

**ASSEMBLY CONCURRENT  
RESOLUTION No. 68**

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**STATE OF NEW JERSEY  
217th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

**Sponsored by:**

**Assemblyman JON M. BRAMNICK**

**District 21 (Morris, Somerset and Union)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblywoman ELIANA PINTOR MARIN**

**District 29 (Essex)**

**Assemblywoman L. GRACE SPENCER**

**District 29 (Essex)**

**Assemblyman ANTHONY M. BUCCO**

**District 25 (Morris and Somerset)**

**Co-Sponsored by:**

**Assemblywomen Oliver, Tucker and Assemblyman Caputo**

**SYNOPSIS**

Memorializes U.S. Congress to repeal compact establishing Waterfront Commission of New York Harbor and dissolve commission.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



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1 **A CONCURRENT RESOLUTION** memorializing the United States  
2 Congress to enact legislation that would effectuate the repeal of  
3 the compact establishing the waterfront commission of New  
4 York harbor, dissolving the commission, and allowing for the  
5 transfer of each state's portion of the commission's law  
6 enforcement responsibilities to an appropriate state or local  
7 agency within each state, and committing the New Jersey  
8 Legislature to approving any legislation necessary for the repeal,  
9 dissolution, and transfer.

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11 **WHEREAS**, The Port of New York and New Jersey (port) has been one  
12 of the backbones of the region's economy for decades; and

13 **WHEREAS**, When ranked by tonnage, the port is the largest port on the  
14 East Coast of North America and the third largest in the United  
15 States, and when ranked by the value of shipments passing through  
16 it, the port is the second busiest freight gateway in the United  
17 States; and

18 **WHEREAS**, The port's strategic location, within one day's drive of a  
19 significant percentage of the national market, and developed  
20 transportation infrastructure are key assets that have made the  
21 region a gateway for international trade; and

22 **WHEREAS**, Since the birth of containerization in 1956, the marine  
23 terminals on the New Jersey side of the port have grown  
24 significantly in comparison to the New York terminals, and today,  
25 more than 85 percent of the cargo and 85 percent of the work hours  
26 are on the New Jersey side of the port; and

27 **WHEREAS**, The Waterfront Commission of New York Harbor  
28 (commission) was created as a temporary agency through a  
29 compact between the states of New Jersey and New York and  
30 approved by Congress in 1953 with a mission to ensure fair hiring  
31 and employment practices and investigate, deter, and combat  
32 criminal activity and influence in the port; and

33 **WHEREAS**, The commission has been tainted by corruption in recent  
34 years and, moreover, has exercised powers that do not exist within  
35 the authorizing compact by dictating the terms of collective  
36 bargaining agreements of organized labor, and by requiring  
37 stevedoring companies to hire and retain independent inspectors to  
38 examine company operations in order to continue to operate in the  
39 port; and

40 **WHEREAS**, To justify its existence as the only waterfront commission  
41 in any port in the United States, the commission has over-regulated  
42 businesses in and around the port, and as a result, the commission  
43 has become an impediment to future job growth and prosperity in  
44 and around the port; and

45 **WHEREAS**, While there is a continued need to regulate port-located  
46 business to ensure fairness and safety, there are numerous federal,  
47 State, and local taxpayer funded agencies that have jurisdiction to  
48 regulate port operations to protect consumers; and

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1 **WHEREAS**, These agencies include: the United States Department of  
2 Homeland Security; the United States Customs and Border  
3 Protection; the United States Coast Guard; the Transportation  
4 Security Administration; the Federal Bureau of Investigation; the  
5 United States Department of Labor's Division of Longshore and  
6 Harbor Workers' Compensation; the National Labor Relations  
7 Board; the Food and Drug Administration; the United States  
8 Environmental Protection Agency; the United States Department of  
9 Transportation; the Federal Maritime Commission; the  
10 Occupational Safety and Health Administration; the New Jersey  
11 State Police; the Port Authority of New York and New Jersey  
12 Police Department; local police departments in the port; and, in  
13 matters of fair hiring and employment discrimination, the United  
14 States Equal Employment Opportunity Commission, and the New  
15 Jersey Division on Civil Rights; and

16 **WHEREAS**, Repealing the compact, dissolving the commission, and  
17 allowing for the transfer of New Jersey's and New York's portion  
18 of the commission's law enforcement responsibilities to an  
19 appropriate agency within each state would be practical and  
20 efficient, as state and local police are suited to undertake an  
21 investigation of any criminal activity in the ports of northern New  
22 Jersey without impeding economic prosperity; and

23 **WHEREAS**, It is altogether fitting and proper and in the public interest  
24 for this Legislature to urge the United States Congress to enact  
25 legislation that would effectuate the repeal of the compact  
26 establishing the waterfront commission of New York harbor,  
27 dissolving the commission, and allowing for the transfer of each  
28 state's portion of the commission's law enforcement responsibilities  
29 to an appropriate state or local agency within each state; now,  
30 therefore,

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32 **BE IT RESOLVED** by the General Assembly of the State of New  
33 Jersey (the Senate concurring):

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35 1. The Legislature of the State of New Jersey respectfully  
36 memorializes the United States Congress to enact legislation that  
37 would:

38 a. effectuate the repeal of the compact establishing the  
39 waterfront commission of New York harbor (commission) and the  
40 dissolution of the commission; and

41 b. allow for the transfer of New Jersey's and New York's  
42 portion of the commission's law enforcement responsibilities to an  
43 appropriate state or local agency within each state.

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45 2. The Legislature of this State also expresses its commitment  
46 to approving any legislation necessary for the repeal, dissolution,  
47 and transfer.

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1       3. Copies of this resolution, as filed with the Secretary of State,  
2 shall be transmitted by the Clerk of the General Assembly or  
3 Secretary of the Senate to the President and Vice President of the  
4 United States, the Majority and Minority Leaders of the United States  
5 Senate, the Speaker and Majority and Minority Leaders of the United  
6 States House of Representatives, and each member of the United  
7 States Congress elected from New Jersey.

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STATEMENT

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12       This concurrent resolution memorializes the United States  
13 Congress to enact legislation that would: 1) effectuate the repeal of  
14 the compact establishing the waterfront commission of New York  
15 harbor (commission) and dissolution of the commission; and 2)  
16 allow for the transfer of New Jersey's and New York's portion of  
17 the commission's law enforcement responsibilities to an appropriate  
18 state or local agency within each state. The concurrent resolution  
19 also expresses the commitment of the Legislature of this State to  
20 approve any legislation necessary for the repeal, dissolution, and  
21 transfer.