

32:1-6.4 to 6.5; Note; T&E LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2015 **CHAPTER:** 64

NJSA: 32:1-6.4 to 6.5; Note; T&E (Requires PANYNJ be subject to NY Freedom of Information Law and NJ open public records act.)

BILL NO: S2183 (Substituted for A3350 (1R))

SPONSOR(S) Gordon, Robert M., and others

DATE INTRODUCED: June 16, 2014

COMMITTEE: **ASSEMBLY:** Transportation and Independent Authorities
State and Local Government

SENATE: State Government, Wagering, Tourism & Historic Preservation

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 25, 2015

SENATE: June 25, 2015

DATE OF APPROVAL: June 26, 2015

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Reprint enacted) Yes

S2183

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3350 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: Yes

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: Yes

Committee meeting of Senate Legislative Oversight Committee: the Committee will hear testimony on proposed Port Authority of New York and New Jersey reform legislation and on priorities for inclusion in the Port Authority's revision of its 10-year capital plan
September 10, 2015
Library call number: 974.90 T764 2015a
Available online at <https://dspace.njstatelib.org/handle/10929/37338>

Other hearing of the Senate Legislative Oversight Committee that also concerned the "Port Authority's revision of its 10-year capital plan":

Committee meeting of Senate Legislative Oversight Committee : the Committee will hear testimony on the merits of proposed Port Authority of New York and New Jersey reform legislation and on priorities for inclusion in the Port Authority's revision of its 10-year capital plan
September 24, 2015
Library call number: 974.90 T764 2015c
Available online at <https://dspace.njstatelib.org/handle/10929/37726>

Committee meeting of Senate Legislative Oversight Committee : the Committee will hear testimony on proposed Port Authority of New York and New Jersey reform legislation, and on priorities for inclusion in the Port Authority's revision of its 10-year capital plan
October 20, 2015
Library call number: 974.90 T764 2015g
Available online at <http://hdl.handle.net/10929/37728>

Committee meeting of Senate Legislative Oversight Committee : the Committee will meet to continue its hearings on proposed Port Authority of New York and New Jersey reform legislation and the Port Authority's revision of its 10-year capital plan; the Committee will hear testimony from John Degnan, chairman of the Port Authority Board of Commissioners, and Elizabeth McCarthy, chief financial officer of the Port Authority
October 28, 2015
Library call number: 974.90 T764 2015f
Available online at <https://dspace.njstatelib.org/handle/10929/37727>

NEWSPAPER ARTICLES: No

end

P.L.2015, CHAPTER 97, *approved August 10, 2015*
Senate, No. 2508

1 AN ACT concerning proof for the display of veteran status on
2 driver's licenses and identification cards, and amending
3 P.L.2013, c.165 and P.L.1980, c.47.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 1 of P.L.2013, c.165 (C.39:3-10f6) is amended to
9 read as follows:

10 1. a. In addition to the requirements for the form and content
11 of a motor vehicle driver's license under R.S.39:3-10 and a
12 probationary license issued under section 4 of P.L.1950,
13 c.127 (C.39:3-13.4), the Chief Administrator of the New Jersey
14 Motor Vehicle Commission shall, upon submission of satisfactory
15 proof, designate on an initial license, renewal license, or
16 probationary license, as appropriate, that the license holder is a
17 veteran of the Armed Forces of the United States of America. The
18 designation of veteran status on an initial license, renewal license,
19 or probationary license shall not be deemed sufficient valid proof of
20 veteran status for official governmental purposes when any other
21 statute, or any regulation or other directive of a governmental
22 entity, requires documentation of veteran status.

23 b. For the purpose of this section:

24 "Veteran" means a person who has been honorably discharged
25 from the active military service of the United States; and

26 "Satisfactory proof" means a copy of form DD-214 or federal
27 activation orders showing service under Title 10, section 672 or
28 section 12301, of the United States Code , or a county veteran
29 identification card only if issuance of the card requires a copy of
30 form DD-214 discharge papers or approved separation forms as
31 outlined by all branches of the military and duly recorded by the
32 county clerk's office.

