

PUBLIC HEARING

before

ASSEMBLY LABOR RELATIONS COMMITTEE

ON

Senate Bills Nos. 705, 706 and 708
[1969] proposing to amend and supplement
the "WATERFRONT COMMISSION ACT."

Held:

June 26, 1969

Assembly Chamber

State House

Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Joseph F. Scancarella [Chairman]
Assemblyman Peter P. Garibaldi
Assemblyman Herbert J. Heilmann
Assemblyman Robert E. Littell
Assemblyman Charles J. Irwin
Assemblyman Harold C. Hollenbeck
Assemblyman Joseph Hirkala

Also:

Senator Wayne Dumont, Jr. [Chairman, Senate
Labor Relations Committee]

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ASSEMBLYMAN JOSEPH SCANCARELLA [Chairman]: If all the members are seated, we will begin.

As you know this is a public hearing on Senate Bills 705, 706, and 708. For the record, I would like to state the status of these bills. They were introduced in the Senate on April 10th and marked "no reference," that is, they were not assigned to any committee. They were passed in the Senate on May 8th, received in the Assembly on May 15th, and then on May 20th, the last day of our session, they were assigned to this Labor Relations Committee in the Assembly. At that time, I as Chairman summoned the members of that committee to an informal meeting on the floor of this House and we put our heads together and called the public hearing for June 26th and here we are.

Technically then, this is a hearing before the Assembly Labor Relations Committee. However, since the bills had been marked "no reference" in the Senate and since the members of my committee at that time expressed what I thought was considerable sentiment for the intent of the bills in principle at least, I thought perhaps it would be best to have the members of the Senate Labor Relations Committee here also as parties in interest in the event that the bills were to be assigned out with any specific amendments.

So today we have with us the members of the Assembly Committee and Senator Dumont the Chairman of the Senate Labor Relations Committee.

Just briefly a few ground rules - we have invited some legislators, members of the Waterfront Commission and others and they will be called in that order. And I would ask

them, when they do present their testimony, that they tell us at the outset if they are speaking on one, two or all of the bills, so that we might question them accordingly.

For the record, those present at the table are - I will start at my right - Assemblyman Garibaldi from Middlesex; Assemblyman Hirkala from Passaic; Senator Dumont; myself, Joseph Scancarella from Passaic; Assemblyman Heilmann and Assemblyman Irwin from Union County; and Assemblyman Hollenbeck from Bergen County.

Are there any legislators present at this time who wish to testify? [No response] Anyone from the Waterfront Commission? Mr. Bercik.

S T E V E N J. B E R C I K: Mr. Chairman and members of the Committee: I am the New Jersey member of the Waterfront Commission and I speak to you on behalf of myself and Commissioner Kaitz from New York and for our agency, the Waterfront Commission of New York Harbor.

I would like to speak in support of Senate Bills Numbered 705 and 708. I wish to present to you and to the public cogent facts which will clearly show this legislation is needed to protect the public interest.

The Port of New York continues to be one of the greatest general cargo ports in the world. The total amount of ocean-borne cargo flowing through this port has gone from 89 million tons in 1961 to 110 million tons in 1968. One out of every four people in the New York-New Jersey metropolitan area earns his living directly or indirectly from this flow of commerce through out Port.

The Port of New York is now the container capital of the United States and one of the best equipped container ports in the world.

The focal point of the port's container activity is in the Newark-Elizabeth area. In 1968 this area handled over 7,700,000 tons of foreign and domestic cargo. 3,209,193 tons of this cargo were containerized. This was a 12.7 per cent increase over the 2,885,840 tons of such cargo handled in 1967. The percentage increase this year should be even greater because of increased facilities in the area and the initiation of container operations by container steamship companies.

The Port of New York Authority recently authorized the construction of the last five berths planned for the Newark-Elizabeth terminal. This construction is being started two years ahead of schedule. Upon completion in 1973, these facilities will have a total of 24 berths for container vessels, almost twice the number presently in operation. When completed, the capacity of these facilities will be increased to about 14,650,000 tons and most of it will be containerized.

When the legislators of the States of New Jersey and New York enacted the Waterfront Commission Compact in 1953, no one could foresee the radical technological changes which were to occur in the method of handling waterborne freight.

This "container revolution," with its geographical center in the Port Newark - Port Elizabeth area, has created new problems which must also be met. The physical handling of cargo now oftentimes takes place at warehouses or consolidating depots which are located away from the piers. New types of

equipment have been developed to meet the needs of containerization. Companies have been formed to lease and repair this equipment. Other companies handle the transportation of these containers between consolidating depots or warehouses and the piers in the port.

These functions have grown tremendously in the past few years and are not presently covered by the Commission's licensing powers.

Senate Bill No. 705, the bill before you, would provide for the licensing and registration of employers and their employees, respectively, who consolidate cargo into containers at piers and waterfront terminals and who warehouse ocean cargo in waterfront areas.

This bill would also require the licensing of contractors and the registration of their employees who perform services incidental to the movement of waterborne freight such as maintenance, carpentry and coopering.

These companies, operating outside of the Commission's licensing powers which strip and stuff containers and perform warehousing, carpentry and maintenance functions are an integral part of the movement of waterborne freight.

Experience shows us that when a new industry comes into being and begins to thrive, it begins to attract the eye of the underworld. Undesirable criminal elements sensing that there is money to be made begin to infiltrate the industry. As will be shown later, persons with criminal backgrounds and associations, such as the late Vito Genovese and Peter DeFeo, have already insinuated themselves in these uncovered areas. In

order to forestall the criminal takeover of this area, as was experienced on the waterfront prior to the inception of the Waterfront Commission, the same tools must be made available to the Commission to deal with this uncovered area. The alternative is that eventually the industry and its employees might well be controlled by the evil dictates of organized crime. This is not far-fetched because we read daily in the press that the President of the United States, the Governors, Congress and state legislators are all gravely concerned over the increased infiltration of organized crime into legitimate businesses.

The purpose of this legislation is to prevent just such an event from happening and to bar organized crime from moving in to control these presently uncovered activities. It would be foolhardy to assume that organized crime would forego this area which traditionally they have attempted to dominate and control. And our experience and our recent investigations have shown this.

As to Senate Bill No. 708, this bill amends the Waterfront Commission Act, which now provides that the Commission has the power to designate any employee to be an investigator with all the powers of a peace officer in the States of New Jersey and New York, to specify, instead, that the Commission has the power to designate any employee to be an investigator with all the powers of police officers, as well as peace officers, in the States of New Jersey and New York. In New Jersey, there is no difference between "peace" and "police" officer powers so that Senate No. 708 would have no real effect

in New Jersey. However, present law in New York is unclear as to whether a "peace officer" possesses all the powers of a "police officer". Such confusion can be eliminated as to Commission investigators by appropriate amendment to the Waterfront Commission Act, the source of the powers possessed by the Commission investigators. The passage of Senate No. 708 would remove any doubts that may possibly exist as to the powers of Commission investigators.

I would like now, in order to continue the presentation to the Committee and before questioning, to present our Executive Director and General Counsel of the Waterfront Commission, Mr. William P. Sirignano, and also we have brought here this morning Staff Counsel who personally have investigated individual cases and who will be able to answer any questions concerning these cases if the Committee wishes further documentation of facts.

At this time, if I may, I would like to ---

ASSEMBLYMAN SCANCARELLA: Before you do that, would you prefer that this presentation be continued before the questioning?

MR. BERCIK: Yes, I would.

ASSEMBLYMAN SCANCARELLA: Suppose there are questions just on the brief statement that you made.

MR. BERCIK: We will both answer.

ASSEMBLYMAN SCANCARELLA: All right.

W I L L I A M P. S I R I G N A N O: Mr. Chairman, members of the Senate and members of the Committee: Gentlemen, thank you for the opportunity to explain this legislation and to point out reasons why it is essential that these bills, 705,

706, and 708, be passed in order to protect the public interest. Senate Bill No. 705 now before the Assembly would require the licensing of contractors and the registration of their employees who perform consolidating and warehousing of ocean freight. Companies performing such services as marine carpentry, cooperating and maintenance would now clearly be covered by the law.

As Commissioner Bercik stated, the fact that this is an area that is traditionally the preserve of organized crime and it is already being penetrated by important personages in the underworld is a very compelling reason why this legislation is necessary. A few companies with organized crime connections have already obtained a foothold in these areas which are now outside the jurisdiction of the Commission and free from its regulatory powers.

One such company is Erb Strapping which straps cargo, that is, the placing of steel straps around crates that are being shipped aboard or received aboard, and which is a service incidental to the movement of waterborne freight. This company was reorganized in 1955 by Vito Genovese, the boss of bosses of the Casa Nostra. For an investment of only \$245, Genovese received 49 per cent of the company.

Since Genovese's association with this company, the volume of business by 1965 had risen to \$665,000 per annum. In 1968 it exceeded \$1,100,000. After Genovese went to prison for violation of the Federal Narcotics Laws in 1960, he continued to receive his weekly salary of \$250 per week and for a period of time he continued to hold the office of vice

president and director. Since his imprisonment in 1960, Vito Genovese transferred his stock holdings in Erb Strapping to his brother Michael Genovese, who is also listed by the McClellan Committee as a member of the Genovese family in the Mafia. In 1968 Michael Genovese sold his stock for \$160,000, which he received from his brother Vito, after an investigation was commenced into the activities of the Erb Strapping Company in 1967. However, he still is intimately connected with the company through his ownership of a 50 per cent stock interest in the 180 Thompson Street Corporation in New York, which owns the Erb Strapping Warehouse and is still influential in the affairs of Erb Strapping. Many financial transactions are conducted without regard to the corporate distinction between Erb Strapping and the real estate company owned by Michael Genovese; and it cannot be ascertained at this time because of the recent transfer as to whether the funds are intermingled and whether the Genovese family is still receiving profits from the Erb Strapping.

Erb Strapping when originally formed performed a very, very limited service of strapping crates. Most of it was done away from the piers. It has now branched out into other areas. They have become the dominant company in the Port of New York in the areas of strapping, coopering and inspection of meats. This very substantial increase in business has been aided by certain other business interests. For example, Harborside Terminal, the largest pier and warehouse facility in Jersey City requires anyone who imports meat through their pier must use the services of Erb Strapping. Under this arrangement, the

company has developed a virtual monopoly in the inspection of meats to the exclusion of others who formerly performed such services.

Erb Strapping has just recently commenced operations as a consolidator of freight into containers and will strip and stuff containers and re-ship the cargo to various companies. This is one of the important areas that this bill would cover and require licensing.

At one time Erb Strapping's insurance business was given to its accounting firm, the firm that also did the accounting for it. About three years ago, Erb gave all its insurance business to a recently-formed insurance firm, Xavier Brokerage. Xavier Brokerage is owned by Saverio Eboli, the son of Thomas Eboli, also known as Tommy Ryan, the successor to Vito Genovese as the head of the Genovese criminal family. After the Waterfront Commission began looking into the affairs of Erb Strapping, it dropped Xavier Brokerage as its insurance broker.

The proposed bill would grant the Commission regulatory power which would allow this Commission to carefully scrutinize the employees of Erb Strapping as well as its officers, its directors and its associations. In this connection, it should be noted that on May 25, 1969, two Erb Strapping employees, Joseph Laiso and Vincent Nanfra, were arrested by Customs officials as they were removing about \$130 worth of hams from Berth 66 in Port Elizabeth. These individuals, because the Commission lacks regulatory power over them, are still back at the job, handling the meat, and are not subject to the Commission's

licensing power. This bill, if passed, would have removed these people, at least until the case was decided as to whether they were guilty or not guilty, from the area of handling meat and cargo in the Port of New York.

Warehousing of cargo is a service incidental to the movement of waterborne freight and would therefore be covered by the bill before this body. A trucking company which engages in trucking and warehousing service is Ross Trucking. Ross Trucking, the house trucker at Pier 13 in East River, New York City and in Port Newark, holds bananas overnight in a Ross truck for delivery the following day and performs a storing service for the carrier and is therefore encompassed by this bill.

Ross Trucking has as its highest paid employee, Peter DeFeo. DeFeo has been identified by the FBI and local enforcement agencies as a Cosa Nostra member of the Vito Genovese family. This underworld figure, who is the brother-in-law of the late owner of the company, receives his high salary for being a part-time dispatcher at the Ross Trucking garage in New York.

Ross Trucking has a virtual monopoly in the trucking of bananas to and from the piers. Ross has exclusive trucking rights for all bananas imported into New York City and consigned to jobbers within a 50-mile radius of New York City and somewhat further on Long Island. All banana importers but one have insisted that Ross Trucking act as house trucker on the theory that it is necessary for the prompt and efficient discharge of a ship. Since Ross is the house trucker, they

have the exclusive right to truck all bananas in the metropolitan area and no banana dealer can purchase bananas from an importer unless they utilize Ross' trucking services.

There have been complaints from jobbers that Ross' rates are exorbitant and that Ross' trucks are not insulated, subjecting the fruit to damage as a result of weather. In spite of these complaints, Ross Trucking continues to monopolize the banana trucking field in the metropolitan area.

This bill would also reinstate the legislative intent of requiring contractors who perform services incidental to the movement of waterborne freight to be licensed as stevedores. When the Waterfront Commission Compact was originally enacted, it did not require persons or contracting companies who performed services incidental to the movement of freight to be registered or licensed. The Commission soon found that although it had made substantial progress in removing and keeping undesirable people from waterfront work, these same people were finding refuge in areas uncovered by the Compact and thus continued to be employed side by side with registered longshoremen. A survey at that time showed that more than 100 persons who were disqualified from working as longshoremen because of serious criminal records had been later employed in waterfront jobs not covered by the Compact.

Realizing that a tremendous loophole existed, in 1957 the Commission appealed to this august body which amended the law and required the registration of persons engaged in performing services incidental to the movement of waterborne freight.

Thereafter, the Commission proceeded to implement the amended statutes and after many discussions with employers concerning hiring procedures and practices, also required the employers to be licensed as stevedores. At the present time, 24 of these employers are operating under licenses issued by the Commission.

In the course of an investigation to determine whether one of these companies, which had applied for a license under the law, was eligible for a license, the company brought a court proceeding to test the Commission's authority to require a stevedore's license for the particular function the company was performing, that is, carpentry work on the piers. The company took the position that although the law required its employees to be registered, the legislature never intended that the employers of these longshoremen be licensed as stevedores. At this stage of the court proceeding, both the Supreme Court and the Appellate Division of New York have held that this company was correct in its contention and that the law did not require a license of this company.

