

requiring reports of such funds by such life insurance companies; requiring notices and publication by the Department of Revenue of certain information pertaining to such unclaimed funds; conferring powers and imposing duties on certain State officers, boards and departments; indemnifying and agreeing to hold harmless life insurance companies upon payment of such funds to the Department of Revenue; providing for refunds of such funds; requiring the Department of Revenue to keep certain records exempting certain unclaimed funds; making certain other statutes inapplicable; and prescribing penalties."

APPROVED—The 10th day of August, A. D. 1951.

JOHN S. FINE

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No. 274

### A SUPPLEMENT

To the act, approved the twelfth day of June, one thousand nine hundred thirty-one (Pamphlet Laws 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," by authorizing the Governor, on behalf of the Commonwealth of Pennsylvania, to enter into a compact or agreement with the State of New Jersey, amending and supplementing the compact and agreement between the State of New Jersey and the Commonwealth of Pennsylvania; authorizing and empowering The Delaware River Joint Commission to construct, finance, operate, maintain and own a vehicular tunnel under or an additional bridge across the Delaware River, and defining certain functions, powers and duties of said Commission; authorizing the Governor to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The Governor is hereby authorized to enter into a supplemental compact or agreement, on behalf of the Commonwealth of Pennsylvania, with the State of New Jersey, amending and supplementing the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey, entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating The Delaware River Joint Commission as a body corporate and

Delaware River  
Joint Com-  
mission.

Governor author-  
ized to enter  
into a supple-  
mental compact  
or agreement  
with State of  
New Jersey,  
amending and  
supplementing  
the compact or  
agreement dated  
July 1, 1931,  
between the two  
states.

politic and defining its powers and duties," which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on July first, one thousand nine hundred thirty-one, and on behalf of the State of New Jersey by the New Jersey Interstate Bridge Commission by its members on July first, one thousand nine hundred thirty-one, and which was consented to by the Congress of the United States by Public Resolution Number twenty-six, being chapter two hundred fifty-eight of the Public Laws, Seventy-second Congress, approved June fourteenth, one thousand nine hundred thirty-two, which supplemental compact and agreement shall be in substantially the following form:

"Supplemental agreement between the Commonwealth of Pennsylvania and the State of New Jersey, amending and supplementing the agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating The Delaware River Joint Commission as a body corporate and politic and defining its powers and duties; authorizing and empowering The Delaware River Joint Commission to construct, finance, operate, maintain and own a vehicular tunnel under or an additional bridge across the Delaware River, and defining certain functions, powers and duties of said Commission.'"

Form of supplemental agreement.

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree, each with the other, as follows:

Said agreement amended and supplemented by adding thereto, as a part thereof, following Article XII thereof, a new Article XII-A.

The "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating The Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the first day of July, one thousand nine hundred thirty-one, and on behalf of the State of New Jersey by the New Jersey Interstate Bridge Commission by its members, on the first day of July, one thousand nine hundred thirty-one, and which was consented to by the Congress of the United States by Public Resolution Number twenty-six, being chapter two hundred fifty-eight of the Public Laws, Seventy-second Congress, approved the fourteenth day of June, one thousand nine hundred thirty-two, is amended and supplemented by adding thereto, as a part thereof, following Article XII thereof, a new Article reading as follows:

#### Article XII-A

(1) *In addition to other public purposes provided for it and other powers and duties conferred upon it and not in limitation thereof, and notwithstanding the provisions of any other Article hereof, The Delaware River Joint*

Additional bridge or vehicular tunnel across or under Delaware River authorized.

