

STATE OF NEW YORK

11291

IN ASSEMBLY

May 8, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Paulin) --
read once and referred to the Committee on Corporations, Authorities
and Commissions

AN ACT to amend chapter 154 of the laws of 1921 relating to the port
authority of New York and New Jersey, in relation to port authority
organization, appearance and notice

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 1, subparagraph 2 of paragraph d of subdivision
2 3 and subdivisions 5 and 6 of article 4 of section 1 of chapter 154 of
3 the laws of 1921 relating to the port authority of New York and New
4 Jersey, as amended by chapter 559 of the laws of 2015, paragraph a of
5 subdivision 6 as amended by chapter 104 of the laws of 2020, are amended
6 to read as follows:

7 1. Commissioners. a. The port authority shall consist of twelve voting
8 commissioners and four non-voting commissioners as described in para-
9 graph b of this subdivision. Of the twelve voting commissioners[7]
10 there shall be six resident voters from the state of New York, at least
11 four of whom shall be resident voters of the city of New York, and six
12 resident voters from the state of New Jersey, at least four of whom
13 shall be resident voters within the New Jersey portion of the district,
14 the New York members to be chosen by the state of New York and the New
15 Jersey members by the state of New Jersey in the manner and for the
16 terms fixed and determined from time to time by the legislature of each
17 state respectively, except as herein provided. The New York members
18 shall be appointed by the governor of New York with the advice and
19 consent of the New York state senate. The New Jersey members shall be
20 appointed by the governor of New Jersey with the advice and consent of
21 the New Jersey state senate. Each commissioner may be removed or
22 suspended from office as provided by the law of the state from which
23 [he] such commissioner shall be appointed. Any commissioner appointed to
24 a term commencing on or after January 1, 2027 shall have experience in
25 one or more of the following areas: transportation, public adminis-
26 tration, business management, finance, accounting, law, engineering,

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD15780-01-6

1 land use, urban and regional planning, management of large capital
2 projects, labor relations, or experience in some other area of activity
3 central to the mission of the port authority. One of the six voting
4 commissioners chosen by the state of New York shall be appointed on the
5 written recommendation of the mayor of the city of New York. The voting
6 commissioners shall be appointed for a term of six years and shall serve
7 no more than two terms. The terms of the voting commissioners shall be
8 staggered so that three of the six voting commissioners appointed by the
9 state of New York will have their terms expire in alternating three year
10 shifts and three of the six voting commissioners appointed by the state
11 of New Jersey will have their terms expire in alternating three year
12 shifts.

13 b. There shall be four non-voting commissioners of the port authority,
14 as established in paragraph a of this subdivision. The first non-voting
15 commissioner shall be a regular mass transit user of the state of New
16 York based facilities of the authority and be recommended to the gover-
17 nor of the state of New York by a rider advocacy group. The second non-
18 voting commissioner shall be a regular user of the state of New Jersey
19 based facilities of the authority and shall be recommended to the gover-
20 nor of the state of New Jersey by a rider advocacy group. The third
21 non-voting commissioner shall be recommended to the governor of the
22 state of New York by the labor organization representing the majority of
23 authority employees working in the state of New York. The fourth non-
24 voting commissioner shall be recommended to the governor of the state of
25 New Jersey by the labor organization representing the majority of
26 authority employees working in the state of New Jersey. The four non-
27 voting commissioners of the port authority shall be appointed for a term
28 of six years and shall serve no more than two terms.

29 (2) For the purposes of this subdivision, the terms:

30 (i) "immediate family" shall mean: a spouse, parent, child, or
31 sibling; and

32 (ii) "interest" shall mean: (A) if the business organization is a
33 partnership, the board member or the board member's immediate family is
34 a partner or owner of [~~ten~~] five percent or more of the assets of the
35 partnership, or (B) if the business organization is a corporation, the
36 board member or the board member's immediate family owns or controls ten
37 percent or more of the stock of the corporation, or serves as a director
38 or officer of the corporation.