This company is Court Carpentry and Marine Contractors Co., Inc., which has a history of Mafia connections. Court Carpentry and Marine Contractors Co., presently owned by Leo Lacqua, a relation to the Anastasia family by marriage, at one time had as an officer, director and stockholder, and originator, the infamous Albert Anastasia, the lord high executioner of Murder, Inc.

It is vitally important that such a company be required to be licensed because of the business transactions it engages in. For example, these companies bill for their services based on

the number of manhours they supply to perform the services to steamship companies.

An examination of the books and records of Court Carpentry revealed overbilling of thousands of manhours more than had been actually supplied. For the period October 1, 1966 to September 30, 1967, Court Carpentry overbilled approximately 11,750 hours for a total of approximately \$74,000 in over-billings.

In its first year of operations Court Carpentry did approximately \$300,000 worth of business. In its second year, it exceeded \$400,000 and it reached \$600,000 in its third year. In 1965, it had reached a million and in 1967 the gross business had approached one and a half million dollar. It is the largest marine carpentry company on the waterfront and presently, under the present status of the law, it is uncovered and unregulated.

Another corporation also engaged in overbilling is Chet Maintenance Corporation. This company overbilled a stevedore a total of approximately \$27,000 by putting phantoms on the payroll. John Colgan, a retired police officer, was a 50 per cent stockholder and the other 50 per cent was held by a man named Harry Gavin who had two felony convictions for grand larceny and robbery. One of the head supervisors, Harold Bell, was a convicted perjurer and actually did not do any work to earn his salary. A well-known hoodlum, John Keefe, who had been barred from the waterfront years ago, was found to be on the payroll of the corporation's affiliate in Baltimore, Maryland. Colgan had not the slightest idea what services Keefe did for the corporation. Keefe, himself,

refused to testify when questioned.

This corporation was found to have overbilled the Seatrain Lines at Edgewater, New Jersey, in a two-year period for a total of \$14,776. Again, this was done by substituting phantoms on the payroll who did not work for Seatrain although they were billed as actually doing maintenance work for the Seatrain company. This pattern was followed by Colgan in his billings with the West Coast Lines to a lesser extent and he even cheated his own employees of welfare, pension and vacation benefits by failing to forward approximately \$25,000 to various funds controlled by the Metropolitan Marine Maintenance Association, the association of employers.

As a result of the Commission's investigation, Chet Maintenance is no longer doing business in the Port of New York.

Another maintenance company, the A. M. Kristopher Company, used the same technique and overbilled the NYK Lines and Grancolumbia Lines, steamship companies, in the sum of approximately \$50,000 for a two-year period.

But the misconduct goes further. Interstate Maintenance Corporation, which primarily loads ships' stores, has followed the same practice of utilizing personnel in the performance of these activities who have not been registred with the Commission. Although the President of Interstate Maintenance Corporation has admitted the violation, his attorney has indicated to the counsel handling the case that he believes that the Commission lacks jurisdiction to proceed against his company because of the Appellate Division ruling in the Court Carpentry case.

Another company, Quin Lumber Company, which also does marine carpentry work on the waterfront, has allegedly borrowed money from various individuals identified on the books of the company only by means of initials. The head of the company claims that she did not know the identities of those persons and that they appeared periodically to receive their money in cash. In addition, counsel for Quin Lumber was substituted by counsel for Court Carpentry who informed the Commission that in view of the pending court proceeding involving Court Carpentry there would be no further action in this case involving licensure until the litigation was completed and the question of jurisdiction was settled.

Now in all of these areas where I have indicated all of this misconduct under the present status of the law unless this bill is passed, the Commission can move no further in trying to right the situation where companies are milking steamship companies by overbilling and not supplying the labor and they can still continue to do business on the waterfront.

Erb Strapping, Court Carpentry and Ross Trucking, all companies with histories of underworld connections, are getting a foothold in these fringe areas. Erb and Ross have already monopolized their operations.

The presence of such powerful underworld figures leads to the inescapable conclusion that companies doing business and individuals working in these areas will be subject to the will of organized crime. Gangsters and racketeers bring with them the techniques of extortion, coercion and a betrayal of the rank and file of the workers in these areas.

Gambling, loansharking, hi-jacking, kickbacks can all be expected to blossom with the presence of underworld elements and the lack of any effective regulation.

Such unhealthy and dangerous conditions existed on the waterfront prior to the existence of the Commission in 1953. Prior to 1953 the Port was the scene of gang warfare and violence when gangsters controlled the "local waterfront" unions. Gambling, loansharking and extortion went unhindered. The thug, the racketeer and the labor goon flourished in open defiance of all law enforcement agencies. Pilferage and extortions by labor leaders had imposed so great a toll that shipping lines had begun to direct substantial amounts of cargo away from the Port of New York.

The advent of the Waterfront Commission with its vigorous law enforcement and licensing powers served to stamp out many of the existing abuses and to effectively control and prevent further criminal conduct.

The criminals have now moved into the fringe areas of cargo strapping, containers and warehousing and threaten to bring about those chaotic conditions that existed on the piers prior to 1953.

It is obvious from the rapid and tremendous growth of Erb Strapping, Court Carpentry and Ross Trucking that they are part and parcel of the underworld's branching out into

areas free from any effective governmental control which would protect the public interest.

The reputed overlord of organized crime in New Jersey, according to law enforcement files, is Gerardo Catena, a long time and powerful associate of Vito Genovese and Peter DeFeo, the people who are doing business in the Port now.

The thread that links the local policy collector or loanshark with Gerardo Catena, is an invisible one, but does exist. The most effective way to assault Catena's organized crime empire is to eliminate and keep out of waterfront areas his most trusted underlings who carry on the daily business of policy, bookmaking and loansharking.

This can only be done effectively through legislation requiring the registration of the workers in these uncovered areas because without a registration procedure anyone can be put to work anywhere and there is no control on it.

In the pier areas the Commission has been enormously successful in its daily job of fighting the syndicate at the local New Jersey pier level. As recently as December 1968, the Waterfront Commission working with the Essex County Prosecutor's Office conducted successful major gambling investigations in Port Newark. Three major gambling figures from the Newark docks were arrested and

policy action seized pursuant to search warrants obtained by the Commission and the Prosecutor. Albert Wilkes, a major policy collector in New Jersey was arrested inside ILA Local 1235 pursuant to a warrant on December 19, 1968. He was subsequently convicted of possession of lottery slips and is presently serving a jail sentence. On the same day as part of this attack on the New Jersey gambling syndicate, Frank Cuzzolina, an important and trusted policy collector, was arrested and seized with lottery slips at a Port Newark pier. Cuzzolina was convicted in the Newark Courts and has been suspended from work on the piers by the Commission. A few moments after Cuzzolina's arrest Calvin McCoy, a major policy collector at Sealand Terminal in Port Elizabeth was arrested and policy action was seized from him. He is presently suspended from the docks and is awaiting trial on an indictment in Union County.

The proposed legislation would allow the Commission to fight the local loanshark, policy collector or bookmaker at the warehouse or container terminal as effectively as is done on the piers.

An additional consideration is the rapidly growing use of containers as explained by Commissioner Bercik. The value of a loaded container runs as high as \$200,000. Since they are easily moved, they are susceptible to large scale

larcenies and require organization and collusion of persons who know the arrivals, the whereabouts, and the contents of the containers and underworld connections are needed to distribute or sell such large volumes once it is stolen. This fast growing business of container consolidation must be given every protection. In addition, where containers are stripped or consolidated additional opportunities are afforded for petty thefts and pilferages by the persons who handle the cargo.

The legislation is urgently needed to police the fringe areas of the waterfront and to prevent a mob takeover of the major companies and the exploitation of employees. The public interest requires the passage of these bills.

The purpose of Senate No. 708 is clarificatory so as to remove any doubt that the Commission's Investigators have all the powers of police officers in the States of New York and New Jersey. Members of the Waterfront Commission Investigative Staff are full-fledged police officers who perform all the functions of police officers and who are recognized by other police and law enforcement agencies as police officers. If they are to continue to function as such there should be no doubt that they have all the powers of a police officer.

Senate No. 708 amends section 5-b of the Waterfront Commission Act, which now provides that the Commission has the power to designate any employee to be an investigator with all the powers of a peace officer in the States of New York and New Jersey, to specify, instead, that the Commission has the power to designate any employee to be an investigator with all the powers of "police officers" (as well as peace officers) in the States of New York and New Jersey. In New Jersey there is no difference between "peace" and "police" officer powers so that Senate 708 would have no real substantive effect in New Jersey. However, present law in New York is unclear as to whether a "peace officer" possesses all the powers of a "police officer".

Thus, a section was added to the New York Code of Criminal Procedure in 1964 which empowers a "police officer" to stop and temporarily question any person whom the "police officer" reasonably suspects is committing, has committed, or is about to commit a felony or certain other specified crimes. Another section of the New York Code of Criminal Procedure, which specifies the cases in which an arrest may be made without a warrant, was amended in 1963 to empower a "police officer" to arrest without a warrant when he has reasonable grounds for believing that a crime is being committed in his presence.

Such confusion as to whether a "peace officer" possesses all the powers of a "peace officer" in New York can be eliminated as to Commission investigators by appropriate amendment to the Waterfront Commission Act, the source of the powers possessed by the Commission. And the reason this act is before this legislative body is that we do need legislation by both states in order to amend the Waterfront Commission Compact; since it is a compact, one state cannot act unilaterally - it must have legislation having identical effect in both states.

The passage of Senate No. 708 would remove any doubts that may possibly exist as to the powers of the law enforcement officers of the Waterfront Commission. It is vital to the protection of the Port of New York that there be no question as to these powers. The waterfront is a particularly sensitive area and it would be detrimental to the realization of the fundamental purpose of the Waterfront Commission Act to eliminate criminal and corrupt conditions on the waterfront if the law enforcement officers of the Waterfront Commission were hampered in the performance of their duties by any legal doubts surrounding the extent of their powers.

Now the remaining bill is Senate Bill 706. This bill merely provides that in addition to other requirements to be registered or licensed by the Commission, the applicant be required to pass certain physical standards or mental ability tests. This bill was introduced after industry and labor had agreed to such conditions for employment and in order not to have an anomolous situation where industry would say a person that we had registered was not fit to be employed in their

industry, we would require that as a grounds for denial of their registration. So the people that we would register would be fully eligible to work in the industry. It is by no means an attempt to take over their collective bargaining powers. It is consistent with their collective bargaining powers and it was done in a spirit of harmony with industry and labor to have consistent measures that applied to the working man on the piers so he knows where he stands.

We are not urging this bill. It is not a law enforcement bill. It is a bill that would make for harmony on the waterfront. New York did not pass this bill and if this Legislature feels that there is some merit in their argument that we are getting into an area where we don't belong, we are not pressing it.

ASSEMBLYMAN SCANCARELLA: Mr. Sirignano, is that it?

MR. SIRIGNANO: Yes.

ASSEMBLYMAN SCANCARELLA: With respect to the fringe companies doing incidental-type business on the waterfront, is it my understanding that right now because of a loophole under the law that employees of these fringe companies are licensed as longshoremen, but the employers are not licensed as stevedores. Is that right?

MR. SIRIGNANO: That's correct.

ASSEMBLYMAN SCANCARELLA: And that is because of a loophole you say?

MR. SIRIGNANO: That came about because in 1957 when the law was amended to include the employees of these companies as longshoremen, it specifically in the legislation included persons

who performed services incidental to water-borne freight. At that time when the legislation was suggested, it was not felt necessary to amend the definition of stevedore since it was already inclusive enough to include this. However, the court has disagreed with us on that point and that's why we are here.

ASSEMBLYMAN SCANCARELLA: So what we are driving at now is the stevedore.

MR. SIRIGNANO: The employer.

ASSEMBLYMAN SCANCARELLA: The employer.

MR. SIRIGNANO: Right.

ASSEMBLYMAN SCANCARELLA: Now you say the court disagreed with you. You are talking about the Appellate Division and the Supreme Court in the State of New York?

MR. SIRIGNANO: Now we are in the Court of Appeals on it, yes.

ASSEMBLYMAN SCANCARELLA: The Supreme Court is a lower court in the State of New York.

MR. SIRIGNANO: That's right. It's a trial court.

ASSEMBLYMAN SCANCARELLA: So it is still pending in the highest court, in the Court of Appeals?

MR. SIRIGNANO: It is pending in the Court of Appeals, right.

ASSEMBLYMAN SCANCARELLA: Has it been heard?

MR. SIRIGNANO: No, it hasn't been argued and won't be reached until the October term at the earliest.

ASSEMBLYMAN SCANCARELLA: 705 and 706 we are talking about. 706 has not been passed in New York?

MR. SIRIGNANO: That's the physical standards bill -

right.

ASSEMBLYMAN SCANCARELLA: Now 705 and 708 have both been passed?

MR. SIRIGNANO: Yes, both have been passed by both houses and signed by the Governor.

ASSEMBLYMAN SCANCARELLA: And one was a 30-day bill, is that right?

MR. SIRIGNANO: Right.

ASSEMBLYMAN SCANCARELLA: So the Governor has signed -

MR. SIRIGNANO: He has signed them all. Right.

ASSEMBLYMAN SCANCARELLA: Now if we pass these bills, what extra money would it involve so far as the Commission is concerned?

MR. SIRIGNANO: From a budgetary standpoint? There will be no need to increase our budget or our rate of assessment, because the registration of these people will bring in increased assessments which will be, we feel, more than sufficient to provide for the additional personnel that will be needed to supervise this area. Our calculations are that it will be more than sufficient. In fact, it might even result in a reduction of the rate somewhat.

ASSEMBLYMAN SCANCARELLA: All right. Now with respect to 708 - the distinction between peace officer and police officer. You say that is not necessary other than because it's a compact -

MR. SIRIGNANO: A compact measure.

ASSEMBLYMAN SCANCARELLA: Thank you. Are there

any questions? Assemblyman Irwin?

ASSEMBLYMAN IRWIN: I would like to talk a little bit about this Ross Trucking just so that I understand where this kind of operation fits into the framework of the Commission as it is now. As the law stands now, would any of the employees of Ross Trucking be covered by the Waterfront Commission?