33 (cf: P.L.2013, c.165, s.1)
34

35 2. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read
36 as follows:

37 2. a. The New Jersey Motor Vehicle Commission shall issue
38 an identification card to any resident of the State who is 14 years of
39 age or older and who is not the holder of a valid permit or basic
40 driver's license. The identification card shall attest to the true name,
41 correct age, and veteran status, upon submission of satisfactory
42 proof, by any veteran, and shall contain other identifying data as
43 certified by the applicant for such identification card. Every

1 application for an identification card shall be signed and verified by
2 the applicant and shall be accompanied by the written consent of at
3 least one parent or the person's legal guardian if the person is under
4 17 years of age and shall be supported by such documentary
5 evidence of the age, identity, and veteran status, or blindness,
6 disability, or handicap, of such person as the chief administrator
7 may require. In addition to requiring an applicant for an
8 identification card to submit satisfactory proof of identity, age, and,
9 if appropriate, veteran status, the chief administrator also shall
10 require the applicant to provide, as a condition for obtaining the
11 card, satisfactory proof that the applicant's presence in the United
12 States is authorized under federal law. If the chief administrator
13 has reasonable cause to suspect that any document presented by an
14 applicant as proof of identity, age, veteran status, or legal residency
15 is altered, false or otherwise invalid, the chief administrator shall
16 refuse to grant the identification card until such time as the
17 document may be verified by the issuing agency to the chief
18 administrator's satisfaction.

19 b. The designation of veteran status on an identification card
20 shall not be deemed sufficient valid proof of veteran status for
21 official governmental purposes when any other statute, or any
22 regulation or other directive of a governmental entity, requires
23 documentation of veteran status.

24 c. For the purpose of this section:

25 "Veteran" means a person who has been honorably discharged
26 from the active military service of the United States; and

27 "Satisfactory proof" means a copy of form DD-214 or federal
28 activation orders showing service under Title 10, section 672 or
29 section 12301, of the United States Code , or a county veteran
30 identification card only if issuance of the card requires a copy of
31 form DD-214 discharge papers or approved separation forms as
32 outlined by all branches of the military and duly recorded by the
33 county clerk's office.

34 (cf: P.L.2013, c.165, s.2)

35

36 3. This act shall take effect immediately.

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STATEMENT

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41 This bill authorizes a county veteran identification card to serve
42 as satisfactory proof of veteran status for issuance of a veteran
43 designation on a driver's license or identification card issued by the
44 New Jersey Motor Vehicle Commission, but only if issuance of the
45 county veteran identification card requires a copy of DD-214
46 discharge papers or approved separation forms as outlined by all
47 branches of the military and recorded by the county clerk's office.

S2508

3

1

2 Authorizes certain county veteran identification cards to serve as
3 proof of status for veteran designation on driver's license or
4 identification card.

SENATE, No. 2508

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED OCTOBER 16, 2014

Sponsored by:

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Senator JIM WHELAN

District 2 (Atlantic)

Assemblywoman ALISON LITTELL MCHOSE

District 24 (Morris, Sussex and Warren)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Senators A.R.Bucco, Cunningham, Ruiz and Assemblyman Rumana

SYNOPSIS

Authorizes certain county veteran identification cards to serve as proof of status for veteran designation on driver's license or identification card.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/12/2015)

S2508 OROHO, WHELAN

2

1 AN ACT concerning proof for the display of veteran status on
2 driver's licenses and identification cards, and amending
3 P.L.2013, c.165 and P.L.1980, c.47.

4

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

7

8 1. Section 1 of P.L.2013, c.165 (C.39:3-10f6) is amended to
9 read as follows:

10 1. a. In addition to the requirements for the form and content
11 of a motor vehicle driver's license under R.S.39:3-10 and a
12 probationary license issued under section 4 of P.L.1950,
13 c.127 (C.39:3-13.4), the Chief Administrator of the New Jersey
14 Motor Vehicle Commission shall, upon submission of satisfactory
15 proof, designate on an initial license, renewal license, or
16 probationary license, as appropriate, that the license holder is a
17 veteran of the Armed Forces of the United States of America. The
18 designation of veteran status on an initial license, renewal license,
19 or probationary license shall not be deemed sufficient valid proof of
20 veteran status for official governmental purposes when any other
21 statute, or any regulation or other directive of a governmental
22 entity, requires documentation of veteran status.

23 b. For the purpose of this section:

24 "Veteran" means a person who has been honorably discharged
25 from the active military service of the United States; and

26 "Satisfactory proof" means a copy of form DD-214 or federal
27 activation orders showing service under Title 10, section 672 or
28 section 12301, of the United States Code , or a county veteran
29 identification card only if issuance of the card requires a copy of
30 form DD-214 discharge papers or approved separation forms as
31 outlined by all branches of the military and duly recorded by the
32 county clerk's office.

