
14 sengers or their baggage, or such cargo, or otherwise for the
15 accommodation, use or convenience of such passengers, or such
16 carriers or their employees (facilities and accommodations at sites
17 removed from landing fields and other landing areas, however,
18 *except as otherwise provided in this section*, to be limited to ticket
19 stations and passenger stations for air passengers, to express and
20 freight stations for air express and air freight, and to beacons and
21 other aids to air navigation), or for the landing, taking off,
22 accommodation and servicing of aircraft owned or operated by
23 persons other than carriers. *It shall also mean facilities providing*
24 *access to an air terminal, consisting of rail, rapid transit or other*
25 *forms of mass transportation which furnish a connection between*
26 *the air terminal and other points in the port district, including*
27 *appropriate mass transportation terminal facilities at and within*

28 *the air terminal itself and suitable offsite facilities for the accom-*
 29 *modation of air passengers, baggage, mail, express, freight and*
 30 *other users of the connecting facility.*

31 "Air terminal bonds" shall mean bonds issued by the port au-
 32 thority for air terminal purposes.

33 "Air terminal purposes" shall mean the effectuation, establish-
 34 ment, acquisition, construction, rehabilitation, improvement, main-
 35 tenance or operation of air terminals owned, leased or operated by
 36 the Port of New York Authority (including airports operated under
 37 revocable permits) or operated by others pursuant to agreements
 38 with the port authority.

39 "Bonds" shall mean bonds, notes, securities or other obligations
 40 or evidences of indebtedness.

41 "General Reserve Fund" shall mean the general reserve fund of
 42 the Port Authority authorized by chapter 48 of the laws of New
 43 York of 1931 as amended, and chapter 5 of the laws of New Jersey
 44 of 1931, as amended.

45 "General Reserve Fund statutes" shall mean chapter 48 of the
 46 laws of New York of 1931 as amended, and chapter 5 of the laws of
 47 New Jersey of 1931, as amended.

48 "Municipality" shall mean a county, city, borough, village, town-
 49 ship, town, public agency, public authority or political subdivision.

50 "Real property" shall mean lands, structures, franchises and
 51 interests in land, including air space and air rights, waters, lands
 52 under water and riparian rights, and any and all things and rights
 53 included within the said term, and includes not only fees simple
 54 absolute but also any and all lesser interests, including but not
 55 limited to easements, rights of way, uses, leases, licenses and all
 56 other incorporeal hereditaments and every estate, interest or right,
 57 legal or equitable, including terms for years and liens thereon by
 58 way of judgments, mortgages or otherwise.

1 3. In furtherance of the aforesaid findings and determinations
 2 and in partial effectuation of the comprehensive plan heretofore
 3 adopted by the two States for the development of terminal and
 4 transportation facilities in the Port of New York district, the Port
 5 of New York Authority is hereby specifically authorized to under-
 6 take pursuant to chapter 43 of the laws of New Jersey of 1947, as
 7 amended, and chapter 802 of the laws of New York of 1947, as
 8 amended, the following air terminal facilities to provide access to
 9 Newark Airport and John F. Kennedy International Airport:

10 (a) Access to Newark Airport.

11 A new railroad line connecting Newark Airport to existing rail
 12 and terminal facilities in the city of Newark and extending from

13 said airport generally southward to the main line of the Central
14 Railroad of New Jersey in the city of Elizabeth, and thence
15 generally westward along said mainline to the township of Cran-
16 ford, including (i) appropriate mass transportation terminal
17 facilities at and within the said airport; (ii) construction, recon-
18 struction and improvement of necessary stations in Newark,
19 Elizabeth, Roselle, Roselle Park and Cranford, together with other
20 suitable offsite facilities for the accommodation of air passengers,
21 baggage, mail, express, freight and other users of the connecting
22 facility; and (iii) such additional rail, terminal, storage and service
23 facilities as efficient operations may require.

24 (b) Access to John F. Kennedy International Airport.