MR. SIRIGNANO: No.

ASSEMBLYMAN IRWIN: Now am I correct in my understanding that the reason they would come within the purview of 708 is because they store the bananas in the truck overnight?

MR. SIRIGNANO: Right.

ASSEMBLYMAN IRWIN: Well then, is it also so that if we pass 708 they could again step outside the purview of the Commission by merely leaving the bananas on the pier until they are ready to cart them off to where they are going?

MR. SIRIGNANO: Except this, that the reason we are given when we talk to the importers as to why they employ Ross Trucking is that this is the essential service that Ross Trucking provides them by having a truck driver and they've got the facilities to store bananas. Now if they give up that storing business there will be no reason whatsoever why Ross Trucking would have a monopoly in this area.

ASSEMBLYMAN IRWIN: You mean the edge that they have is the fact that they do store them overnight.

MR. SIRIGNANO: That's the reason we are given why they must use Ross Trucking as a house trucker.

ASSEMBLYMAN IRWIN: Now staying with this Ross Trucking Company, will you, if you can, explain to us how it is that a company like this can have the kind of exclusive control over its market that it apparently had or that you indicate it has, without coming into conflict with either State or Federal law with respect to the impropriety of the unfair competition, etc., and also, if in your judgment they are in violation and, if they are in violation, has either the Attorney General or the U. S. Attorney been notified of these violations?

MR. SIRIGNANO: I'll answer that. In my personal opinion they are in violation of the United States Anti-trust law.

ASSEMBLYMAN IRWIN: Who is in violation?

MR. SIRIGNANO: The Ross Trucking by having this monopoly.

ASSEMBLYMAN IRWIN: How about the importers that have gotten together apparently and said that they must only ship with them?

MR. SIRIGNANO: We have referred this to the U.S. Attorney at the time of the investigation, a complete report.

ASSEMBLYMAN IRWIN: Which one?

MR. SIRIGNANO: Newark. There was this feeling that the reason that was given from the standpoint of the necessity for having a house trucker in order to perform this service so the bananas wouldn't spoil was enough to make this case a questionable one. Now there's another

reason. There are areas, and this is particularly why the Commission is very, very effective -- there are areas where the evidence or the testimony or the facts do not reach the level of a criminal act that could be prosecuted or they could be put in jail for. With the Commission's powers, we do have the power to say this kind of conduct cannot go on if you want to continue to be licensed. And that's why it's important that if we are licensed, whether this reaches the level of criminal prosecution, we can still take corrective action and see that a company like Ross Trucking does not have a virtual monopoly where, if you call up and say I want to buy bananas, I'll be down there with my truck tomorrow -- they say, "Sorry, but if you want to buy bananas, use Ross Trucking," and that's what is going on today.

ASSEMBLYMAN IRWIN: Well, with respect to your feeling that there are violations of the anti-trust laws, you say the U.S. Attorney was advised. And did you say what his opinion was? Did the Commission get a written opinion from the U.S. Attorney?

MR. SIRIGNANO: We don't deal at arm's length with other law enforcement sister agencies, but in the conference we had we felt that from the standpoint of the evidence obtained in the State, it was not the kind of case you could obtain an indictment in.

ASSEMBLYMAN IRWIN: Will you speak into the microphone, please. What did you give the U.S. Attorney in the way of evidence with respect to --

MR. SIRIGNANO: All the statements we took, the

questioning of the importers, the questioning of the purchasers, the testimony of Ross. We gave them a complete statement and after that discussed it with him. We can only refer to Prosecutors. We cannot prosecute.

ASSEMBLYMAN IRWIN: We understand. Now moving away from Ross Trucking for just a moment and going to Harbor-side Terminal. In your statement you indicated that Harbor-side Terminal apparently also insists that all meat be inspected by Erb Strapping. Is it Erb Strapping; is that right?

MR. SIRIGNANO: Yes.

ASSEMBLYMAN IRWIN: Now in your judgment, isn't that also a potential violation of the anti-trust law?

MR. SIRIGNANO: Personally I think it's a technical violation.

ASSEMBLYMAN IRWIN: Was that called to the attention of the U.S. Attorney or the Attorney General?

MR. SIRIGNANO: No, this is something that we recently uncovered and we are still working on that aspect of it now, and we haven't fully developed the investigation. Again, we also have the reason that was given to us on this, that they have got to have more space to perform the inspection of meat, they've got to give them room and square footage and they can't give it to everybody so, therefore, they give it to Erb. They give as the reason the practicability, the feasibility, and economics. They give this as the reason. It happens to be Erb Strapping in one case but with Vito Genovese in the picture, and the other case Ross Trucking with Peter DeFeo in the picture. They should only use one

guy for it.

ASSEMBLYMAN IRWIN: With respect to Ross Trucking, were those facts brought to the attention of the New Jersey Attorney General by the Commission?

MR. SIRIGNANO: I don't think so, because at that time after discussion it was our opinion that it would more likely be a Federal violation than a State violation.

ASSEMBLYMAN HIRKALA: Mr. Sirignano, on page 12 of your statement, I am going to read from the last paragraph: "The most effective way to assault Catena's organized crime empire is to eliminate and keep out of waterfront areas his most trusted underlings who carry on the daily business of policy, bookmaking and loansharking." And I would like to explore a little further into the charge of loansharking, and I ask you how extensive is this racket and do you have any specific cases concerning loansharking that you would like to relate to this Committee?

MR. SIRIGNANO: We do have cases in which we made arrests for loansharking. I don't have them at my fingertips but there are some members of my staff here who may have the files.

[Addressing Mr. Pin) Do you have the loansharking information with you?

MR. PIN: I have some of it.

MR. SIRIGNANO: Would you want to hear from Mr. Pin?

ASSEMBLYMAN HIRKALA: I'd love to.

MR. SIRIGNANO: This is Mr. Robert Pin, Attorney, State of New Jersey, Assistant Counsel of the Commission.

R O B E R T P I N: There are current investigations and there have been for as long as I have been with the Commission on loansharking in New Jersey. A very specific case which I handled myself involved one Lauren Berne who was working in a public capacity as a hatch boss on one of the Port Newark piers. Following our investigation he was seized, along with his records, was suspended by the Commission and eventually taken off the rolls of the Commission and barred from work on the waterfront. Within a very short time we found him working first for one warehouse and now working for another warehouse and he is currently there outside of the covered jurisdiction. I personally attended the trial where he was convicted in the Essex County Court and sentenced to a suspended sentence of one year, \$1,000 fine, and 5 years probation. In that area we have had two others that have been convicted, both of them on pleas of guilty following convictions after our investigation, and were suspended from the waterfront. Their whereabouts I don't know.

ASSEMBLYMAN HIRKALA: From the information you possess, how would you characterize the extent of loansharking on the waterfront? Would you say it's sporadic, modest, extensive? How would you characterize it?

MR. PIN: I would say that it's fairly extensive, not anywhere near what it was when the Commission first came into being, largely due, I presume, to economic factors, the fact that longshoremen today are

earning for the most part a substantial wage and have credit standing before the banks and, therefore, the major loansharking does not exist except where they are tied in, as we have found from our investigations, with other criminal activities, such as the man who gets himself too far into debt due to gambling losses, excessive drinking, etc. I have been told regularly that anyone who wants to borrow money on the waterfront at loansharking rates has no difficulty in finding a convenient accommodation.

ASSEMBLYMAN HIRKALA: Do you have any knowledge of any severe beatings or any murders which have resulted directly from the loansharking racket?

MR. PIN: Not within my time and not on the waterfront, sir.

ASSEMBLYMAN HIRKALA: Thank you very much.

SENATOR DUMONT: You say you are not pressing Senate 706. Why aren't you pressing it?

MR. SIRIGNANO: Principally because it is a bill that was primarily for the benefit of the collective bargaining parties of their contract. They seemed to feel that it is infringing on the areas; we think it's a good bill and will make for harmony in the industry. It hasn't been passed in New York and, therefore, I'm not pressing this legislation. If they feel there is substance to their arguments to pass this bill -

SENATOR DUMONT: Well then, your position is that

it is desirable legislation but not necessary?

MR. SIRIGNANO: That's right - for law enforcement purposes.

SENATOR DUMONT: You mention these two individuals - Joseph Laiso and Vincent Nanfra. What was the charge against them? You mention them on Page 4, two Erb Strapping employees.

MR. SIRIGNANO: Larceny of meats.

SENATOR DUMONT: What has happened so far in connection with the charges?

MR. SIRIGNANO: They are awaiting trial but in the meantime they are back working.

SENATOR DUMONT: Are they out on bail, or what?

MR. SIRIGNANO: Yes.

SENATOR DUMONT: How much bail?

MR. SIRIGNANO: I don't know. This is a matter that is in Newark I think.

SENATOR DUMONT: Has there ever been any court test in New Jersey such as has happened in New York State?

MR. SIRIGNANO: On the requirement of a license for incidental services? No, there has not been.

SENATOR DUMONT: You are satisfied that these other two bills then, 705 and 708, will take care of the problems that you are now confronted with on the waterfront?

MR. SIRIGNANO: Yes, and I think they are absolutely essential because of the changing picture of work on the waterfront. What was formerly performed at the pier level

is now moving into the back area and the same cargo is being handled by different means and different people. In order to be effective and in order to protect the cargo and in order to meet the original objectives of its compact, this legislation is necessary. Otherwise, the compact is not going to be what it was intended to be in the first place.

SENATOR DUMONT: Thank you.

ASSEMBLYMAN HEILMANN: How far does the Commission have jurisdiction now?

MR. SIRIGNANO: Right now the Commission has jurisdiction over any pier, terminal, dock, quay, waterfront terminal that is within one thousand yards of any pier.

ASSEMBLYMAN HEILMANN: Does that include the Camden area?

MR. SIRIGNANO: No, it does not.

ASSEMBLYMAN HEILMANN: And the jurisdiction you seek here now would extend that jurisdiction even as far as Camden then, would it not?

MR. SIRIGNANO: No, it would not unless there is some -

ASSEMBLYMAN HEILMANN: Now let me ask you this: Suppose this container company set itself up in the Camden area for shipping into the New York area. Would they not then come under what you are requesting?

MR. SIRIGNANO: No, because the bill contains a geographic limit as to where the container consolidation companies are, and they are either in a marine terminal,

which is an area under common ownership of both the piers and the warehouses such as Port Elizabeth and Port Newark, or a thousand yards from an actual pier which is used as a pier. So if a consolidated company is outside this area, it is not covered under this jurisdiction, and the reason for that is a practical one. We certainly cannot go chasing consolidated companies all over the two States. We must have an area in which we can concentrate our activities and see it is kept clean and free from underworld influence and cargo pilferage.

ASSEMBLYMAN HEILMANN: Now you mention Ross Trucking here as sort of a monopoly. Doesn't the Sealand also have some sort of a monopoly?

MR. SIRIGNANO: In what respect, sir?

ASSEMBLYMAN HEILMANN: In the containerization business?

MR. SIRIGNANO: Oh, no. There are many container companies.

ASSEMBLYMAN HEILMANN: How many more besides Sealand?

MR. SIRIGNANO: All the steamship companies now. We have all the major steamship lines operating out of Port Newark. The whole industry has been converting to containers.

ASSEMBLYMAN HEILMANN: Now you mention you charge for registration and for a license. How much do you charge for registration?

MR. SIRIGNANO: We don't charge any fees to the men. Our funds and the support of the Commission come from a payroll

assessment and we have the ability to assess up to two per cent of the actual payroll of people who are registered by the Commission. At the present time we are assessing at 1.40. We only assessed 2 per cent in the very beginning and it has been reduced since then.

ASSEMBLYMAN HEILMANN: I understood you, in answer to Assemblyman Scancarella's question as to how much money would be needed, to say it wouldn't be necessary because you would receive that from registration and, I would assume, from licenses.

MR. SIRIGNANO: I'm sorry, Mr. Assemblyman, but I didn't make myself clear. Once a man becomes registered, his payroll becomes assessable so that the employer has to pay his 1.40 assessment on the amount of money he paid him as pay. So that would bring in the revenue since he is a registered person. Our funds come from the employer. The employee doesn't have to pay a penny for his registration or his license or his investigation. It is all for free. We get the money from the employers.

ASSEMBLYMAN GARIBALDI: Mr. Sirignano, the Waterfront Commission Act was originally enacted back in 1953. Now in your testimony you have certainly brought forth the facts that the underworld or criminal element has definitely been involved in the Waterfront Commission's actions. Now has the Waterfront Commission since its origination ever come before the Legislature or the Governor with a request for any of these measures?

MR. SIRIGNANO: Repeatedly. We were here in 1954. We came back in 1957 when the Legislature granted us some amendments that took in the incidental services at the time; we were back in 1961 when they extended the prohibition of that to criminals being Union officials to Unions that were chartered by the ILA and not only the actual ILA Local; and we were back here - well, this is the next time we are back here now. We have been coming back repeatedly to this Legislature for measures that would assist the Commission in performing its objectives.

ASSEMBLYMAN GARIBALDI: In other words, the three measures that we have before us here today, you have definitely put these before the Legislature for consideration prior to this time?

MR. SIRIGNANO: Not the licensing bill. The police officers' power bill was before the New York Legislature and the New Jersey Legislature last year but the New York Legislature at that time did not take any action on it so it was not pursued here.

ASSEMBLYMAN GARIBALDI: Did they ever have any public hearings on the measures?

MR. SIRIGNANO: Yes, this year we are having extensive public hearings just as we are having here on all of these measures.

ASSEMBLYMAN GARIBALDI: This is in New York?

MR. SIRIGNANO: New York, yes.

ASSEMBLYMAN GARIBALDI: How about New Jersey, have you ever had any public hearings on these matters prior to

this one?

MR. SIRIGNANO: We had public hearings in 1961 before an Assembly Committee in connection with the amendment as to prohibition of criminals holding Union Office.

ASSEMBLYMAN HARIBALDI: And the Legislature at that time failed to act on those measures?

MR. SIRIGNANO: It failed to act in the 1960 session and it passed it in the 1961 session.

ASSEMBLYMAN GARIBALDI: Would you care to state why these were not considered at that time if the problem was existent, and according to your testimony the existence of the underworld was even greater at that time than it is today?