33 (cf: P.L.2013, c.165, s.1)

34

35 2. Section 2 of P.L.1980, c.47 (C.39:3-29.3) is amended to read
36 as follows:

37 2. a. The New Jersey Motor Vehicle Commission shall issue
38 an identification card to any resident of the State who is 14 years of
39 age or older and who is not the holder of a valid permit or basic
40 driver's license. The identification card shall attest to the true name,
41 correct age, and veteran status, upon submission of satisfactory
42 proof, by any veteran, and shall contain other identifying data as
43 certified by the applicant for such identification card. Every
44 application for an identification card shall be signed and verified by
45 the applicant and shall be accompanied by the written consent of at
46 least one parent or the person's legal guardian if the person is under

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

Matter underlined thus is new matter.

1 17 years of age and shall be supported by such documentary
2 evidence of the age, identity, and veteran status, or blindness,
3 disability, or handicap, of such person as the chief administrator
4 may require. In addition to requiring an applicant for an
5 identification card to submit satisfactory proof of identity, age, and,
6 if appropriate, veteran status, the chief administrator also shall
7 require the applicant to provide, as a condition for obtaining the
8 card, satisfactory proof that the applicant's presence in the United
9 States is authorized under federal law. If the chief administrator
10 has reasonable cause to suspect that any document presented by an
11 applicant as proof of identity, age, veteran status, or legal residency
12 is altered, false or otherwise invalid, the chief administrator shall
13 refuse to grant the identification card until such time as the
14 document may be verified by the issuing agency to the chief
15 administrator's satisfaction.

16 b. The designation of veteran status on an identification card
17 shall not be deemed sufficient valid proof of veteran status for
18 official governmental purposes when any other statute, or any
19 regulation or other directive of a governmental entity, requires
20 documentation of veteran status.

21 c. For the purpose of this section:

22 "Veteran" means a person who has been honorably discharged
23 from the active military service of the United States; and

24 "Satisfactory proof" means a copy of form DD-214 or federal
25 activation orders showing service under Title 10, section 672 or
26 section 12301, of the United States Code , or a county veteran
27 identification card only if issuance of the card requires a copy of
28 form DD-214 discharge papers or approved separation forms as
29 outlined by all branches of the military and duly recorded by the
30 county clerk's office.

31 (cf: P.L.2013, c.165, s.2)

32

33 3. This act shall take effect immediately.

34

35

36

STATEMENT

37

38 This bill authorizes a county veteran identification card to serve
39 as satisfactory proof of veteran status for issuance of a veteran
40 designation on a driver's license or identification card issued by the
41 New Jersey Motor Vehicle Commission, but only if issuance of the
42 county veteran identification card requires a copy of DD-214
43 discharge papers or approved separation forms as outlined by all
44 branches of the military and recorded by the county clerk's office.

§§1&4 - T&E
§§2&3 –
C.32:1-6.4
to 32:1-6.5
§5 - Note

P.L.2015, CHAPTER 64, *approved June 26, 2015*
Senate, No. 2183 (*Second Reprint*)

1 AN ACT concerning public access to certain Port Authority of New
2 York and New Jersey records and supplementing chapter 1 of
3 Title 32 of the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. The Governor is authorized to enter into a supplemental
9 compact or agreement, on behalf of the State of New Jersey, with
10 the State of New York amending the compact of April 30, 1921,
11 between the states of New York and New Jersey, as amended and
12 supplemented, creating the Port Authority of New York and New
13 Jersey as set forth in section 2 of P.L. , c. (C.) (pending
14 before the Legislature as this bill).

15
16 ²[2 a. Notwithstanding any provision to the contrary, the
17 records of the port authority shall be open to the public in
18 accordance with the laws of New York, articles 6 and 6-A of the
19 public officers law, and New Jersey, P.L.1963, c.73 (C.47:1A-1 et
20 seq.), pertaining to the disclosure of government records.

21 b. ¹[If, pursuant to subsection a. of this section, a record of the
22 Port Authority of New York and New Jersey is subject to public
23 access under the laws of either the State of New York or the State
24 of New Jersey, but not subject to public access under the laws of the
25 other state, the record shall be made readily accessible, upon
26 request, for inspection, copying, or examination, notwithstanding
27 that the laws of the other state do not provide for public access]
28 When there is an inconsistency between the law of the State of New
29 York and the law of the State of New Jersey, the law of the state
30 that provided the greatest rights of access on the date that the
31 chapter of the laws of 2014 that added this section became a law
32 shall apply¹.