39 5. Whistleblower access and assistance program. a. The chief ethics
40 and compliance officer shall recommend to the board of commissioners a
41 whistleblower access and assistance program to be administered by the
42 inspector general which shall include, but not be limited to:

43 (1) establishing an email address and toll-free telephone [~~and~~],
44 facsimile, and text messaging lines available to employees;

45 (2) offering advice regarding employee rights under applicable state
46 and federal laws and advice and options available to all persons; and

47 (3) offering an opportunity for employees to identify concerns regard-
48 ing any issue at the port authority. Any communication between an
49 employee and the inspector general pursuant to this section shall be
50 held strictly confidential by the inspector general, unless the employee
51 specifically waives in writing the right to confidentiality, except that
52 such confidentiality shall not exempt the inspector general from
53 disclosing such information, where appropriate, to the board of commis-
54 sioners and/or any law enforcement authority.

55 b. The port authority shall not fire, discharge, demote, suspend,
56 threaten, harass, or discriminate against an employee because of the

1 employee's role as a whistleblower, insofar as the actions taken by the
2 employee are legal.

3 c. As used in this subdivision:

4 (1) "Employees" means those persons employed at the port authority,
5 including but not limited to: full-time and part-time employees, those
6 employees on probation, and temporary employees.

7 (2) "Whistleblower" means any employee of the port authority who in
8 good faith discloses information concerning acts of corruption, fraud,
9 wrongdoing, misconduct, malfeasance, or other inappropriate behavior by
10 an employee or board member of the port authority, including, but not
11 limited to, concerning the port authority's investments, travel, acqui-
12 sition of real or personal property, the disposition of real or personal
13 property, or the procurement of goods and services.

14 d. The Whistleblower Policy and Procedures set forth herein are not
15 intended to limit, diminish or impair any other rights or remedies that
16 an individual may have under the law with respect to disclosing poten-
17 tial wrongdoing free from retaliation or adverse personnel action.

18 6. Inspector general. a. The inspector general shall be responsible
19 for receiving and investigating, where appropriate, all complaints
20 regarding fraud, waste, and abuse by commissioners, officers, and
21 employees of the port authority or third-parties doing business with the
22 port authority. The inspector general shall also receive and investi-
23 gate complaints from any source, or upon [~~his or her~~] the inspector
24 general's own initiative, concerning allegations of corruption, fraud,
25 use of excessive force, criminal activity, conflicts of interest or
26 abuse by any police officer under the jurisdiction of the Port Authori-
27 ty. The inspector general shall also be responsible for conducting
28 investigations upon the inspector general's own initiative, as the
29 inspector general shall deem appropriate.

30 b. The inspector general shall inform the board of commissioners and
31 the chief executive officer of allegations received by the inspector
32 general and the progress of investigations related thereto, unless
33 special circumstances require confidentiality;

34 c. The inspector general shall determine with respect to allegations
35 received by the inspector general whether disciplinary action or civil
36 prosecution by the port authority is appropriate, and whether the matter
37 should be referred to an appropriate governmental agency for further
38 action;

39 d. The inspector general shall prepare and make available to the
40 public written reports of completed investigations, as appropriate and
41 to the extent permitted by law, subject to redactions to protect a need
42 for confidentiality. The release of all or portions of reports may be
43 deferred to protect the confidentiality of ongoing investigations.

44 e. The inspector general shall have the power to:

45 (1) administer oaths or affirmations and examine witnesses under oath;

46 (2) require the production of any books and papers deemed relevant or
47 material to any investigation, examination or review;

48 (3) notwithstanding any law to the contrary, examine and copy or
49 remove documents or records of any kind prepared, maintained or held by
50 the port authority and its subsidiaries;

51 (4) interview any officer or employee of the port authority or its
52 subsidiaries on any matter related to the performance of such officer or
53 employee's official duties. To the extent that [~~any portion of this~~
54 ~~paragraph is inconsistent with any current contractual obligations of~~
55 ~~the port authority, this paragraph shall not be applicable to those~~
56 ~~obligations until the earliest expiration of those terms under the~~

1 ~~contract~~] the terms and conditions of employment of any employee are
2 established by collective negotiations, any interview conducted pursuant
3 to this paragraph must be in accordance with any applicable provisions
4 of the current, or most recent, if expired, collective negotiations
5 agreement covering the terms and conditions of employment of the employ-
6 ee;

7 (5) monitor the implementation by the port authority of any recommen-
8 dations made by the inspector general; and

9 (6) perform any other functions that are necessary or appropriate to
10 fulfill the duties and responsibilities of office.