MR. SIRIGNANO: That was a specific bill concerning the extension of the prohibition against the holding of Union office by persons who had a criminal record. Why the legislature didn't act in the 1960 session, I would be guessing. I do know that in the '61 session was the first measure of business that they passed.

ASSEMBLYMAN GARIBALDI: Thank you.

ASSEMBLYMAN SCANCARELLA: I would like to note for the record the presence of Assemblyman Littell - Assemblyman Robert Littell and Assemblyman Kean is here too.

Assemblyman Irwin has another question.

ASSEMBLYMAN IRWIN: Can you tell me if, in your investigations, you have been able to forge any link, direct or indirect, between Harborside Terminal and Erb Strapping?

MR. SIRIGNANO: The only link we have forged thus far is a business association between the two. We have not forged

any criminal or underworld link if that is what you are referring to, at the present time.

ASSEMBLYMAN IRWIN: Thank you.

Now referring to your statement, with respect to these two men, Laiso and Nanfra, how would the enactment of Senate 708 change the way that these men would be handled; that is, would the fact that they have apparently been charged with the theft of these hams, would the Commission then have the power to exclude them from the waterfront?

MR. SIRIGNANO: They would have the power, but whether they would exclude them depends on the person, the case, the type of offense, the background, and, if the Commission after evaluating the situation - assuming these two people were registered by us now, the report would come in, an investigation would be made, the Commission would evaluate it and, if they felt that these two persons' continued presence on the waterfront would be inimical to the good of the waterfront, to protect the public safety they might suspend them pending a hearing. Then they would be entitled to a full-blown hearing, with counsel, with an opportunity to present witnesses as to whether they should remain on the waterfront or not. After all that, if the Commission decided you're not for this port, you're not doing the port any good, go look for work elsewhere, they would exclude them from the waterfront. It's a matter of discretion and not mandatory.

ASSEMBLYMAN IRWIN: We all know that some of the most nefarious members of organized crime have in some way or

another avoided detection for many years. Some of them have not been indicted since the mid-thirties. Now with respect to those people, people who are known to be or stated to be at the top echelon of organized crime, does the Commission have the power to exclude them from the waterfront, notwithstanding the fact that they may not have been convicted of a crime for some thirty years?

MR. SIRIGNANO: To put it very simply, assuming that a notorious underworld character, who had been found upon investigation to have had criminal association, comes in and applies for a license to go in business on the waterfront. Even though there may not be sufficient evidence to convict him on what he is doing, on the basis that he lacks good character and integrity because of his prior association, and because of unsatisfactory answers he may give, the Commission may say you're not fit to work or go into business on the waterfront. That was the very reason why an act like the Waterfront Commission compact wasn't necessary to clean up the waterfront, because you didn't get the areas where the getting of evidence to criminally convict him and put him in jail was available. The fact of the matter is, as you just stated, for 30 years we have known a lot of these people - known they have been engaged in illegal activities - and they are still walking around and a lot of people are still tipping their hats to them. But that doesn't mean they could be doing business on the waterfront once the Waterfront Commission compact was put into that area.

ASSEMBLYMAN IRWIN: Now with respect to Court Carpentry Company which you implied, or perhaps stated - I would have to look again at your statement - has a connection with organized crime, what facts or what has your investigation revealed with respect to any connection that that company has with organized crime?

MR. SIRIGNANO: As I stated in my statement, the investigation was that Albert Anastasia, at the time he was high and mighty and Lord Executioner, was the fellow who formed this company and bought it and was a stockholder and director, and it was a small company that did very little business. Since he took it over it has just blossomed into a big business. Now his relatives, a brother-in-law of Anthony Anastasia, now deceased, who was a former head of the Brooklyn Local, owns this company. When we started to investigate whether there was any sinister influence, and I am not saying at this point that there are sinister influences in this company - there may have been in the past and at the present time it may be all right - but when we started to investigate it, they enjoined us by this court proceeding.

ASSEMBLYMAN IRWIN: I would like to return again to Ross Trucking and Harborside Terminal, because you indicated before that these matters had been brought to the attention of the U.S. Attorney. Now I have great difficulty with the concept that these matters were brought to the attention of the U.S. Attorney and that they were rejected for prosecution apparently, according to your statement, on the basis

that they had some possible or viable defense to it. The reason that puzzles me is it seems to me that it was incumbent upon the commission at that time to insist that these prosecutions be brought of apparent violations of the anti-trust laws. I wonder if you have anything further you might say with respect to that.

MR. SIRIGNANO: We deal with Prosecutors on both sides of the river every day. We deal with them on the basis that we respect their office, we respect their responsibility, and we respect their judgment. If we disagree there was something wrong with this thing or there was some ulterior motive, certainly we will take additional action, a warranted action. But where it is going to be substituting my judgment for his judgment, I'm not going to make an issue of it and say to the papers that the Prosecutor won't prosecute a good case that I gave him. It's a matter of judgment and we are reasonable people.

ASSEMBLYMAN IRWIN: Did you feel it was a good case?

MR. SIRIGNANO: I wouldn't have referred it if I didn't.

ASSEMBLYMAN IRWIN: Now with respect to the over-billing. You mention a number of incidences where there is apparent overbilling. How did the Commission establish that? What investigatory procedure did you take to establish this overbilling?

MR. SIRIGNANO: If you press me for the answer I'll give it, but rather than give our investigatory techniques, I would rather not.

ASSEMBLYMAN IRWIN: Well, what I'm getting at , is this

a result of examination of books and records?

MR. SIRIGNANO: Yes, it was.

ASSEMBLYMAN IRWIN: Now how about the victims of this overbilling? Weren't they conscious of the fact that they were being overbilled as much as \$74,000?

MR. SIRIGNANO: In the case of the victims it could be due to one or two things. One could be they have sloppy procedures or sloppy personnel that didn't check up on it, or it could be they know it's going on and they turn their eyes the other way because it might be the smart thing to do from the standpoint of other considerations.

ASSEMBLYMAN IRWIN: Are you suggesting there are pressures applied to them? Is there any evidence there are such pressures applied?

MR. SIRIGNANO: Well, there is evidence of such pressures because of the fact that when they are called in and told they have been overbilled, they are not too excited about it and as a matter of fact they won't even press for reimbursement. In one case we made a condition that they be reimbursed but I don't know whether the reimbursement has been made up to this point. That certainly suggests some other considerations.

ASSEMBLYMAN IRWIN: Now on page 9 of your statement you imply that in effect the Commission chased Chet Maintenance out of business. Can you tell us more about that? What did the Commission do that caused Chet Maintenance to get out of the waterfront.

MR. SIRIGNANO: We investigated Chet Maintenance.

Chet Maintenance was one of the companies that under a prior interpretation of the law as we applied it was subject to a license. He applied for a license and on the basis of the application for a license we gathered all this evidence of the overbilling. We had a hearing and after a hearing, at which he failed to appear or contest, we made a determination that he should be revoked and we threw him out of business in the Port of New York area. We referred the matter to the appropriate District Attorney which has it under consideration.

ASSEMBLYMAN IRWIN: One further question and then I'll turn the mike over to someone else. With respect to the granting of police powers to the employees of the Commission, is there any requirement that these employees have any police training which would equip them to employ police powers?

MR. SIRIGNANO: Yes. The Turnpike gives the Commission the broad authority to designate its office, determine the qualifications, fix the compensation, etc. The Commission has to determine the qualifications of its investigators. In the first place, if a person has no formal law - he's got to have at least five years of prior law enforcement experience, and we've recruited our people from the F.B.I., the United States Treasury, Customs, the local police departments both New York and New Jersey. If they have five years previous experience and have met all the police training in that experience, then they are qualified. Otherwise they have to have a college education and then they have to take, at our expense, the municipal

training courses required by the local government both here in New Jersey and in New York before they become full-fledged investigators.

ASSEMBLYMAN IRWIN: And this is by Commission regulation?

MR. SIRIGNANO: That's right, because the Commission does not have any specific policies - it's a bi-state agency - a specific norm - and it must adopt its own. It's adopted the policy of the States of New York and New Jersey in regard to police officers.

ASSEMBLYMAN IRWIN: Thank you, Mr. Sirignano.

ASSEMBLYMAN HEILMANN: This is called the Waterfront Commission. I notice there are only three people attached to this Commission.

MR. SIRIGNANO: We have a staff of approximately 237 people.

ASSEMBLYMAN HEILMANN: There are only two Commissioners?

MR. SIRIGNANO: There are two Commissioners, right, one from New York and one from New Jersey.

ASSEMBLYMAN HEILMANN: Does Labor have any representation on this Commission?

MR. SIRIGNANO: No, it does not. Each Governor appoints one Commissioner.

ASSEMBLYMAN HEILMANN: I would like to ask one other question. Suppose, for argument's sake, that a stevedore gets injured on the job, and he applies for a checker's job. Physically he can't do the stevedoring work but, due to his experience, he can make a good checker. Who determines whether he is going to get that checker's job, the Commission?

MR. SIRIGNANO: We don't determine who gets any jobs. Our job is not to get people jobs. Our job is to qualify them and say they are eligible for jobs. Once we give them the registration, then it's up to them to get their jobs - it is up to the employer or up to the Union representation to see that they are hired according to their contracts.

ASSEMBLYMAN HEILMANN: Do you qualify him as a stevedore?

MR. SIRIGNANO: No, as a longshoreman. Stevedore under the act is the employer.

ASSEMBLYMAN HEILMANN: Longshoreman. Then would that cover him if he sought a checker's job?

MR. SIRIGNANO: No, we have two standards - a longshoreman and a checker standard. If he meets the checker standard he has a perfect right to apply, nobody will stop him from applying. In fact every time we need more checkers, our policy is to first solicit the longshoremen to see if they want to become chckers before we go to the outside and bring new people in, and if he meets the qualifications for checkers, then he is on his own to get a job.

ASSEMBLYMAN HEILMANN: And the Commission does decide whether he is qualified to be a checker.

MR. SIRIGNANO: It's according to the statutory standards that the law requires.

ASSEMBLYMAN HEILMANN: The employer doesn't have that right then, you have it.

MR. SIRIGNANO: Once we say he's qualified, then

the employer has got a right to choose him or not to choose him. All we do is make him eligible - just like you can't drive a car until you have a driver's license.

ASSEMBLYMAN HEILMANN: Perhaps I'm not making myself clear. This fellow whom you cleared as a longshoreman becomes injured. Does he then have to come back to you again to get approval to be a checker?

MR. SIRIGNANO: Yes, he does, because a checker registers and has to get approval, because it's a different register.

ASSEMBLYMAN SCANCARELLA: Does one of these bills make it a misdemeanor for a Union to hire as an officer or employee anyone who has been convicted of a crime? Or is that just a New York law?

MR. SIRIGNANO: That's both a New York law and - individual statutes, penal statutes, which say that anyone who has been convicted of a crime cannot hold Union office unless he relieves that disability by a certificate of good conduct or pardon by the Governor.

ASSEMBLYMAN SCANCARELLA: Is that law today or is that one of these statutes?

MR. SIRIGNANO: That's the law today.

ASSEMBLYMAN SCANCARELLA: That's law already?

MR. SIRIGNANO: In New Jersey it's law today. We are not asking for that here.

ASSEMBLYMAN SCANCARELLA: That's all. Are there any further questions? (No questions)

I notice in the audience Assemblyman Kean. Is he still

here? [Assemblyman Kean not present.]

Mr. Sirignano, as part of the New York package, there was S-2160 and there is no equivalent here. That's the one I just asked you about. Does that mean it was New Jersey law and now has become part of the Waterfront Commission Act because New York passed it subsequently to New Jersey and these other two bills are passed in New York first and then coming here?

MR. SIRIGNANO: I'll explain that. The Waterfront Commission Act has two parts to it. One is the compact between New York and New Jersey which requires identical legislation in both States. The other part are separate sections which are individual State statutes which has prohibition against loitering, prohibition against holding Union office. They are individual statutes of each State which do not require identical legislation. In other words, one State could have it and the other State need not have it. Now we did have in both States the individual State statute prohibiting the holding of Union office. In New York the statute did not have any penalty section in it because at that time there was an over-all penalty section which said that any prohibitive act which does not have a penalty is a misdemeanor. In the New Jersey statute it is specific that any violation of this act is a misdemeanor because you don't have an over-all penalty section. A New York court held that it was vague and indefinite and, therefore, they held the New York statute unconstitutional, the lower court. We are

on appeal in that case now. But nevertheless, the New York Legislature remedies that by making it specific and putting the penalty right in the clause. Now we have in New York exactly what we already had in New Jersey.

ASSEMBLYMAN SCANCARELLI: So we don't need it in New Jersey.

MR. SIRIGNANO: Right.

ASSEMBLYMAN SCANCARELLI: We already have a prohibition against unions hiring ---

MR. SIRIGNANO: Within the statute itself.

ASSEMBLYMAN SCANCARELLI: And New York had a problem on the constitutionality and had to re-enact it.

MR. SIRIGNANO: That's right - just on legislative drafting, so to speak.

ASSEMBLYMAN SCANCARELLI: Thank you.

I will now call Mr. Marciante. Before I do that, I should ask if there is any other legislator in the House. Assemblyman Kean, are you here to testify?

ASSEMBLYMAN KEAN: No.

ASSEMBLYMAN SCANCARELLI: If you want to join us up here, you are welcome.

C H A R L E S M A R C I A N T E: Mr. Chairman and members of the Committee: My name is Charles Marciante. I am representing the New Jersey State AFL-CIO.

First, I would like to commend the members of the Committee and the Legislature for their holding of these hearings. There was a great push on at the time the Legislature was in session to have these bills enacted. However,

as a result of your wisdom in conducting these hearings, we feel we will be given a fair chance to present the arguments we have in opposition to all three of these Senate Bills.

We of the State AFL-CIO representing organized labor in New Jersey ask you to carefully scrutinize the arguments of the Bi-State Waterfront Commission and that of organized labor. We are confident you will see clearly the shallow attempt by the Waterfront Commission as a full-scale lobbying effort on their part to merely extend their authority.

I was very happy to hear the counsel for the Waterfront Commission state that they have been responsible in convicting two book-makers - very impressive.

Some of the features of the bills, particularly Senate 706 - a statement was made by counsel to the Waterfront Commission that an arrangement had been worked out with the union and the Shippers Association that the collective bargaining process would not be affected. We have with us today two people I feel are competent witnesses representing organized labor and with the Committee's permission I would like to call on them at the conclusion of my testimony to present the full arguments in rebuttal to some of the statements made by the Counsel for the Waterfront Commission.