33 c. The provisions of article 78 of the civil practice law and the
34 rules of the state of New York or P.L.1963, c.73 (C.47:1A-1 et seq.)

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

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SSG committee amendments adopted June 26, 2014.

²Senate amendments adopted in accordance with Governor's recommendations May 18, 2015.

1 of the laws of New Jersey, as applicable, shall apply to enforce the
2 provisions of this section.】²

3
4 ²2. Notwithstanding any law to the contrary, the Port Authority
5 shall be deemed an “agency” and treated as such under the laws of
6 New York, for all purposes under articles 6 and 6-A of the Public
7 Officers Law, and shall be deemed a “public agency” and treated as
8 such under New Jersey, P.L.1963, c.73 (C.47:1A-1 et seq.),
9 pertaining to the disclosure of government records.²

10
11 ²3. If any clause, sentence, paragraph, subdivision, section or
12 part of this act shall be adjudged by any court of competent
13 jurisdiction to be invalid, such judgment shall not affect, impair, or
14 invalidate the remainder thereof, but shall be confined in its
15 operation to the clause, sentence, paragraph, subdivision, section or
16 part thereof directly involved in the controversy in which such
17 judgment shall have been rendered. It is hereby declared to be the
18 intent of the legislature that this act would have been enacted even
19 if such invalid provisions had not been included herein.²

20
21 ²[3.] ²4. The Governor is authorized to apply, on behalf of the
22 State of New Jersey, to the Congress of the United States for its
23 consent and approval to the amendments to this compact or
24 agreement provided in section 2 of P.L. , c. (C.) (pending
25 before the Legislature as this bill), but in the absence of such
26 consent and approval, the Port Authority of New York and New
27 Jersey referred to in such supplemental compact or agreement shall
28 have all of the powers which the State of New York and the State of
29 New Jersey may confer upon it without the consent and approval of
30 Congress.

31
32 ²[4.] ²5. This act shall take effect upon the enactment into law
33 by the State of New York of legislation having an identical effect as
34 this act, but if the State of New York has already enacted such
35 legislation, this act shall take effect immediately.

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40 _____
41 Requires PANYNJ be subject to NY Freedom of Information
Law and NJ open public records act.

SENATE, No. 2183

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JUNE 16, 2014

Sponsored by:

Senator ROBERT M. GORDON

District 38 (Bergen and Passaic)

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

Senator O'Toole

SYNOPSIS

Requires PANYNJ be subject to NY Freedom of Information Law and NJ open public records act.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/27/2014)

1 AN ACT concerning public access to certain Port Authority of New
2 York and New Jersey records and supplementing chapter 1 of
3 Title 32 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The Governor is authorized to enter into a supplemental
9 compact or agreement, on behalf of the State of New Jersey, with
10 the State of New York amending the compact of April 30, 1921,
11 between the states of New York and New Jersey, as amended and
12 supplemented, creating the Port Authority of New York and New
13 Jersey as set forth in section 2 of P.L. , c. (C.) (pending
14 before the Legislature as this bill).

15
16 2. a. Notwithstanding any provision to the contrary, the
17 records of the port authority shall be open to the public in
18 accordance with the laws of New York, articles 6 and 6-A of the
19 public officers law, and New Jersey, P.L.1963, c.73 (C.47:1A-1 et
20 seq.), pertaining to the disclosure of government records.

21 b. If, pursuant to subsection a. of this section, a record of the
22 Port Authority of New York and New Jersey is subject to public
23 access under the laws of either the State of New York or the State
24 of New Jersey, but not subject to public access under the laws of the
25 other state, the record shall be made readily accessible, upon
26 request, for inspection, copying, or examination, notwithstanding
27 that the laws of the other state do not provide for public access.

28 c. The provisions of article 78 of the civil practice law and the
29 rules of the state of New York or P.L.1963, c.73 (C.47:1A-1 et seq.)
30 of the laws of New Jersey, as applicable, shall apply to enforce the
31 provisions of this section.

32
33 3. The Governor is authorized to apply, on behalf of the State
34 of New Jersey, to the Congress of the United States for its consent
35 and approval to the amendments to this compact or agreement
36 provided in section 2 of P.L. , c. (C.) (pending before the
37 Legislature as this bill), but in the absence of such consent and
38 approval, the Port Authority of New York and New Jersey referred
39 to in such supplemental compact or agreement shall have all of the
40 powers which the State of New York and the State of New Jersey
41 may confer upon it without the consent and approval of Congress.