11 § 2. Subdivisions 1 and 3 of article 7-B of section 1 of chapter 154
12 of the laws of 1921 relating to the port authority of New York and New
13 Jersey, as added by chapter 559 of the laws of 2015, are amended to read
14 as follows:

15 1. Needs assessment. The port authority shall require that a needs
16 assessment be conducted by an independent entity prior to any increase
17 in tolls for the use of any port authority bridge or tunnel, or fares
18 for the use of the port authority trans-Hudson corporation rail system.
19 The assessment shall be made publicly available in a conspicuous
20 location on the port authority's website and presented by the independ-
21 ent entity to the board of commissioners at a public meeting to be held
22 at least ninety days prior to any meeting of the board of commissioners
23 to vote to any increase in the tolls for the use of any port authority
24 bridge or tunnel, or fares for the use of the port authority trans-Hud-
25 son corporation rail system.

26 3. Appearance. a. The port authority, at the request of the Assembly
27 or Senate of the New York state legislature or the General Assembly or
28 Senate of the New Jersey state legislature, shall be required to appear
29 before a committee of the requesting state legislative house, upon
30 request by the presiding officer of that state legislative house, to
31 present testimony on any topic or subject requested by the committee or
32 to respond to questions by members of the committee. The Assembly of the
33 New York state legislature, the Senate of the New York state legisla-
34 ture, the General Assembly of the New Jersey state legislature, and the
35 Senate of the New Jersey state legislature shall each be entitled to two
36 such requests per calendar year.

37 b. Unless otherwise agreed to by the presiding officer of the state
38 legislative house requesting the appearance of the port authority, the
39 port authority shall, at a minimum, be represented by a chair or vice-
40 chair of the board, chief executive officer, the chief financial offi-
41 cer, and any staff deemed necessary by such chair or vice-chair of the
42 board, chief executive officer, or the chief financial officer to pres-
43 ent testimony or respond to questions at any appearance required pursu-
44 ant to this section. The presiding officer may request the appearance of
45 any officer or employee of the port authority. For purposes of this
46 section, as applicable to New York state "presiding officer" shall mean
47 the speaker of the Assembly of the New York state legislature or tempo-
48 rary president of the Senate of the New York state legislature. For
49 purposes of this section, as applicable to the state of New Jersey
50 "presiding officer" shall mean the president of the senate or the speak-
51 er of the general assembly of the state of New Jersey.

52 4. Subsidiaries of the port authority. a. The port authority shall
53 provide notice to the governor of each state, the majority leader of
54 each house of the legislature of each state, the chair of the finance
55 committee of New York, the chair of the senate budget and appropriations
56 committee of New Jersey, the chair of assembly ways and means committee

1 of New York, and the chair of the budget committee of New Jersey that it
2 will be creating a subsidiary no less than 60 days prior to the forma-
3 tion of the subsidiary.

4 b. The creation of a subsidiary corporation shall be approved by the
5 board of commissioners.

6 c. [~~On or before the first day of January, two thousand sixteen, and~~]
7 Within 60 days of the effective date of the chapter of the laws of 2026
8 that amended this subdivision, and on or before the first day of January
9 each year annually thereafter, any subsidiary corporation, in cooper-
10 ation with the port authority, shall provide to the governor and legis-
11 lature of each state a report on the subsidiary corporation. Such report
12 shall include for each subsidiary:

13 (1) The complete legal name, address and contact information of the
14 subsidiary;

15 (2) The structure of the organization of the subsidiary, including the
16 names and titles of each of its members, directors and officers, as well
17 as a chart of its organizational structure;

18 (3) The complete by-laws and legal organization papers of the subsid-
19 iary;

20 (4) A complete report of the purpose, operations, mission and projects
21 of the subsidiary; and

22 (5) Any other information the subsidiary corporation deems important
23 to include in such report.