The collective bargaining process will definitely be affected if Senate 706 is enacted.

Senate 705, of course, extends the jurisdiction of the Bi-State Waterfront Commission to conceivably cover in addition to warehousemen, carpenters, bricklayers, electricians,

plumbers, steamfitters, iron workers, laborers, roofers, sheet metal workers and, of course, the teamsters who are making deliveries to the docks.

708 makes everyone on the Bi-State Commission as a super officer of the law. It is strange to me why they stop there. The powers of the diety in my opinion would be more to their liking.

We feel that Bills 705, 706 and 708 are unfair and adversely affect the hard-working and decent people on the docks and warehouses. We appeal to you that the workers not be included under the coverage of these bills.

Again I would like to thank and commend the Committee for your fairness in conducting this hearing and for not being rushed into blind enactment of what we feel is unfair legislation.

With the permission of your Chairman, I would like at this time to present knowledgeable people from organized labor on this subject. Again with your permission, I would like to first introduce Seymour Waldman, who is Counsel to the ILA and the International President of the ILA, Teddy Gleason, and have them come up for their testimony.

ASSEMBLYMAN SCANCARELLA: How many do you have, two, Mr. Marciante?

MR. MARCIANTE: Yes, just two.

S E Y M O U R M. W A L D M A N: Mr. Chairman,
members of the Senate and members of the Assembly: My name
is Seymour Waldman. I am a member of the firm of Waldman and
Waldman, and we are General Counsel to the International
Longshoremen's Association, generally known as the ILA,
which is the labor union principally affected by these bills
and I am speaking here in opposition to all three bills
now before this Legislature.

These three bills, all introduced at the request of
the Waterfront Commission are as follows:

Senate 706 is a bill which would permit the Commission
to prescribe standards of physical and mental fitness for
longshoremen and checkers, whether or not these standards
are compatible with industry and labor in collective bargain-
ing. This is the bill which Mr. Sirignano said the Commission
was not pressing at this time.

Senate No. 705 is a bill extending the Commission's
jurisdiction so as to bring within the orbit of Commission
licensing, registration, and control, not only all waterfront
warehouses, consolidators, marine carpenters, maintenance
companies and similar employers, but all their employees as
well. And this was an important point raised by the Chairman
in questioning Mr. Sirignano and I would like to come back
to that in a moment when I deal with that bill at greater
length.

Senate No. 708 is a bill which would permit "any
officer, agent, or employee" of the Waterfront Commission to be

converted into a "police" officer.

Two of these bills, as Mr. Sirignano indicated, were adopted this spring by the New York State Legislature by narrow margins I might add. Although I was not present at the time of their adoption by the New York Assembly in the waning hours of its legislative session, I have been advised by responsible observers that the proceedings were a shambles and a disgrace. Representatives of the executive branch were on the Assembly floor lobbying, votes were cast on behalf of members who were not even in the chamber, and the entire series of measures was handled with utter disregard for lawful, democratic and orderly procedures.

One of the three bills now pending before this Honorable Body has not been adopted by the New York Legislature at all. This is the bill empowering the Commission to override collective bargaining standards governing the physical or mental qualifications of longshoremen and checkers. The member of the New York Senate who introduced this bill, and that was Senator John Marchi, was the chairman of the Senate Committee to which all these bills were referred; and after further reflection, he refused even to report this particular bill out of committee. It never reached the floor of either house and it is being submitted to this Legislature with - and I see I should change "the full support of the Waterfront Commission" to perhaps "the half-hearted support of the Commission."

I would like now to briefly analyze these bills and show why we believe they are unworthy of adoption and President

Gleason of the ILA will then present further reasons for their rejection from the standpoint of a practical labor leader.

The first one, the one which did not pass the New York Legislature - and may I interrupt myself for a moment. We know this body does not regard itself and is not a pawn of the New York Legislature or a junior partner of New York. It is a legislative body with full responsibilities dealing with the section of the port which is becoming predominant and may in a few years be the predominant section of the port, and we know that this body is going to examine all of these measures on their merits, irrespective of what New York did. If it finds them worthy, it will recommend their adoption. If it finds them unworthy, we know it will recommend that they be rejected. So we are addressing you with full knowledge that you are going to exercise your own independent judgment on these bills, irrespective of what New York did in the manner that I have summarized.

Now Bill 706 would permit the Commission to reject longshoremen's or checkers' applications for registration if such applicants do not meet standards of physical and mental fitness prescribed by the Commission. Although the Commission would be empowered to adopt the standards of fitness agreed upon in collective bargaining between ILA and the shipping and stevedoring companies in the Port of New York, it is not required to do so. Under this bill the Commission would be free to disregard entirely the standards set forth in the collective bargaining agreement and to prescribe its own standards

which may be totally at variance with those agreed upon by management and labor. And it is for this reason, may I add, that the Shipping Association representing the employers in the Port of New York on both sides of the river is opposed to this bill, as Mr. Sirignano indicated, as well as the union.

The collective bargaining agreements in the Port of New York have for several years prescribed physical standards for prospective longshoremen. These standards have been fairly and impartially administered by well-staffed medical clinics and competent physicians. Neither the Commission nor anyone else has found any cause for complaint in either the formulation of standards or their application.

The Commission will undoubtedly tell you, and Mr. Sirignano did not, although he did mention this in the New York Legislative hearing, that it is protecting innocent workers against the possibility of arbitrary medical fitness standards, but that is a wholly specious argument. For the Commission cannot point to any such instance in all the years that these subjects have been regulated by collective bargaining, and I think that is one of the main reasons why the Commission's support to this bill can only be described as half-hearted. There is no evidence, no example, in years of administration of improper standards improperly administered. There is no demonstrated need whatsoever for this bill and we think we will be able to show you the same as to the salient features of the other bills as well. Moreover, the Commission had no particular competence in this area, as I

think Mr. Sirignano implicitly admitted. The Commission is essentially a law enforcement agency, and the fixing of physical and mental standards for work as a longshoreman has no relevance to law enforcement. Certainly the industry is far better able to say what medical or physical qualifications are required of a longshoreman and checker than is the Commission. And if one is really concerned about the spectre, and it is only a spectre, undocumented, non-existent, of arbitrary, discriminatory treatment, there are already ample means of redress through arbitrations, courts, and more appropriate federal and state agencies like labor relations boards and civil rights commissions. In other words, if any applicant for registration is denied his application by reason of the determination jointly by labor and industry through their medical clinics with respect to his physical or mental qualification, he has ample means of redress before bodies that are equipped to pass upon those issues. This Commission certainly is not.

The bill here would undermine a basic principle firmly embedded in the Compact since its inception and strongly reaffirmed by this Legislature in 1962. Article XV, par. 2 of the Compact provides in relevant part, as follows:

"This compact is not designed and shall not be construed to limit in any way any rights of longshoremen, hiring agents, pier superintendents or port watchmen or their employers to bargain collectively and agree upon any method for the selection of such employees by way of seniority, experience, regular gangs or otherwise..."

"Otherwise" would certainly include physical or

mental qualifications to do the job.

Those provisions of the ILA agreement with the New York Shipping Association fall squarely within the secured guarantees of Article XV.

In 1962, apparently concerned that the Compact might be read so as to diminish collective bargaining rights conferred by other statutes, particular federal and state labor laws, this Legislature added a new section to its Waterfront Commission laws, providing as follows:

"This act is not designed and shall not be construed to limit in any way any rights granted or derived from any other statute or rule of law for employees to organize in labor organizations, to bargain collectively and to act in any other way individually, collectively and through labor organizations. . ."

This section, which has never been adopted in New York and is therefore a part of the New Jersey law only, evidences the deep concern that this Legislature had for the protection of collective bargaining rights against possible Commission interference. It is a very sound, worthwhile provision which should be preserved and not eroded away.

There is no justification after all these years to interfere with a system of medical qualifications and examinations that has worked satisfactorily. To do so would only plant the seeds for potential discord between standards set in collective bargaining and contrary Commission standards, which would then become controlling. This is a subject which should remain within the province of collective bargaining.

Two, the second bill, Senate 705, which I think

is the most controversial of the three before this body - and I say "controversial" not because our feelings are not at least equally strong on the first one, but because the Commission's feelings are apparently not as strong on that one - this bill seeks further to broaden the powers of the Commission by extending the registration and licensing of additional categories of waterfront labor and employer-contractors. It would represent a vast increase in the scope of the Commission's powers, both geographically and functionally.

The Commission has sought to justify this bill by pointing to certain employer contractors under allegedly unsavory ownership or control. If I may interpolate - those are the names that you have heard. That is the subject which occupies pages of Mr. Sirignano's testimony - Erb Strapping, Court Carpentry, Chet Maintenance, Ross Trucking. These companies, employers, business enterprises, the Commission says, should be brought under licensing powers. We wish to make our position on this perfectly clear. The ILA is a labor union representing workers not employers. We do not either attack or defend these employers. We simply do not know enough about the material raised by Mr. Sirignano and whether or not they are licensed is not our concern here.

What we most vehemently object to is the assumption that because employers, business enterprises, are placed under governmental regulation, their employees should also ipso facto be subjected to official registration, with the Commission having life-or-death power over the employees

right to work not only in the longshore industry itself, as that industry has been understood and delineated at least since 1953 when the Compact was first adopted, but in other jobs that happen to be located in the vicinity of the waterfront and happen to be related in one way or another to the transportation of cargo. This is what the present bill provides and, as I say, it is contrary to the whole of American experience.

For example, banks are subjected to banking legislation and regulation, insurance companies are subjected to insurance legislation and regulation, public corporations and stock exchanges to the Securities and Exchange Commission, automobile manufacturers to safety laws, drug manufacturers to the Pure Food and Drug Act, mine owners to mine safety standards, etc. We could go on through a large number of industries that form the American economy. All of this regulatory legislation came about as a result of wrong-doing, misconduct or abuses on the part of business enterprises and their officials, much of the nature that Mr. Sirignano was outlining to this Committee. But no one has ever suggested that all employees occupying non-policy making, wage-earning, laboring jobs in these industries should therefore be registered by a governmental agency and subjected to its sole decision as to their right to seek work.

Now let me interpolate for a moment and address myself specifically to a subject that was raised by the Chairman in questioning Mr. Sirignano because I think the answer was unclear,

at least to me, and as I understood would be unintentionally misleading to the Committee and to the Legislature.

There are two aspects to the Commission's licensing and registration powers: one, licensing powers over employers, that is, business enterprises; two, registration of employees, and by employees, we mean non-policy making, wage-earning men. Each is a separate function. Neither is necessarily tied to the other. Each of them gives the Commission a life-and-death power because a company that is unlicensed cannot do business and a man whom the Commission refuses to register simply cannot work in any covered employment. What I am asking the Committee to do is not to be blinded by a perhaps impressive recitation dealing with business enterprises to adopt legislation which would affect less the business enterprises in terms of its effect on people, its effect on New Jersey residents, its effect on those who must earn their living in the economy of the two states involved, to not be deceived by this into passing legislation which would place with no demonstrated need at all the life-or-death registration power that the Commission seeks over hundreds of actual job-holders now and hundreds more of prospective job-holders in the years to come.

Now the Committee Chairman asked Mr. Sirignano, "Are you saying that this legislation is designed merely to correct a definitional problem that arose out of a New York court decision and that affects employers and that the employees were covered in any event?" And I understood Mr. Sirignano

to say, "Yes, that is the intent and that is the purport."

I think it should be very clear to this Committee that this bill, 705, I believe it is, most definitely does bring within the ambit of the Waterfront Commission's registration power groups of employees, running into the several hundreds at least, who would not otherwise be there and who are not there today. So it affects both sides of the coin, the employees as well as the business enterprises. And if I may, to make that point very clear, turn to the exact language of the bill which I assume is before this Committee. It comes in in at least two or three different places. The most obvious is at page 2 of the printed version that I have at least of Senate 705. Paragraph number 6, the definition of longshoreman, and that's the worker who is subjected to the Commission's registration power, has directly added to it in italics a new paragraph (c) which includes for the first time, "a natural person who was employed for work at a pier or other waterfront terminal by any person to perform labor or services involving or incidental to the movement of freight at a waterfront terminal as defined in subdivision 10 of this section." Then if you turn to page 3, you will see that subdivision 10 gives a broad definition to "other waterfront terminal." Now at the very least, this is going to involve the registration for the first time of hundreds of warehouse employees and others employed by other contractors who have never been subjected to the registration powers of the Commission.

The second point where this has an impact on workers and not merely business enterprises comes in Section 6 (a) of the bill. Section 6 (a) defines a longshoreman as somebody employed either by a carrier of freight by water or by a stevedore. Now you will recall Mr. Sirignano said what they have had to do is expand the definition of a stevedore. By expanding the definition of a stevedore, they have by the same token expanded the group of employees who are subjected to the Commission's registration powers because if an employer is not a carrier of freight by water, and that's not what we are talking about here today, and is not a stevedore under the currently accepted definition of that term, then its employees are not registerable employees.

So we say to you, this does have a very important impact on workers. The entire presentation has been in terms of a need, a law enforcement need, with respect to business enterprises. It does not follow in terms of either logic or legislative policy that by that token you grab within the Commission's life-or-death registration powers hundreds of workers who have not been shown and are not claimed to have done anything wrong in the jobs that they are now holding.

As I indicated in my prepared statement, when it comes down to the work force, the Commission's argument is weak indeed, and I would say after today's presentation it is virtually non-existent. It may well be, as the Commission says, that a handful of men - and I have only heard one

mentioned - who were denied longshore registration have obtained jobs in other industries, such as warehouses, which the Commission now wishes to embrace within its jurisdiction. We ask: Does the Commission expect them to starve? Does it prefer that these men be deprived of any opportunity to work and be forced into a life of crime?

The significant point is that the Commission does not claim that these employees have done anything wrong in any of the jobs that they are now holding or the jobs that the Commission wishes to bring for the first time within its scope. The Commission has not supplied this body with any evidence that their present work has contributed in the slightest to waterfront crime. It does not make any showing of necessity for this stringent regulation of hundreds of workers through broad expansion of the Commission's own registration powers.