*Commission, by whatever name said Commission may be designated, shall have among its authorized purposes and it shall have the power and duty to effectuate, the construction, operation and maintenance of a bridge for vehicular traffic across the Delaware River, between a point or points within a one mile radius of Morgan Street and Broadway in the City of Camden, New Jersey, and a point or points within a one mile radius of Oregon Avenue and Swanson Street in the City of Philadelphia, Pennsylvania, with such approaches thereto and highway connections as may be necessary or desirable, or, in lieu of such bridge, a tunnel or tunnels for vehicular traffic under the Delaware River, between a point or points within a one mile radius of Morgan Street and Broadway in the City of Camden, New Jersey, and a point or points within a one mile radius of Oregon Avenue and Swanson Street in the City of Philadelphia, Pennsylvania, with such approaches thereto and highway connections as may be necessary or desirable.*

Commission empowered and authorized to acquire land and other property necessary for bridge or tunnel.

(2) *For the effectuation of any of its purposes authorized by this Article, the Commission is hereby granted, in addition to any other powers heretofore or hereafter granted to it, power and authority to acquire, in its name, by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain, any land and other property which it may determine is reasonably necessary for the bridge or tunnel referred to in this Article or for the construction of such approaches thereto or highway connections as the Commission shall deem necessary, and any and all rights, title and interest in such land and other property, including public lands, parks, playgrounds, reservations, highways or parkways, owned by or in which any county, city, borough, town, township, village or other political subdivision of the State of New Jersey or the Commonwealth of Pennsylvania has any right, title or interest, or parts thereof or rights therein, and any fee simple absolute or any lesser interest in private property, and any fee simple absolute in easements upon, or the benefit of restrictions upon, abutting property, to preserve and protect such bridge or tunnel, the approaches thereto or highway connections. Upon the exercise of the power of eminent domain under this paragraph, the compensation to be paid, with regard to property located in the State of New Jersey, shall be ascertained and paid in the manner provided in chapter one of Title 20 of the Revised Statutes of New Jersey, in so far as the provisions thereof are applicable and not inconsistent with the provisions contained in this*

paragraph, and with regard to property located in the Commonwealth of Pennsylvania, shall be ascertained and paid in the manner provided by any applicable condemnation law in force in such Commonwealth. The Commission may join in separate subdivisions, in one petition or complaint, the descriptions of any number of tracts or parcels of land or property to be condemned, and the names of any number of owners and other parties who may have an interest therein, and all such land or property included in said petition or complaint may be condemned in a single proceeding: Provided, however, That separate awards shall be made for each tract or parcel of land or property: And provided further, That each of said tracts or parcels of land or property lies wholly in, or has a substantial part of its value lying wholly within, the same county.

(3) For the effectuation of any of its authorized purposes, the Commission is hereby granted the following powers, in addition to any other powers heretofore or hereafter granted to it:

Additional powers of commission.

(a) In connection with the borrowing of money upon its bonds or other obligations, to make, enter into and perform any and all such covenants and agreements with the holders of such bonds or other obligations, as the Commission may determine to be necessary or desirable for the security and payment thereof, including, without limitation of the foregoing covenants and agreements as to the management and operation of any property or facility owned or controlled by it, the tolls, rents, rates or other charges to be established, levied, made and collected for any use of any such property or facility, or the application, use and disposition of the proceeds of any bonds or other obligations of the Commission, or the proceeds of any such tolls, rents, rates or other charges, or any other revenues or moneys of the Commission.

Covenants and agreements with holders of bonds or other obligations.

(b) To pledge, for the security or payment of any bonds or other obligations of the Commission, any moneys of the Commission, either presently received or in hand or to be received in the future, or both.

Pledge of moneys as security.

(c) To make expenditures, anywhere in the United States and foreign countries, to pay commission, and hire or contract with experts and consultants, and otherwise to do indirectly anything which the Commission may do directly.

Expenditures.

(d) To have and exercise such additional powers as may hereafter be delegated to or imposed upon it from time to time by act of the Legislature of either signatory state, concurred in by act of the Legislature of the other.

Exercise of additional powers hereafter delegated or imposed upon it.

Commission not to construct any approach or highway connection in Pennsylvania or New Jersey without consent of each of signatory states.