24 d. 60 days prior to the issuance of any debt by the subsidiary corpo-
25 ration, or the port authority on behalf of the subsidiary corporation,
26 the port authority shall provide notice to the governor of each state,
27 the majority leader of each house of the legislature of each state, the
28 chair of the senate finance committee of New York, the chair of the
29 senate budget and appropriations committee of New Jersey, the chair of
30 the assembly ways and means committee of New York, and the chair of the
31 assembly budget committee of New Jersey. For purposes of this section,
32 as applicable to New York state "majority leader" shall mean the speaker
33 of the assembly of the New York state legislature or temporary president
34 of the senate of the New York state legislature. For purposes of this
35 section, as applicable to the state of New Jersey "majority leader"
36 shall mean the president of the senate or the speaker of the general
37 assembly of the state of New Jersey.

38 e. The port authority shall not have the power to organize a subsid-
39 iary for the purpose of: (i) evading the requirements of an existing
40 collective bargaining agreement; or (ii) replacing or removing a certi-
41 fied employee organization.

42 § 3. Subdivisions 3 and 4 of article 7-D of section 1 of chapter 154
43 of the laws of 1921 relating to the port authority of New York and New
44 Jersey, as added by chapter 559 of the laws of 2015, are amended and two
45 new subdivisions 5 and 6 are added to read as follows:

46 3. Capital plan. a. The port authority shall adopt a [~~ten-year~~] five-
47 year capital plan that is developed using a comprehensive planning proc-
48 ess and risk-based prioritization that considers asset condition, opera-
49 tional and revenue impact, threat assessment, customer service, regional
50 benefit, and regulatory or statutory requirements. The capital plan
51 shall be dependent upon the availability of sufficient funding and other
52 resources to pursue the capital projects proposed for the ten-year peri-
53 od. Performance progress and revisions to reflect changes in programs,
54 policies and projects and the environment in which the port authority
55 operates shall be reviewed regularly by a committee designated by the
56 board of commissioners, and the capital plan shall be revised period-

1 ically as necessary and appropriate, and shall be reviewed with the
2 board of commissioners annually. The port authority shall publish an
3 annual report on the status of the capital program and such report shall
4 be made publicly available on the port authority's website. Prior to
5 adoption of a capital plan, the port authority shall make such proposed
6 plan available for public review and comments on its public website for
7 at least [~~two~~] four weeks prior to approval, and all comments received
8 are to be distributed to the board of commissioners for review prior to
9 consideration of the capital plan.

10 b. The port authority shall also provide that major capital projects
11 are monitored by independent engineering consultants procured through a
12 competitive bidding process. The independent consultants shall prepare
13 annual reports to be provided to the board and made available to the
14 public. The annual reports prepared by independent consultants shall
15 include, but not be limited to, a comparison of actual and target
16 performance measures including, but not limited to, costs and
17 construction schedules, and a narrative explanation of any discrepancy
18 thereof. For the purposes of this section, "major capital project" means
19 an undertaking or program for the acquisition, creation, or development
20 of any crossing, transportation facility, or commerce facility or any
21 part thereof, with an estimated total project cost in excess of
22 \$500,000,000.

23 c. No less than 60 days prior to any board adoption of a capital plan
24 as described in paragraph a of this subdivision, or any major revision
25 of the last adopted capital plan, the port authority shall: (1) notify
26 the assembly and senate of the New York state legislature and the gener-
27 al assembly and senate of the New Jersey state legislature of its inten-
28 tion to adopt a capital plan, or any major revision of the last adopted
29 capital plan; (2) submit to the assembly and senate of the New York
30 state legislature and the general assembly and senate of the New Jersey
31 state legislature the proposed capital plan, or any proposal constitut-
32 ing a major revision of the last adopted capital plan, for review by
33 each state legislature; and (3) make the proposed capital plan, includ-
34 ing any proposal constituting a major revision of the last adopted capi-
35 tal plan, publicly available on the port authority website.