42
43 4. This act shall take effect upon the enactment into law by the
44 State of New York of legislation having an identical effect as this
45 act, but if the State of New York has already enacted such
46 legislation, this act shall take effect immediately.

STATEMENT

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This bill provides that the records of the port authority shall be open to the public in accordance with the laws of New York and New Jersey pertaining to the disclosure of government records. If a record of the Port Authority is subject to public access under the laws of either state, the record is required to be made readily accessible, upon request, for inspection, copying, or examination. The provisions of article 78 of the civil practice law and the rules of the state of New York or P.L.1963, c.73 (C.47:1A-1 et seq.) of the laws of New Jersey, as applicable, will apply to enforce the bill.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE, No. 2183

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 26, 2014

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably and with committee amendments Senate Bill No. 2183.

As amended and reported, this bill provides that the records of the Port Authority of New York and New Jersey are open to the public in accordance with the laws of New York and New Jersey pertaining to the disclosure of government records. When there is an inconsistency between the law of the State of New York and the law of the State of New Jersey, the bill provides that the law of the state that provided the greatest rights of access on the date that this bill goes into effect will apply. The provisions of New York's civil practice law and New Jersey's open public records act, as applicable, will apply to enforce the bill.

COMMITTEE AMENDMENTS

The committee amended the bill to provide that, when there is an inconsistency between the law of the State of New York and the law of the State of New Jersey, the law of the state that provided the greatest rights of access on the date that this bill goes into effect will apply. This amendment makes the bill substantially identical to New York's bill number A08785C, which passed both Houses of the Legislature in the State of New York.

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

[First Reprint]
SENATE, No. 2183

STATE OF NEW JERSEY

DATED: OCTOBER 27, 2014

The Assembly State and Local Government Committee reports favorably Senate Bill No. 2183 (1R).

This bill provides that the records of the Port Authority of New York and New Jersey are open to the public in accordance with the laws of New York and New Jersey pertaining to the disclosure of government records. When there is an inconsistency between the law of the State of New York and the law of the State of New Jersey, the bill provides that the law of the state that provided the greatest rights of access on the date that this bill goes into effect will apply. The provisions of New York's civil practice law and New Jersey's open public records act, as applicable, will apply to enforce the bill.

Senate Bill No. 2183 (1R) is identical to Assembly Bill No. 3350 (1R) of 2014.

SENATE BILL NO. 2183
(First Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 2183 (First Reprint) with my recommendations for reconsideration.

This bill, along with Senate Bill No. 2181, is driven by a sentiment that I fully embrace: reforming, modernizing, and reimagining the Port Authority of New York and New Jersey. Established almost a century ago, the Port Authority was created to oversee the harbor interests shared by New Jersey and New York. Over the decades, the shared interests of our port region have grown, and the Authority has expanded to manage new opportunities and face new challenges. Today, the Port Authority operates a wide-array of transportation programs under a multi-billion-dollar yearly budget. This century-long evolution has transformed the agency into a large and complex organization, capable of providing great benefits to the region, but also susceptible to mismanagement and abuse.

For years, calls for reform at the Port Authority have emanated from the executive and legislative branches in both States. Some proposals have taken the form of piecemeal reforms, addressing only isolated concerns. Others have advocated a more sweeping review to address the agency holistically. Embracing that spirit, in August 2011, Governor Cuomo and I required the Port Authority to undergo a comprehensive audit of its finances and operations. As a result of those audit findings, the Port Authority has taken numerous steps towards reform and positive change. However, recent failures at the Port Authority, including those relating to the George Washington Bridge, have proven that more comprehensive reform is needed. If the Port Authority is to truly set aside

wasteful practices, refocus its core mission, and embrace sound principles of management and oversight, it is essential to expertly examine the changes needed to create a bi-state agency deserving of public trust.

On May 6, 2014, Governor Cuomo and I created the bi-state Special Panel on the Future of the Port Authority. We gave the Special Panel the broad charge to review and evaluate reforms of the agency's mission, structure, management, operations, and overall governance for the betterment of the region. To ensure cooperation between the States, the Special Panel is composed of representatives from both New Jersey and New York. We made it clear that the scope of the Special Panel's review was expansive, and that the members should examine all aspects of the Port Authority to determine how best to achieve comprehensive and lasting reform. Over the course of the past six months, the Special Panel has worked closely with outside experts and Port Authority personnel to understand all aspects of the agency. Consistent with its charge, the Special Panel considered improvements not only to the day-to-day operations of the Port Authority, but also to its overall organization and role in the region.