So broad and sweeping is this bill that it may well cover all waterfront warehouses and their hundreds of employees. I want to make it clear that these waterfront warehouses are by no means a recent phenomenon. They are not a phenomenon that came into existence by reason of containerization or any other economic development. For years - I think we can go back 30, 40 or 50 years - the Port of New York has had many waterfront warehouses handling and storing cargo transported by ships. A number of these are located in New Jersey. They have never been under the Compact and their workers have never been registered and this applied in 1953 when the

greatest furor existed about alleged crime on the waterfront, and there has been no showing that in the 16 years since 1953 there has been a serious problem in these warehouses with respect to alleged criminal activities on the part of the workers. There has been no burgeoning of criminal activity here on the part of workers and there is no need shown for change in the Compact with respect to workers or employees.

Yet, with no justification, the Commission seeks control over large additional groups of workers, including hundreds of men who have been working lawfully and peacefully for years in their present jobs. The Commission might just as logically seek compulsory registration of any business located near the waterfront, whether it be factory, warehouse, restaurant, or the like and seek to cover its employees under registration powers. This, we respectfully urge, is not a remedial law enforcement measure at all, at least with respect to workers; it is simply another grab for more power, and totally unjustified.

In the view of the ILA and the Labor Movement, it is high time for these powers of the Commission to be reduced and not constantly increased as the Commission would have it.

Now the third bill. Senate No. 708 would empower the Waterfront Commission to designate any of its officers, agents or employees with all the powers of a police officer. Under present law, Commission investigators are peace officers rather than police officers. And I am not at all sure from my reading of New Jersey law - and I don't pretend to be

a New Jersey lawyer and I can't give, I think, expert or perhaps even competent testimony to this Committee with respect to New Jersey law - I am not at all sure there is no difference. I am not at all sure that there are not special powers from what I can see of the statutes that are conferred upon police officers as distinct from peace or law enforcement officers generally.

The significant point is that Commission investigators have ample powers at present to serve the purposes of law enforcement. And there is no bill pending and there has been no recent legislation seeking to diminish their powers. The Commission has had no difficulty in taking whatever action it deems necessary to expose crime or apprehend the perpetrators. As peace officers, Commission investigators have the power of arrest as well as other powers endowed by law upon them. And again there has been no demonstrated need for the proposed expansion in their powers, whether that expansion take place in New York, New Jersey or both, and again I say it is the solemn responsibility of this Legislature and this body to scrutinize these requests and see whether there is a need. And I say there has been no example presented to this body of any instance where the Commission investigators or its officers, agents or employees whom it wishes to designate as police officers have been hindered or impeded in the exercise of law enforcement powers by any deficiency under present law.

Although the Commission has talked of the qualifications

of its "investigators", this bill does not limit the group upon whom the broad powers of police officer can be conferred. Rather, it empowers the Commission to confer these powers on any of its employees, not merely to persons with law enforcement experience or qualification.

Indeed - and this gets to the point that was raised in the questioning of Mr. Sirignano - the bill is notably silent on the subject of standards of intelligence, education, training, physical fitness, character and other fundamental prerequisites for Waterfront Commission "police" officers. Such silence is notable when it is asked that these police officers should be given the widest of power touching upon sensitive areas of constitutional and personal rights. Commission personnel should not be granted merely on an unsubstantiated and unsupported request with no showing of need these additional powers to harass thousands of longshoremen, both on the job, and I may add in their private and personal lives as well.

In seeking to confer the powers of "police" officers upon administrative personnel who are not required to undergo any comprehensive, systematic training, this bill runs counter to basic principles of New Jersey law as enunciated by this Legislature within the last several years. In adopting the Police Training Act in 1961, this Legislature found that "police work... requires proper educational and clinical training... and... higher standards of efficiency... [which] can be substantially met by the creation of a compulsory" - and

I interpolate "compulsory" by statute - "training and education program for persons who seek to become permanent law enforcement officers..." Accordingly, a compulsory training and education program was established to assure that all police officers meet the high standards necessary to "insure the health, safety and welfare of the citizens of this State."

The present bill would wipe away these protections by permitting the broadest of police power to be conferred upon any Commission employee with no assurance that any qualifications or training requirements have been met. The powers here sought should not be granted.

In conclusion, Mr. Chairman and gentlemen, if I may make just one over-all comment - the Waterfront Commission Compact and the accompanying statutes in both states going to make up the Waterfront Commission Act is a unique measure in American industrial experience. It finds as far as we know, and I think our checking has been pretty thorough, no parallel in any other state, in any Federal legislation, in any bi-state compact. It was adopted in 1953 as an extraordinary emergency measure on the basis of claims of alleged extraordinary need, documented out of actual experience and not hypothetical speculation, and I am certainly not here to reargue the wisdom or desirability of the Compact that was adopted some 16 years ago.

I do urge, however, that in the light of the extraordinary nature of this Compact and the extraordinary

regulatory powers which it confers upon an administrative agency that before any legislature should consider favorably any request for expanded powers, it should require a correlatively extraordinary showing of need and not a need that something may happen in the future, that people may do something in the future. That is not the kind of need in our type of economic industrial society that could ever be used to justify this kind of stringent regulation. Perhaps in a totalitarian economic society it would be different, but not in America, not in New Jersey, I urge. And I submit with respect to the bills in so far as they have impact on working men, which is what I am here to talk about, I think I have shown that it does have an immense impact upon them. There has been no need of any nature or degree shown to this Committee and certainly not the kind of extraordinary need which alone could justify favorable consideration.

Thank you very much.

ASSEMBLYMAN SCANCARELLA: Mr. Waldman, am I to understand from your testimony that you say there was or was not a need in 1953?

MR. WALDMAN: I say that there was not, but my point is the presentation was made in terms of a documented need and that is the way it was presented. They tried to show that people in their then present jobs, occupations, employment, ownership of company had done this, this and this, the type of thing that Mr. Sirignano tried to show with respect to business enterprises but which I urge he

totally failed to show with respect to workers.

ASSEMBLYMAN SCANCARELLA: Just yes or no - do you think there was a need in 1953?

MR. WALDMAN: Personally I think no, but at least it was presented on that basis.

ASSEMBLYMAN SCANCARELLA: When it was presented, was it not a goal at that time to rid the docks or the waterfront of gangster elements?

MR. WALDMAN: Yes.

ASSEMBLYMAN SCANCARELLA: Do you think that goal has been reached or is there still some underworld infiltration or is it still a breeding ground for crime?

MR. WALDMAN: I would say that there is some underworld participation in virtually every industry of which I am aware, certainly every major industry in this country. I would say it is probably less on the waterfront than it is in most industries in this country today.

ASSEMBLYMAN SCANCARELLA: Less on the waterfront?

MR. WALDMAN: I would say so.

ASSEMBLYMAN SCANCARELLA: Less now?

MR. WALDMAN: Less now.

ASSEMBLYMAN SCANCARELLA: Less now than in 1953?

MR. WALDMAN: Yes, I would say less now than in 1953 and less now with respect to the waterfront than other industries.

ASSEMBLYMAN SCANCARELLA: There was no need in 1953 so there is even less of a need now. Is that what you are

telling us?

MR. WALDMAN: That is my testimony. That would be my statement.

ASSEMBLYMAN SCANCARELLA: But there was a goal to rid the docks of gangster elements you say, but that goal has not been fully attained or fully reached. Is that it?

MR. WALDMAN: I am trying to be literal. I think it is probably impossible to totally rid any large sprawling industry of gangster infiltration. I say it has been better rid in the case of the waterfront than most other industries. I suppose you could reach a stage of over-kill in terms of the regulation of any industry that you would rid yourselves of crime to a large extent but you would also interfere in other aspects more substantially than you would want. My point is that these are not anti-crime bills and in terms of labor and employees they are not directed at crime and there has been no showing of crime and they haven't even tried.

ASSEMBLYMAN SCANCARELLA: Who hasn't even tried?

MR. WALDMAN: The Commission, in terms of the need to register new groups of workers as distinct from business enterprises. I have heard nothing with respect to that need.

ASSEMBLYMAN SCANCARELLA: Isn't it your testimony that the New Jersey side or the Port Newark area may become the predominant - isn't that the word you used? --

MR. WALDMAN: That's right.

ASSEMBLYMAN SCANCARELLA: [Continuing] -- or fastest

growing? And don't you think they are entitled to the same protection as on the New York side and need the same protection?

MR. WALDMAN: Yes, and I disagree violently with the action of the New York Legislature in adopting the two bills - two of the three bills here. I say it was adopted under scandalous circumstances by a narrow margin, unwisely, and I don't think this Committee and this Legislature when it examines these bills calmly on the merits is going to conclude that there is any merit in so far as it applies to registration of employees; maybe licensing of companies, but that is not our concern.

ASSEMBLYMAN SCANCARELLA: But you admit that there is a certain amount of underworld or criminal infiltration on the docks and you admit that the Port Newark area is a fast-growing area and may become the predominant area. Is that right?

MR. WALDMAN: Yes.

ASSEMBLYMAN SCANCARELLA: Yet on page 8 -- at the bottom of page 7 and top of page 8 you say, ". . . it is high time for the powers of the Waterfront Commission to be reduced. . ."

MR. WALDMAN: That's right. That is correct. I think that is so.

ASSEMBLYMAN SCANCARELLA: You are telling us there is crime there and you are telling us to reduce their powers.

MR. WALDMAN: I would say with respect to the registration of employees, it is high time they be reduced.

In other words, Mr. Chairman, when you have crime - assuming you have it - and I am just not in the position to know because I don't know enough about business enterprises. That is not our concern. We are a labor union here and I am speaking for a labor union. If you have crime in segment A of any industry, that does not mean that there is either crime or may be crime in segment B, C, D, E, and F. And I say before the Legislature adopts legislation that affects A, B, C, D, E and F, it has got to see that there is crime in all these other segments because there are unfortunate effects of regulatory legislation that could only be countervailed by a demonstrated need and I am saying that there has been no showing of crime in the areas with which I am concerned. There is where I think the powers ought to be reduced. I am not saying there is crime in those areas, but I am sure there is minimal crime. Obviously when you have 20,000 people there, you are going to find a couple of bookmakers, as Mr. Marciante said. I don't think that is impressive. I don't think that is what we are talking about. There are police forces that can deal with that.

ASSEMBLYMAN SCANCARELLA: Don't you think there was more documentation at the legislative hearing in New York State and right here this morning of more than just bookmakers?

MR. WALDMAN: Yes, but with respect to business enterprises, not with respect to workers and that is the point I want to leave this Committee with. Yet this has wholly separatable effects on both groups. That's the

point that I am making on Bill 705.

SENATOR DUMONT: Mr. Waldman, are you in favor of the abolition of the Waterfront Commission?

MR. WALDMAN: I am not here to urge that abolition today, the total abolition.

SENATOR DUMONT: I get the impression throughout your entire statement that you disagree entirely with the theory of the original legislation.

MR. WALDMAN: I disagree with the theory of the original legislation and yet I do not pretend to be informed enough with respect to the effects on business enterprises and the need with respect to business enterprises to say today that the Commission should be abolished. Before I would make that statement - and I assume you would want a responsible answer - I would want to address myself responsibly to the entire Compact, provision by provision, and see whether there is a demonstrated need for it. I do not pretend to be sufficiently informed on all aspects of it to say there is no demonstrated need at this point - it should be abolished. Were there a bill to that effect before this body, I would certainly make it my business to so inform and to give you testimony. But I am not asking for that and I am not urging that. Nor am I urging reduction of the powers. I made an over-all statement because I think I can point to sections of powers that I think that are no longer necessary even assuming they once were. But again there is no such bill before this Committee. My purpose in

being here today is to urge that the powers not be expanded because I certainly think there is no need for that.

ASSEMBLYMAN SCANCARELLA: One second, Senator. You have Mr. Gleason here to testify also. Is that right?

MR. WALDMAN: That's correct.

ASSEMBLYMAN SCANCARELLA: We would like to get to him before the lunch break. I wish you would restrict your answers just to the questions at this point.

SENATOR DUMONT: You have conceded there is some criminal element in the waterfront.

MR. WALDMAN: I say there may be, certainly.

SENATOR DUMONT: There may be.

MR. WALDMAN: I am in no position to say there is not.

SENATOR DUMONT: Don't you think the Commission is trying to eliminate this?

MR. WALDMAN: I assume they are and I assume when they come to a Legislature -- I have to answer this in one additional sentence. I assume after sixteen years of having 260 people thoroughly penetrate the waterfront, if they come to this Legislature or any Legislature and say that we want a statute that is going to involve hundreds of people, they ought to be able to show then that there is a criminal problem existing now with respect to those. And that is what I say they have failed to do.

SENATOR DUMONT: Well, Mr. Marciante and you commented too upon his remark about a couple of bookkeepers, as though that were not impressive, but at least something has

been done along those lines. Would you rather that existed without ---

MR. WALDMAN: No. But the point that I am making is that I did not hear anybody say that those bookmakers carrying on bookmaking activities are in jobs not now covered which they seek to have covered and I don't think they can make that statement and I didn't hear them make it. That's the point that I make.

SENATOR DUMONT: Do you have anything in mind that you think would do the job better than the Waterfront Commission?

MR. WALDMAN: I am not asking for its abolition. I am asking today, because that is all that I am prepared on and I haven't made a thorough study, that these bills be rejected.

SENATOR DUMONT: You also say you want to see a reduction of the powers or some of the powers of the Waterfront Commission.

MR. WALDMAN: If I were asked, I think I could go over this Compact, but I am mindful of what the Chairman said, and point out and say, "This section I don't think is necessary. This is not necessary." This is not because I am familiar with this area; this I can say definitely is harmful and unnecessary. But I don't think that means necessarily that the whole Compact should be abolished because I am not prepared to do that today. I haven't gone over it with that in mind.

SENATOR DUMONT: Was your firm the General Counsel of the ILA in 1953 when this Compact was adopted?

MR. WALDMAN: Yes, sir.

SENATOR DUMONT: Was there a public hearing at that time on the bill?

MR. WALDMAN: There was a public hearing in New York and there was a public hearing on the approval of the Compact before the United States Congress. I do not recall any public hearing in the State of New Jersey.

SENATOR DUMONT: Did you make objection to the adoption of the legislation initially in New Jersey in 1953?

MR. WALDMAN: I don't recall whether there was any specific opportunity to do that, although I have no doubt that the legislators and the Governor were aware of the fact that the ILA was opposed to that legislation.