36 d. Within 60 days of the notice provided in paragraph c of this subdivi-
37 vision, the port authority shall conduct a public hearing about the
38 capital plan or any major revision thereof in New York state and in the
39 state of New Jersey. The public hearings shall be held at a time
40 convenient to members of the public.

41 e. The port authority shall conduct a status update public hearing in
42 New York state and in the state of New Jersey at least once every year
43 after the adoption of the capital plan by the port authority. Such
44 public hearing shall be known as "capital status update hearing" and at
45 such hearing the port authority shall provide in detail a written
46 description of the status of all capital plan projects and the costs and
47 the expected costs of those projects. At such public hearing, the port
48 authority shall provide a financing plan that identifies the source of
49 funding for each project. The port authority shall provide an analysis
50 that compares actual and target performance measures, and a detailed
51 written explanation of any discrepancy thereof at the public hearing.
52 The capital status update hearings shall be held at a time convenient to
53 members of the public.

54 f. At a minimum, individual capital project data for projects that are
55 committed for construction shall be included in a capital program dash-
56 board maintained by the port authority on its website. Any summary views

1 provided on the website shall include the original budgets at the time
2 of project commitment when scope and budget are defined, project scopes,
3 and schedules, in addition to current or amended budgets, project
4 scopes, and schedules. Data pertaining to individual projects shall
5 include, but not be limited to:

6 (1) the capital project identification number delineated by category,
7 element, and project as used in the capital program;

8 (2) the capital plan years;

9 (3) a project description;

10 (4) the project location where appropriate;

11 (5) the capital needs code of the project, such as state of good
12 repair, normal replacement, system improvement, system expansion or
13 other category;

14 (6) budget information including the original budget at the time of
15 project commitment when scope and budget are defined, all amendments,
16 the current budget and planned annual allocations; and

17 (7) a schedule for project delivery including original, amended and
18 current start and completion dates as projects develop at each phase.

19 The status of projects shall be provided and state the current phase
20 of the project, such as planning, design, construction or completion,
21 and shall state how far the project has progressed as measured in
22 percentage by expenditure. The dashboard shall measure progress based on
23 original budgets at the time of project commitment when scope and budget
24 are defined. At a minimum, all changes to planned budgets of greater
25 than ten percent, significant project scope or a three month or more
26 change in schedule shall be provided in narrative form and describe the
27 reason for each change or amendment. The dashboard shall include a glos-
28 sary or data dictionary which contains plain language descriptions of
29 the data, including individual project data, and any other information
30 provided on the dashboard. The authority shall provide a definition of
31 resiliency in the glossary or data dictionary. The dashboard shall be
32 updated, at a minimum, on a quarterly basis, and all data fields avail-
33 able on the dashboard shall be made available for download on the
34 authority's website in a single tabular data file in a common, machine
35 readable format.

36 g. The data required to be published pursuant to this subdivision
37 shall be made in a single tabular data file in a common, machine read-
38 able format and shall be accessible on the authority's website.

39 4. [~~Operating budget~~] Budget. The port authority shall prepare a
40 detailed annual operating budget beginning with the fiscal year commenc-
41 ing after the effective date of the chapter of the laws of [~~2015~~] 2026
42 which [~~added~~] amended this article. A preliminary annual operating budg-
43 et shall be made publicly available on the port authority's website in
44 July of every fiscal year and a final annual operating budget shall be
45 made publicly available in February of each fiscal year.

46 5. Port Authority Transportation Advisory Committee. a. There is here-
47 by established a port authority transportation advisory committee. The
48 purpose of the committee shall be to facilitate coordination between and
49 among the transportation agencies and officials in each state that
50 provide service or conduct business within the port district. The
51 committee shall consist of 13 members, to be appointed as follows:

52 (1) one individual appointed jointly by the chair and vice-chair of
53 the Port Authority;

54 (2) the executive director of the New Jersey transit corporation, ex
55 officio, or the executive director's designee;

1 (3) the chair of the metropolitan transportation authority, ex officio,
2 or the chair's designee;