(4) *Notwithstanding any of the provisions of this Article, the Commission shall not, in connection with the bridge or tunnel referred to in this Article, construct any approach or highway connection in the Commonwealth of Pennsylvania, unless and until the Department of Highways of said Commonwealth shall have filed with the Commission its written consent to such construction, and the Commission shall not, in connection with said bridge or tunnel, construct any approach or highway connection in the State of New Jersey, unless and until the State Highway Department of said State shall have filed with the Commission its written consent to such construction. As used in this paragraph, the term "approach" or "highway connection" means and includes any highway, road or structure for passage of vehicles located inland of any of the established bulkhead lines of the Delaware River, including any highway, road or structure for passage of vehicles necessary to create access to the bridge or tunnel referred to in this Article, or to connect such bridge or tunnel with a highway system or other traffic facilities, or necessary to facilitate the flow of traffic in the vicinity of such bridge or tunnel.*

Special reserve fund to be set aside before commencement of construction of bridge or tunnel.

(5) *Before commencing construction of the bridge or tunnel referred to in this Article, the Commission shall set aside, in a special reserve fund to be held by it, the sum of twenty-two million dollars (\$22,000,000), or such lesser sum as the Governors of the signatory states may, in writing, approve as sufficient for the purposes of this paragraph. The moneys in said special reserve fund may be expended and used by the Commission for the construction, maintenance and operation of approaches and highway connections, and no moneys in said fund shall be applied to any purpose except (1) such construction, maintenance or operation, (2) temporary investment pending some other authorized application, or (3) any other purpose authorized by the Commission and approved in writing by the Governors of the signatory states. The Governors for the time being of the signatory states are authorized from time to time to make and sign any and all approvals contemplated by this paragraph, and any such approvals so made and signed by both Governors shall be binding upon the signatory states and the said Governors and their successors, and shall not be revoked or amended except with the consent of the Commission.*

Pledge of tolls, rates, rents or revenues.

(6) *Any pledge of tolls, rates, rents or revenues, or any part thereof, or of any moneys of the Commission, made or created by the Commission pursuant to Article VIII or any other provision hereof, shall be valid and binding from the time when the pledge is made; the*

revenues or other moneys so pledged and thereafter received by the Commission shall immediately be subject to the lien of such pledge, without any physical delivery thereof or further act; the lien of any such pledge shall be valid and binding as against all parties having claims of any kind, in tort, contract or otherwise, against the Commission, irrespective of whether such parties have notice thereof, and neither the resolution nor any other instrument by which such a pledge is created need be filed or recorded, except in the records of the Commission.

(7) The effectuation of any of the purposes authorized by this Article, and the exercise or performance by the Commission of any of its powers or duties in connection with effectuation of such purpose, shall not be subject to any restrictions, limitations or provisions provided for or set forth in Article XII hereof. The bridge or tunnel referred to in this Article may be constructed or erected by the Commission, notwithstanding the terms and provisions of any other agreement between the Commonwealth of Pennsylvania and the State of New Jersey. Except as may hereafter be otherwise provided in conformity with Article IX hereof, with respect to specific properties designated by action of the Legislatures of both of the signatory states, no property or facility owned or controlled by the Commission shall be acquired from it by any exercise of powers of condemnation or eminent domain.

Effectuation of any of the purposes authorized by this Article not to be subject to any restrictions, limitations or provisions of Article XII.

(8) The Commission shall not construct or erect the bridge or tunnel referred to in this Article, unless and until the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania shall have filed with the Commission their written consents to such construction or erection.

Bridge or tunnel not to be constructed or erected until Governors of both states give their written consent.

Section 2. Upon its signature on behalf of the State of New Jersey and the Commonwealth of Pennsylvania, the supplemental compact or agreement hereinabove set forth shall become binding and shall have the force and effect of a statute of the Commonwealth of Pennsylvania; and the Commission referred to in such supplemental compact or agreement shall thereupon become vested with all the powers, rights and privileges and be subject to the duties and obligations provided for therein, as though the same were specifically authorized and imposed by statute; and the Commonwealth of Pennsylvania shall be bound by all of the obligations assumed by it under such supplemental compact or agreement, and the Governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office.