Today, the Special Panel completed its task and submitted its Report to the Governors of both States. I endorse the recommendations of the Special Panel. The Report recommends comprehensive and wholesale changes at the Port Authority, and marks a new beginning for the agency. The Report examines redefining the Port Authority's role in the region, and recommends sweeping changes for the agency's mission and capital plan. Additional recommendations focus on the overall operations of the agency, including the possible transfer of

assets and entire operating divisions. Still other recommendations focus on matters of governance and transparency, including the creation of a single Chief Executive Officer, modification of the Chairperson's role, and reforms to the Port Authority's public-records policies and ethics guidelines. The Special Panel's Report embodies exactly the kind of recommendations needed to reform this vital public resource: a far-reaching set of proposals developed by active collaboration and communication between New Jersey and New York.

While Senate Bill No. 2181 similarly attempts to advance the ultimate goals of agency reform, the changes proposed in the bill necessarily lack the insights and extensive analysis contained in the Special Panel's Report, resulting in ideas that are too narrow, and lacking in the changes needed for reform. With the work of the Special Panel now completed, it is sensible to consider the significant and profound changes recommended by the Panel before implementing the smaller, and potentially inconsistent, proposals contained in this bill.

With the cooperation of both the Port Authority and the Legislatures of both States - cooperation I fully expect - the broad reforms proposed in the Special Panel's Report will mark a new beginning and form the basis for meaningful change for decades to come. By working together, instituting internal changes where appropriate, and passing legislation where necessary, there can be a true and positive transformation within the agency. I encourage the Legislatures of both States to review carefully the reforms that the Port Authority has already undertaken, and to consider the recommendations that the bi-state Special Panel has made, and then to work with the bi-state Panel, and with the Port Authority as reconstituted, to

prepare a comprehensive package that accomplishes true, meaningful reform. Accordingly, while I am returning Senate Bill No. 2181 without my approval, I urge the Legislatures of both New Jersey and New York to work together with the Port Authority and the bi-state Panel to craft a comprehensive package consistent with the broad reforms outlined in the Special Panel's Report.

Senate Bill No. 2183 (First Reprint), on the contrary, concerns one isolated issue where no additional study is needed to ensure codification of the appropriate reforms. The bill seeks to legislate what the Port Authority has already accomplished by a resolution passed on October 22, 2014: increasing transparency at the agency by subjecting it to the standards of each State's public-records laws, and affording requestors the right to appeal decisions. In large measure the bill is thus sensible, requiring only modest adjustments to avoid unnecessary confusion and complications.

As written, the bill would require New Jersey's courts to interpret New York's law, and New York's courts to interpret New Jersey's law, whenever there is a dispute over records. And those courts would need to apply whatever version of each State's laws existed as of the date of enactment, rather than what the current laws of each State may be at the time. This system would result in unnecessary conflicts of law that would only frustrate disclosure without enhancing transparency.

There is a far simpler approach. The Port Authority should be deemed an "agency" for purposes of New York's Freedom of Information Law and a "public agency" for purposes of New Jersey's Open Public Records Act. If a requestor is denied access to a public record, he or she can sue the Port Authority

in either State. If the plaintiff sues in New York, New York law applies; if the plaintiff sues in New Jersey, New Jersey law applies. And the tribunals of either State would apply the current version of their own laws, not versions that may have become antiquated over the years.

Accordingly, I herewith return Senate Bill No. 2183 (First Reprint) and recommend that it be amended as follows:

Page 2, Section 2, Lines 16-36:

Delete in their entirety and insert "2. Notwithstanding any law to the contrary, the Port Authority shall be deemed an "agency" and treated as such under the laws of New York, for all purposes under articles 6 and 6-A of the Public Officers Law, and shall be deemed a "public agency" and treated as such under New Jersey, P.L.1963, c.73 (C.47:1A-1 et seq.), pertaining to the disclosure of government records.

3. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein."

Page 2, Section 3, Line 38:

Delete "3." and insert "4."

Page 3, Section 4, Line 4:

Delete "4." and insert
"5."

Respectfully,

Chris Christie
Governor

Attest:

Paul B. Matey
Deputy Chief Counsel to the Governor