25 A new railroad line connecting John F. Kennedy International
26 Airport to the main line of the Long Island Railroad in the county
27 of Queens, including (i) a spur or branch to the Montauk line of the
28 said railroad in the said county; (ii) appropriate mass transporta-
29 tion terminal facilities at and within the said airport; (iii) suitable
30 offsite facilities for the accommodation of air passengers, baggage,
31 mail, express, freight and other users of the connecting facility;
32 and (iv) such additional rail, terminal, storage and service facilities
33 as operations may require.

34 The States of New Jersey and New York recognize that the
35 integration of air terminals in the port district in a unified system
36 requires the development of the aforesaid access facilities at both
37 John F. Kennedy International Airport and Newark Airport, and
38 it is the intent of the two States that the access facilities to both
39 airports shall proceed as a single port development project.

1 4. The Port of New York Authority is hereby authorized and
2 empowered to acquire real property located within the port district
3 by condemnation or the right of eminent domain pursuant to and in
4 accordance with the provisions of chapter 43 of the laws of
5 New Jersey of 1947, as amended, and chapter 802 of the laws of
6 New York of 1947, as amended, for and in connection with the
7 undertaking of the air terminal access facilities set forth in section
8 3 of this act. Such authorization and power to acquire real prop-
9 erty by condemnation or the right of eminent domain may not be
10 exercised in connection with the undertaking of access facilities,
11 other than the access facilities set forth in section 3 of this act,
12 unless authorized by the laws of the state in which such facilities
13 are to be located.

1 5. This act shall take effect upon the enactment into law by the
2 State of New York of legislation having an identical effect with this
3 act, but if the State of New York has already enacted such legisla-
4 tion, this act shall take effect immediately.

FROM THE OFFICE OF THE GOVERNOR

JUNE 24, 1971

FOR RELEASE:
IMMEDIATE

A-2509

Governor William T. Cahill today signed into law legislation which will enable the Port of New York Authority to spend more than \$200 million for the extension of mass transit facilities in northern New Jersey.

The Governor signed into law Assembly bill 2509, identical to legislation which Governor Rockefeller signed in Albany on June 17th.

The legislation, which was sponsored by twenty-six Assemblymen, authorizes the Port of New York Authority to provide access by mass transportation facilities to Newark Airport in New Jersey and John F. Kennedy International Airport in New York. It marks the first time that New Jersey has succeeded in receiving equal dollar treatment with New York State in its dealings with the Port of New York Authority.

The Governor said he was "delighted to sign this legislation which will provide ready access to Newark Airport and to downtown Newark and Manhattan for people who live in the highly-congested areas in northern New Jersey". He added "I especially want to commend the New Jersey commissioners to the Port of New York Authority for their willingness to cooperate with us and to enable the Port Authority to become involved in this type of mass transportation".

The bill authorizes the Port of New York Authority to finance and construct high-speed rail service from mid-town Manhattan to Newark Airport and into Union County. It also authorizes similar high-speed rail service from mid-town Manhattan to Kennedy Airport.

Under the legislation, a new railroad line will connect the Newark Airport to existing rail facilities in the city of Newark and then extend southward from the airport to the main line of the Central Railroad of New Jersey

in Elizabeth and then westward along the main line to the township of Cranford. It will also include mass transportation terminal facilities within the airport, and construction of stations in Newark, Elizabeth, Roselle, Roselle Park, and Cranford.

The new law broadens the definition of air terminals to include "facilities providing access to an air terminal consisting of air, rapid transit, or other forms of mass transportation which furnish a connection between the air terminal and other points in the port district, including appropriate mass transportation, terminal facilities at the air terminal itself and suitable off-site facilities" for handling baggage, cargo, and passengers using the connecting facilities.

This definition will permit the Port of New York Authority to provide the rail service to and from the airport to help ease congestion in the north Jersey area.

The Governor said that the entry of the Port Authority into the mass transit picture will "ease the congestion on highways leading into the major airports in this area and will help to stimulate business activity and tourism". He envisions the cities within the Port of New York Authority jurisdiction gaining new economic impetus and development as a result of the new legislation.

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