Supplemental compact or agreement to have force and effect of statute.

Approval by  
Congress of the  
United States.

Section 3. The Governor is hereby authorized to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent and approval to such supplemental compact or agreement, but in the absence of such consent and approval, the Commission referred to in such supplemental compact or agreement shall have all of the powers which the Commonwealth of Pennsylvania and the State of New Jersey may confer upon it without the consent and approval of Congress.

Construction of  
powers vested in  
Commission.

Section 4. The powers vested in the Commission referred to in such supplemental compact or agreement by this act shall be construed as being in addition to and not in diminution of the powers heretofore vested by law in The Delaware River Joint Commission: Provided, however, That upon the exercise of the power of eminent domain under paragraph 2 of Article XII-A of said supplemental compact or agreement, the compensation to be paid, with regard to property located in the Commonwealth of Pennsylvania, shall be ascertained and paid in the manner provided by the act, approved the ninth day of July, one thousand nine hundred nineteen (Pamphlet Laws 814), and acts amendatory thereof and supplementary thereto, in so far as the provisions thereof are applicable and not inconsistent with the provisions contained in said paragraph.

Certain restric-  
tive laws re-  
pealed.

Section 5. Any provision of law heretofore enacted (except laws authorizing interstate compacts or agreements) which (a) restricts, prohibits or limits the acquisition by or any right or power of acquisition of this Commonwealth, acting alone or in conjunction with any other state or public body, of any bridge over the Delaware River or the necessary approaches or appurtenances thereto, owned, operated or maintained by any county or municipality of this Commonwealth, or any bridge commission, bridge authority, public officer, board, commission or agency or other public body created by or in this Commonwealth or any county or municipality thereof, or (b) restricts, prohibits or limits the construction or acquisition of any bridge or tunnel over or under the Delaware River within any distance from any bridge at any time authorized, owned, held, operated or maintained by any county or municipality of this Commonwealth, or any bridge commission, bridge authority, public officer, board, commission or agency or other public body created by or in this Commonwealth or any county or municipality thereof, is hereby repealed.

Meaning of term  
Department of  
Highways.

Section 6. As used herein, the term Department of Highways of the Commonwealth of Pennsylvania means the Secretary of Highways of the Commonwealth of Pennsylvania.

Section 7. Except where specifically amended or repealed by this act, the provisions of the agreement authorized by the act, approved the twelfth day of June, one thousand nine hundred thirty-one (Pamphlet Laws 575), are maintained in full force and effect.

Provisions of agreement authorized by act of June 12, 1931, P. L. 575, maintained in full force and effect.

Section 8. The provisions of this act shall not be construed to repeal any of the provisions of the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (Pamphlet Laws 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," its amendments or supplements; or apply to affect in any manner any agreement made between the Commonwealth of Pennsylvania and the State of New Jersey pursuant to the provisions of said acts, except to the extent provided in paragraph (7) of the Article added by said supplemental compact or agreement to the said compact or agreement executed on July first, one thousand nine hundred thirty-one.

Act of June 25, 1931, P. L. 1352, its amendments or supplements, saved from repeal.

Section 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given \*effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Construction and severability.

Section 10. This act shall take effect immediately; but the Governor shall not enter into the supplemental compact or agreement hereinabove set forth on behalf of the Commonwealth of Pennsylvania until passage by the State of New Jersey of a substantially similar act embodying the supplemental compact or agreement between the two states.

Act effective immediately; but Governor not to enter into supplemental compact or agreement until passage by State of New Jersey of substantially similar legislation.

APPROVED—The 10th day of August, A. D. 1951.

JOHN S. FINE

\* "effect" omitted in original.