3 (4) the commissioner of the New York city department of transportation,
4 ex officio, or the commissioner's designee;

5 (5) the chairperson of the National Railroad Passenger Corporation
6 Board of Directors, ex officio, or the chairperson's designee;

7 (6) the commissioner of the New Jersey department of transportation,
8 ex officio, or the commissioner's designee;

9 (7) the commissioner of the New York state department of transportation,
10 ex officio, or the commissioner's designee;

11 (8) one individual from the New Jersey executive branch, appointed by
12 the governor of New Jersey;

13 (9) one individual from the New York state executive branch, appointed
14 by the governor of New York;

15 (10) one individual appointed by the president of the New Jersey state
16 senate;

17 (11) one individual appointed by the speaker of the New Jersey state
18 general assembly;

19 (12) one individual appointed by the temporary president of the New
20 York state senate; and

21 (13) one individual appointed by the speaker of the New York state
22 assembly.

23 b. The individual appointed jointly by the chair and vice-chair of the
24 port authority shall serve for a term of three years. The legislative
25 appointments shall serve for a term of two years each. The individuals
26 appointed from the executive branch of New Jersey and from the executive
27 branch of New York shall serve at the pleasure of each respective gover-
28 nor.

29 c. Vacancies in the membership of the committee shall be filled in the
30 same manner as the original appointments are made and a member may be
31 eligible for reappointment. Vacancies occurring other than by expiration
32 of a term shall be filled for the unexpired term.

33 d. The members of the committee shall serve without compensation but
34 shall be reimbursed for reasonable expenses necessarily incurred in the
35 performance of their duties within the limits of funds appropriated or
36 otherwise made available to the committee for its purposes.

37 e. The individual appointed jointly by the chair and vice-chair of the
38 port authority shall serve as the chair of the committee. The committee
39 may appoint a secretary who need not be a member of the committee. The
40 committee shall meet quarterly, at a minimum, to discuss the region's
41 transportation needs and to facilitate coordination between and among
42 the transportation agencies and officials in each state and the port
43 district in furtherance of the region's transportation needs.

44 f. Each committee member shall share information about that member's
45 agency and the agency's upcoming plans and objectives as relating to the
46 Port Authority at each meeting. Prior to the commencement by an agency
47 represented on the committee of any major capital project with an esti-
48 ated cost in excess of \$50 million, the individual representing that
49 agency shall notify all members of the committee.

50 6. Minority and women-owned business enterprise programs. a. In the
51 performance of projects pursuant to this article, minority and women-
52 owned business enterprises shall be given the opportunity for meaningful
53 participation. The port authority shall establish quantifiable standards
54 and measures and procedures, in accordance with the findings of period-
55 ical disparity studies regarding the participation of minority and
56 women-owned business enterprises in port authority contracts, to be

1 prepared by an entity independent of the port authority and selected
2 through a request for proposal process, to secure meaningful partic-
3 ipation and identify those contracts and items of work for which minori-
4 ty and women-owned business enterprises may best bid to actively and
5 affirmatively promote and assist their participation in projects, so as
6 to facilitate the award of a fair share of contracts to such enter-
7 prises; provided, however, that nothing in this article shall be
8 construed to limit the ability of the port authority to assure that
9 qualified minority and women-owned business enterprises may participate
10 in the program. For purposes hereof, minority business enterprise shall
11 mean any business enterprise which is at least fifty-one per centum
12 owned by, or in the case of a publicly owned business, at least fifty-
13 one per centum of the stock or other voting interest is owned by citi-
14 zens or permanent resident noncitizens who are Black, Hispanic, Asian,
15 American Indian, Pacific islander, or Alaskan native, and such ownership
16 interest is real, substantial and continuing and has the authority to
17 independently control the day-to-day business decisions of the entity
18 for at least one year; and women-owned business enterprise shall mean
19 any business enterprise which is at least fifty-one per centum owned by,
20 or in the case of a publicly owned business, at least fifty-one per
21 centum of the stock or other voting interests of which is owned by citi-
22 zens or permanent resident noncitizens who are women, and such ownership
23 interest is real, substantial and continuing and has the authority to
24 independently control the day-to-day business decisions of the entity
25 for at least one year. The provisions of this subdivision shall not be
26 construed to limit the ability of any minority business enterprise to
27 bid on any contract. The provisions of this subdivision shall not be
28 construed to require the port authority to engage in any unlawful
29 conduct in securing meaningful participation of minority and women-owned
30 business enterprises in port authority projects.