SENATOR DUMONT: Did you not feel in 1953 that there were any of the alleged activities in regard to crime on the waterfront that would have required the adoption of the legislation originally?

MR. WALDMAN: We felt at that time, if you are going back to 1953, as far as my recollection of our position sixteen years ago, that proper stringent law enforcement with either the penal statutes then on the books or such additional penal statutes as were necessary would be sufficient to take care of the crime that was on the waterfront. I think that was the position of the ILA at that time. The union did not say there should be no law enforcement, but

that there were penal laws on the books and perhaps they could be augmented, but that it was not necessary to have the kind of extraordinary regulatory power, civil as well as criminal, that this Compact involved. But as I say, that's not our purpose here today. I think that was our position then.

SENATOR DUMONT: All right. Thank you.

ASSEMBLYMAN SCANCARELLA: Assemblyman Irwin.

ASSEMBLYMAN IRWIN: The Chairman has given you the history with respect to the movement of this bill. In case you are not aware, let me give you a little of the informal history with respect to it.

I have the job as the delegation leader for the prime sponsor of this bill in the Senate to move these bills in the Assembly and I was prepared to move them on the last day of the meeting of the Assembly in the firm belief at that time that they were designed to combat organized crime and to get at the criminal elements on the waterfront. I consented to withhold moving those bills on the basis that there were objections by labor indicating that in their judgment these were anti-labor bills. I could not see it at the time but I was prepared to listen and find out whether they were or not.

Now with respect to S 706, it seems to me that based upon the arguments I have heard here and my understanding before and even based upon the statements of the representatives of the Commission that there probably is a conflict

with the bargaining here and I am fairly well convinced in that direction. So let's put that one aside for the moment.

With respect to 708, would you say that the defect that you note in that bill could be remedied by additional legislation which places requirements upon the Commission with respect to the experience of employees who are appointed to have police powers?

MR. WALDMAN: I think that defect probably could be remedied by it.

ASSEMBLYMAN IRWIN: And that is the major defect that you raise at this time, is it not?

MR. WALDMAN: Well, I will go further, but that is really a matter with respect to New York Law and this again is a personal feeling. I think it is probably shared by the union. I know it is shared by a number of organizations and institutions in New York. I don't happen to like the so-called stop-and-frisk law. I don't happen to like giving to other bodies in addition to the regular police the extraordinary powers of the so-called stop-and-frisk. I think it is fraught with risks and dangers as a policy matter and, therefore, I would not be in favor of any legislation that gives to new bodies that power, particularly again when there has been no need shown. That is the only way I could answer that question.

ASSEMBLYMAN IRWIN: But if we enacted statutorily the regulations that the Commission has indicated --

MR. WALDMAN: -- that would take care of that objection.

ASSEMBLYMAN IRWIN: -- that would take care of that objection.

MR. WALDMAN: Yes, it would.

ASSEMBLYMAN IRWIN: Let's talk then about 705.

As I understand it, the point you are making most vehemently is the fact that Mr. Eboli and Mr. Catina and these various other well-known nefarious individuals --

MR. WALDMAN: Racketeers, hoodlums - say it as bad as you want. It's O.K. I'm not going to take issue with you.

ASSEMBLYMAN IRWIN: [Continuing] -- the fact they are operating business on the waterfront does not therefore mean that the employees should be subject to the control of the Commission.

MR. WALDMAN: That's right, sir.

ASSEMBLYMAN IRWIN: Isn't it perfectly obvious though - it is to me and you tell me why it is not, if you will - that if they are there - and I don't doubt that they are there at all and I am sure you don't either, just as they are in the vending machine business, just as they are in the wholesale supplying to supermarkets business and various other businesses -- if they are there, isn't it perfectly obvious that their soldiers are going to be employed in their companies?

MR. WALDMAN: No, sir.

ASSEMBLYMAN IRWIN: Why isn't it? What evidence do you have that that is not so?

MR. WALDMAN: Well, first of all, I would suggest that a law enforcement agency which has had for as many years as this Commission has the powers that this Commission has had would be able to show that the soldiers are in there if that were the fact. I think the burden is the other way. Again I think need should be shown.

Second of all, there are unions that represent the employees and I think in most, if not all cases, the ILA is in there. And the ILA has certain seniority systems. It has certain protections for established workers. It has certain means to insure that new people, the so-called soldiers, if they are going to come in, do not elbow out or bump out existing workers. I don't think one follows from the other at all. Again I see no evidence of it and I think if there were evidence it could be shown. Again I think this Committee should not act on the basis of speculation. That is not the basis on which the 1953 legislation was adopted.

ASSEMBLYMAN IRWIN: Well, if you assume that all of the facts that were stated by counsel for the Commission are true, haven't they shown that there are these people employed throughout the industry? There seems to be a number of instances in the testimony that I heard.

MR. WALDMAN: I did not hear that these people were employed - not soldiers of the Mafia or Cosa Nostra or whatever

you want to call it are employed in the uncovered jobs. I have heard no evidence of that. I have heard no evidence that people with criminal records - and I have only heard one such example given - when employed in these other uncovered jobs have done anything wrong in these uncovered jobs. I have heard no such evidence at all. And I think to assume that you are going to put one group in or that you will have the power to put one group of people in in rank and file jobs is unfounded speculation because there will be resistance. I suppose one might even say that they might not want to. But they are trying to keep, as I gather from Mr. Sirignano - and I am going solely on the basis of his testimony - they tried to keep their business interests concealed. But what's the poorest way of keeping your business interest concealed, putting your colleagues in in rank and file job where it doesn't pay? I think I could make a good argument the other way.

ASSEMBLYMAN IRWIN: With respect to the employment of individuals with criminal records, is there anything in the organization of the union, itself, in its by-laws, etc., that would prevent them or give them the power to prevent a man with a criminal record from making a legitimate application for membership in the union?

MR. WALDMAN: I know of no union in this country that has any such rule and the ILA does not either. Mr. Gleason does remind me that there is a clause in our international constitution that a man convicted of certain crimes, and I

think the primary one is pilferage, which are job related and which do involve what we could call functional ineligibility for work as a longshoreman, will be expelled from the union. That does not apply as to any crime that a man might have been convicted of any time in his life, and I think rightly so.

ASSEMBLYMAN IRWIN: Now these bills appear to be designed on their face to keep people of undesirable reputation with criminal records, etc. out of this area which has been regarded traditionally by the legislatures of both states as a particularly sensitive area. Now except for those people who have criminal records and who are demonstrably undesirable, how do these bills adversely affect the average man who is a member of the union and who comes to work and does his job and who is not subject to being pushed out by the Commission if you want to use that term?

MR. WALDMAN: It affects him, of course, only in the sense that he is subject to being pushed out by the Commission. He is subject to being excluded by the Commission on such terms as Mr. Sirignano used, a danger to the peace and safety - it is not only criminal record, as I think Mr. Sirignano correctly said. There are general terms in there and I say that I know of no other industry in which this is done. But any time you make a work force subject to the fiat of the governmental agency under such generalized standards, you have a real possibility of abuse. We do not do that in this country lightly and I say the need has not been shown.

If I may also indicate slight disagreement with one part of your formulation, which I think is important - you say in this area which has traditionally been regarded as a breeding ground for crime ---

ASSEMBLYMAN IRWIN: I didn't say that. I said a sensitive area. They are the words I used.

MR. WALDMAN: A "sensitive area." The other point I made is, and I have to re-emphasize that, is that these allied industries in many cases - and I take warehouses as the prime example because I think that is the area that is going to be hit most strongly by this bill, 705 - they are not new. They were there in 1953. They were not regarded as part of this sensitive area in 1953 because they were not shown to have been a problem area with good reason. Despite all the clamor at that time, they were excluded. And I am saying after 16 years of more stringent regulation of the waterfront, there has been no need shown to bring them in now, at least with respect to the employees. So this is not part of the sensitive area. Merely because a business enterprise is located in the vicinity of the waterfront and deals with cargo does not make it a sensitive area. It didn't in 1953 and it doesn't in 1969.

ASSEMBLYMAN IRWIN: Thank you, Mr. Chairman.

ASSEMBLYMAN SCANCARELLA: Mr. Hirkala.

ASSEMBLYMAN HIRKALA: Mr. Waldman, in their support of this legislation, do you think that the Waterfront Commission has some spurious or bad motive in their support?

MR. WALDMAN: I don't like to be looking into the mind and characterizing the mind of others. Bad in the sense of corrupt or evil, I certainly cannot say and I do not say. Misguided, I certainly do say. I think they like to expand their powers. I think they like to add new employees. I think they like to have a larger budget. I think there is perhaps one of Parkinson's Laws, so-called, that spells that out better than I can. I think this is an actual tendency of any bureaucratic agency and they are no exception to it. I would certainly go at least as far as to say this is a misguided, undesirable move. But evil motives in a nefarious sense, I am not in a position to say.

ASSEMBLYMAN HIRKALA: There has been some discussion here concerning criminal infiltration of the waterfront and some discussion on policy-making, book-making, loan-sharking. I have read many editorials concerning a tremendous amount of pilferage on the waterfront. In light of all this, do you think the legislative body that is concerned with these bills at present can ignore all these serious charges?

MR. WALDMAN: My answer to that has to be two fold. First, with respect to the extent of these activities, I think in many instances the Commission, itself, in its annual reports and certainly the industry jointly, labor and management, have said - and I think with documented statistics - that there is less going on than in other industries dealing with retail goods, cargo, etc. We do not have a high percentage compared with industry generally of pilferage crime, etc.

Second of all, I am not asking you to ignore it. I am

urging that these bills are not directed toward the solution of those problems; they go far beyond it. The areas that I urge are objectionable are not areas that impinge on these criminal problems.

ASSEMBLYMAN HIRKALA: Now, Mr. Waldman, you seem quite upset on the possibility of the implementation of these bills regarding the registration of the Waterfront employees. Assemblyman Irwin asked you a question before and I want to develop it a little further. Don't you think that the public good must be our prime consideration and although there might be some consternation on whether we should single out one particular segment of our industry for registration, that the overriding issue should be one opposed to the other - the ridding of the racketeering and criminal infiltration of the waterfront against the registration of employees? I think we are burdened here to do the most good for the public.

MR. WALDMAN: I would certainly agree with you, sir, that the public good has to be and should be your prime consideration. I would only urge that there is no relationship between the two elements, the ridding of crime and the registration of employees. I say that in this area on Bill 705 that is before you, the registration of these additional employees has no reasonable relationship to the wiping out of crime. That's my point.

ASSEMBLYMAN HIRKALA: Do you think that the registration of employees would be an instrument that the Waterfront

Commission would utilize which would be utilized primarily to hurt working people?

MR. WALDMAN: I think it will have the effect of hurting working people. I think it will give powers that should not be given in the absence of emergency extraordinary need to a governmental bureaucracy and I say, yes, it does have that effect, has had that effect and will continue to have that effect if expanded powers are given.

ASSEMBLYMAN HIRKALA: Do you know of any abuses that have been perpetrated by the Waterfront Commission up to this time as far as employees are concerned?

MR. WALDMAN: Yes, sir, and again I do not have those facts at my fingertips. There was in the 1950's in New York a bi-state private citizens' committee that held private, but public - private in the sense of non-governmental - but public hearings at which testimony was taken and witnesses appeared as to abuses in the administration of the registration provisions and there were many, many instances cited at that time. I certainly don't have them at my fingertips now.

ASSEMBLYMAN HIRKALA: Getting beyond the '50's which seems so long ago and getting up to 1969, are you aware of any abuses that the Waterfront Commission is now concerned with against employees?

MR. WALDMAN: I think there are people in the '60's also who were in my opinion denied registration who should not have been. The number, I can't tell you.

ASSEMBLYMAN SCANCARELLA: Assemblyman Heilmann.

ASSEMBLYMAN HEILMANN: Mr. Waldman, in the discourse with Assemblyman Irwin and also Assemblyman Hirkala, you raised a question in my mind and I am a little bit bothered by it. Sixteen years ago when this Commission went into effect, I would assume that they eliminated some of the rank and file people because of what they felt were bad records. Those fellows could very well have gotten a job now in one of these warehouses that the Commission now is seeking to get jurisdiction over. Couldn't it very well be that the same people who were eliminated 16 years ago by this Commission and have lived a very normal life since then and raised a nice family now might be jeopardized again by this same Commission?

MR. WALDMAN: Yes, it is. And I point out the distinction again, in 1953 when the compact was adopted, it was not merely claimed that these people had criminal records, it was that they had criminal records and in waterfront jobs they do such and such, and such and such, and such and such. That was the claim that was made and that is the significant point that is absent today. I think there are not many of them, but I think there are some who have done nothing wrong, who have led blameless lives, who have been working for years and who may be subjected arbitrarily to the loss of jobs that they have been holding. That is certainly one of the things that we are concerned about.

ASSEMBLYMAN HEILMANN: That is what is bothering me too --

MR. WALDMAN: It bothers us.

ASSEMBLYMAN HEILMANN: [Continuing] -- because we have been talking a lot recently about rehabilitation of people and here are people who might have some minor infraction 16 years ago, who have been deprived of a job, and now again are threatened. To me, it's double jeopardy.

MR. WALDMAN: That's certainly our concern also.

ASSEMBLYMAN SCANCARELLA: Mr. Waldman, isn't it also true, however, that persons who apply for these licenses in the areas which are required to be licensed and are turned down may subsequently turn up in the fringe areas because licensing isn't required?

MR. WALDMAN: Yes, that is a possibility that has always existed and I say that if in 16 years these people have gotten these jobs and have been committing crimes or doing things wrong on the waterfront, the Commission would have known about it and would have made a better case than it has.

ASSEMBLYMAN SCANCARELLA: Assemblyman Garibaldi.

ASSEMBLYMAN GARIBALDI: Mr. Waldman, while there may well be a need to regulate the waterfront operation - and I think we can concur that the waterfront operation is a unique one perhaps because of its environment - and especially in view of the recent revelations in the wire-tapped evidence of the FBI of a criminal element in New Jersey, do you feel that a greater analysis should be made before the approval can be given to the bills as they are

presently drafted?

MR. WALDMAN: Yes, sir.

ASSEMBLYMAN GARIBALDI: I think we have ascertained that certain controls are definitely needed. Yet again these are bills which put greater power into the Waterfront Commission in an instance where you feel it is not fully established that the abuses that exist on the waterfront are not commensurate with the regulation that is proposed in these bills?