31 b. In order to implement the requirements and objectives of this
32 subdivision, the port authority shall establish procedures to monitor
33 compliance with provisions hereof, provide assistance in obtaining
34 competing qualified minority and women-owned business enterprises to
35 perform contracts proposed to be awarded, and take other appropriate
36 measures to improve the access of minority and women-owned business
37 enterprises to these contracts.

38 c. The port authority shall publish the standards, measures, and
39 procedures established pursuant to paragraphs a and b of this subdivi-
40 sion on its website, including any disparity study conducted pursuant to
41 this subdivision.

42 d. The port authority shall prepare an annual report describing activ-
43 ities undertaken to promote employment of minority group members and
44 women and promote and increase participation by certified businesses
45 with respect to contracts and subcontracts. It shall include, but not be
46 limited to, the number and value of contracts awarded to minority and
47 women-owned business enterprises for that reporting year, goals on
48 contracts compared to actual participation of minority and women-owned
49 business enterprises in authority contracting and a listing of annual
50 participation rates, a summary of all waivers of the participation
51 requirements allowed by the authority during the period covered by the
52 report including a description of the basis of the waiver request and
53 the rationale for granting any such waiver and any instances in which
54 the contract agency has deemed a contractor to have committed a
55 violation pursuant to section three hundred sixteen of the executive law
56 of the state of New York, any efforts to create a database or other

1 information storage and retrieval system containing information relevant
2 to contracting with minority and women-owned business enterprises, a
3 summary of: (i) all determinations of violations of this statute or the
4 authority's minority and women-owned business enterprise procurement
5 policies by a contractor made during the period covered by the annual
6 report; and (ii) the penalties or sanctions, if any, assessed in
7 connection with such determinations and the rationale for such penalties
8 or sanctions, and the total dollar value of expenditures on certified
9 minority and women-owned business contracts and subcontracts for that
10 reporting year, to evaluate the effectiveness of the activities under-
11 taken by the Port Authority to promote increased participation by certi-
12 fied minority or women-owned businesses with respect to port authority
13 contracts and subcontracts.

14 e. The Port Authority shall submit the annual report to the Governors,
15 and Legislatures of New York and New Jersey. Such reports shall be
16 submitted no later than May fifteenth of every year and shall be
17 published on the Port Authority's website within five business days of
18 this date.

19 f. The annual report shall describe any efforts to create a database
20 or other information storage and retrieval system containing information
21 relevant to contracting with minority and women-owned business enter-
22 prises.

23 § 4. Severability clause. If any clause, sentence, paragraph, subdivi-
24 sion, section or part of this act shall be adjudged by any court of
25 competent jurisdiction to be invalid, such judgment shall not affect,
26 impair, or invalidate the remainder thereof, but shall be confined in
27 its operation to the clause, sentence, paragraph, subdivision, section
28 or part thereof directly involved in the controversy in which such judg-
29 ment shall have been rendered. It is hereby declared to be the intent of
30 the legislature that this act would have been enacted even if such
31 invalid provisions had not been included herein.

32 § 5. This act shall take effect upon the enactment into law by the
33 state of New Jersey of legislation having an identical effect with this
34 act, but if the state of New Jersey shall have already enacted such
35 legislation this act shall take effect immediately. The chair or vice-
36 chair of the port authority as recommended by the governor of the state
37 of New York shall notify the legislative bill drafting commission upon
38 the occurrence of the enactment of the legislation provided for in
39 sections one, two and three of this act in order that the commission may
40 maintain an accurate and timely effective data base of the official text
41 of the laws of the state of New York in furtherance of effectuating the
42 provisions of section 44 of the legislative law and section 70-b of the
43 public officers law.