MR. WALDMAN: Right, and that the abuses which they claim exist and which I am not in a position to affirm or deny are attributable to those people, the rank and file workers, who they now want to have registered. I say that they have not shown that they are attributable to that group. I think your summary is correct, sir. That is my position.

ASSEMBLYMAN SCANCARELLA: Assemblyman Littell.

ASSEMBLYMAN LITTELL: Mr. Waldman, you said in spite of the fact that the underworld operates legitimate business on the waterfront, it is not necessarily a fact that all of the people working there or some of the people working in these legitimate businesses operated by the underworld are in fact their lieutenants or soldiers or what have you.

MR. WALDMAN: Most certainly it is not necessarily a fact.

ASSEMBLYMAN LITTELL: If that is the case, in this

state and in many other states we license doctors and dentists and plumbers and electricians. Why then do you object to the registration of these employees?

MR. WALDMAN: I don't know of any rank and file laboring men that are registered or licensed in this state other than longshoremen. You are licensing the people that you are talking about because they exercise peculiarly sensitive skills which if they do not possess those skills are dangerous to the safety and health of the people that they have to deal with. That is not the motivation of the compact in so far as longshoremen are concerned and I don't think you are going to find any place in the state an analogous bill with respect to wage-earning, rank-and-file people.

ASSEMBLYMAN LITTELL: Do you deny that there is any motivation for the registration?

MR. WALDMAN: I'm sorry. I don't understand.

ASSEMBLYMAN LITTELL: Do you deny that there is a motivation for registration by the Waterfront Commission?

MR. WALDMAN: I deny that there is a need for it. The motivation is there. They just like to expand their powers. Certainly there is a motivation. But I deny the need with respect to registration, yes, sir.

ASSEMBLYMAN LITTELL: Why?

MR. WALDMAN: Because, as I say, there has been no showing and I am aware of no fact that would permit a showing that these outside groups, most of which have been in existence

and doing what they are now doing for many, many years, have committed crimes or wrong-doing which would justify the grant of these extraordinary powers. And, as I say, I do not talk about the business enterprises, only the workers.

ASSEMBLYMAN LITTELL: Forget the fact that they may be connected with the Mafia. What is your objection to the fact that an employee has to be registered, whether he is bad or good or indifferent?

MR. WALDMAN: I object to that as a matter of fundamental, governmental philosophy and I don't like to start making Fourth of July speeches and I know the Chairman will cut me off. But having to do with the way we order our relations and run our life, I don't think any man, absent extraordinary circumstances or emergency need, should have to go to a governmental bureaucracy, present himself, and get their permission to work in some private industry, non-sensitive in terms of governmental secrets, non-skilled in terms of doctors or sewing a man up, and it is not an automatic act, giving that governmental agency life or death power as to whether he is entitled to hold that job. I think this is a most pernicious type of regulation which should not be extended. I don't think it is a good idea generally and I think if it is going to be adopted, as it was in 1953, extraordinary need would have to be shown, which is not the case here.

ASSEMBLYMAN LITTELL: That is your opinion.

MR. WALDMAN: Yes, sir.

ASSEMBLYMAN LITTELL: I disagree with you.

MR. WALDMAN: May I say that if the theory is that a governmental agency should scrutinize every industry to see that people with criminal records don't go in or people who might have bad characters as the governmental agency so views it, then it ought to be adopted generally in industry and I think you are going to have havoc.

ASSEMBLYMAN IRWIN: Just one question: Do you have any evidence that the Commission has in the past abused this power that they have with respect to effectively licensing the people on the waterfront?

MR. WALDMAN: Yes. We feel that there are instances where men were denied registration where on all of the facts they should not have been - yes, sir.

ASSEMBLYMAN IRWIN: Do you have any specific instances?

MR. WALDMAN: I am not prepared at this time to give you specific instances.

ASSEMBLYMAN IRWIN: Do they have a right of redress to anyone?

MR. WALDMAN: Yes.

ASSEMBLYMAN IRWIN: To whom?

MR. WALDMAN: They have a right to bring what has been called in New York an Article 78 proceeding, but it is a proceeding to review an administrative agency's determination on the grounds that it is arbitrary, capricious, and I think all of the lawyers will know on this committee what

the odds are in that proceeding because the court does not review the evidence anew. The only question is whether there is any evidence in the record to sustain the Commission's interpretation and every benefit is given to the Commission.

ASSEMBLYMAN IRWIN: Have these reviews been sought by these people?

MR. WALDMAN: In some instances. Of course, it requires money. It requires retaining a lawyer. Many of these working men do not have that kind of funds and in some instances they haven't been sought. I could not tell you the percentage of results.

ASSEMBLYMAN IRWIN: Thank you.

ASSEMBLYMAN SCANCARELLA: Thank you very much.

Mr. Gleason, how long is your statement.

MR. GLEASON: I won't be too long, but it all depends on you.

ASSEMBLYMAN SCANCARELLA: All right. We will take Mr. Gleason now and then we will break for lunch.

Has everyone who wishes to testify signed in here? If not, kindly do so. How many witnesses do we have yet to hear? Can I see by a show of hands?

O.K. We will take Mr. Gleason now.

T H O M A S W. G L E A S O N: My name is Thomas W. Gleason and I am President of the International Longshoremen's Association, AFL-CIO, generally known as the ILA. I have been a member of this organization for 54 years.

As far as I am concerned, I don't know of any organized crime in any part of our industry, and that goes from Halifax all the way down to Brownsville, Texas, including Porto Rico and San Domingo. It is easy to smear people and some of your own people were smeared here recently and I know you went to bat for them. It is so easy here to come in and say, generally this is the way it is - this guy is in the underworld or he is a soldier or he is a member of some organization. But you took care of that and I understand from one of our friends on the end down there that he likes registration. Well, that's his opinion and he is entitled to that opinion. I don't think any of you fellows want to be registered yourself.

I am appearing before the Honorable Committee to oppose three bills which have been introduced at the request of the Waterfront Commission of New York Harbor. The bills are: Senate Numbers 705, 706 and 708.

All of these bills have been analyzed by Mr. Seymour Waldman of the firm of Waldman and Waldman, General Counsel of the ILA, and I shall not burden you with a repetition of that analysis. Besides, the bills are short and many of you on this Committee are undoubtedly familiar with them.

The ILA has a national membership of approximately 100,000 workers, more than 25,000 of whom, including those in crafts not subject to Commission jurisdiction, are concentrated in the Port of New York. As New Jersey continues to acquire a larger portion of longshore work, the number

of New Jerseyites whom we represent is increasing sharply. Together with the families of these waterfront workers, as well as the families of workers whose livelihood depend upon the waterfront, I speak for over a quarter of a million residents of New Jersey and New York. This quarter of a million includes whites and blacks - people of all races, nationalities, origins and religions.

The ILA has represented the longshoremen, checkers, and other waterfront workers for over three-quarters of a century, since 1892; and in the Port for over 60 years. In addition, our members work in all the ports of the Atlantic Coast and along the Gulf of Mexico, from Halifax, Nova Scotia, around the tip of Florida to Brownsville, Texas, as well as the ports on the St. Lawrence River, the Mississippi River and the Great Lakes, both in the United States and Canada and Porto Rico and San Domingo and now the Bahamas and Nassau, which have been left out of this. They should have been included in there.

In opposing these three bills, we do not speak for ourselves alone but for the entire American labor movement. This opposition was made clear by Mr. George Meany, President of the AFL-CIO.

In a telegram dated April 15, 1969, President Meany urged the defeat of these bills. He stated that they "would weaken job security of New York-New Jersey waterfront workers," and would help in the "perpetuation of the 'temporary' agency which for some 16 years has impeded collective

bargaining in the New York-New Jersey area."

It is not an exaggeration to say that each of these bills properly comes under the heading of a grab for yet more power by the Waterfront Commission.

This Commission, born 16 years ago, was christened by its own creators as a "temporary" Commission. There is no justification for this "temporary" body each year to ask for just a little more power. And yet, after 16 years, we are confronted with one of the most blatant power-grabs of all.

One of the bills before you is an attempt to extend the Commission's tentacles over new groups of workers, including many who have been working peacefully on the waterfront for years, so that the Commission could summarily decide which of them should work and which should not.

Another bill is an out-and-out invasion of our rights to collective bargaining, which they have now agreed they are not going to press. I am referring to the bill by which the Commission seeks to supplant the employers and the union from continuing a practice which has existed now for several years, of agreeing in collective bargaining on the standards of physical and mental fitness for long-shoremen and checkers. The system we have had has worked well. We believe the blunt invasion of the collective bargaining practice is wrong in principle, discriminatory against us as an organized part of the labor movement, and wholly unjustified by the facts.

This is particularly so when it is known to the Waterfront Commission that in the new collective bargaining agreement, which has close to three years to run, the NYSA and the ILA have improved still further the machinery for determining the standards for newcomers into the industry. I refer you to the following provisions of our new agreement:

"In the opening of the register as to new men, the parties shall work out a program with the Waterfront Commission which shall provide as follows:

- "a. The Waterfront Commission shall refer all applications for registration to the Board for screening.
- "b. The Board shall set up such physical and mental standards as are required by each of the various crafts. There shall also be additional standards as for example, some educational minima basis with respect to checkers and clerks, and certain skills and abilities with respect to maintenance men, carpenters, etc. After they are screened by the Board on the basis of objective standards and have passed their physical examinations they shall be referred to the Waterfront Commission for registration.
- "c. The Board shall assign each man to a zone in accordance with the needs of that zone."

One would assume that the Waterfront Commission, with whom we as a Union have learned to live, though not happily, would leave the area of collective bargaining alone and seek to strengthen it rather than undermine it. When under the collective bargaining process, the employers and the Union are able to manage well, the Waterfront Commission should not seek to undermine that process. A collective bargaining agreement is the physical evidence of the maturity of the Union on the one hand, and the employers on the other,

in solving their own industrial problems.

The Commission it seems, however, likes to seize upon the ILA's well publicized successes in collective bargaining and tell the workers in the Port that the Commission really won that victory for them. They have done this time and time again in their reports to the Legislature, and in repeatedly boasting that it was the Commission that had obtained higher earnings for the workers or otherwise improved their conditions of work. The bills before you are in large part attempts to continue that process.

In the name of the people I speak for today, I ask you to reject these bills most emphatically and discourage these attempts to undermine rather than improve the collective bargaining process in the Port of New York. Collective bargaining alone can bring to this Port the stability and prosperity it needs.

The attempt by some political leaders to hitch these bills to the general anti-crime sentiment which we all share is nothing but a smokescreen. These bills are not calculated to wipe out crime; they are designed to give the Commission a tighter grip on the jobs of workingmen in this Port and to enable the Commission to undermine the process of collective bargaining.

If the Commission, after 16 years of sweeping powers unparalleled in our nation's history, has been unable to stamp out crime on the Port of New York waterfront, it should confess itself a failure and give up. And if the

political leaders who proclaim these bills as an anti-crime crusade were truly interested in eliminating crime, there are far more fruitful areas for their attention. There is less crime on the waterfront than in society generally. What is happening is that these three unsound, unwise, and unnecessary bills are being used to cover up failures elsewhere. I ask this Honorable Body not to allow the New Jersey Legislature to be used in such a shabby, transparent political game.

If I may speak a little bit here off the cuff, this is the cleanest, the best-run, most militant, pro-American union in this country. We have the best contracts for our people. Even Walter Reuther, and every other large organization in the United States is writing for a copy of that contract. We did that alone and we didn't need any deterrent to do the job like you have been reading about. We didn't need that.

I was amazed this morning when I heard that 237 men were now working for the Waterfront Commission. My friends, do you know what this means? This is more help, starting from 35 or 40 men, and if these bills are passed, it will probably go to 600 -- this is more men now than it takes to run five automated companies in the Port of New York and this cost is going to pyramid. When they came in, they told you about the 1.40 or 1.50 or 1 1/2 per cent tax on the payroll. We were getting \$1.75 an hour. So you can see what the contributions on the tax on the payroll was at that

time. But by the time this contract ends, we will have \$4.60 and at 1 1/2 per cent, that means over seven cents will be tax on every man to do business in this port.

Now I am not here to speak for companies. If you want to register these companies and they haven't got guts enough to speak for themselves, that's their business. But rather than be under the registration of you or the State of New York, they are going to move out of this area. There are trucking associations here now that will not be able to do this business. And I am speaking here today for George Meany and the time is coming in October right in Atlantic City where the AFL is going to meet where this thing has got to stop because you are going to license truck drivers, which they attempted to do in Kennedy Airport and Newark Airport. They were unsuccessful. Wait until the crusade starts with these people when they know what is going to happen to them. Wait until you see what the construction unions do and the pressures and the powers ---

ASSEMBLYMAN SCANCARELLA: Please, will you stick to the bills.

MR. GLEASON: Well, this is part of it. These people are going to be registered under this bill. I am sticking to this bill. Maybe it is something you don't want to hear but I am sticking to the bill.

Every one of these craft unions under this bill will be registered and a gentleman here asked about Camden, New Jersey. If that truck is loaded in Camden, New Jersey, and

comes down to be loaded in Port Newark, there will be a tax and that man will have to be registered to load that van. I am the practical guy here and don't go to sleep on that bit you heard this morning that Port Newark with their five berths is the greatest container port in the world and that we are handling 110 million tons. He didn't break down the tonnage for you. That's the Port Authority report. Talk about the tonnage that the longshoreman works on, not the oil and the commodities that we do not touch in this port. But there are other ports, especially Hampton Roads, that is seven cents an hour cheaper. They can work and load the ship much cheaper in Hampton Roads than they can do at Port Newark now. And we are building another port in Halifax which is going to detract the tonnage that is coming through the Port of New York - and again this is on the bill. It is detracting the tonnage from the Port of New York, which includes Newark and Elizabeth, to go through Halifax piggy-back to Cleveland, Chicago and points beyond that, whether you believe this or not. But this is the practical end of it.

All we ask of you is this: Do what you want with the companies but we don't want a gestapo over us any longer if they are going to continue this way. Since the day I became International President in 1963 - the Commission is here - I have cooperated 100 per cent with them. I never have made a move or introduced legislation that I didn't first talk to them about it. But this is a power grab that

no union can live under. And no matter what happens - and this is not a threat - I will bring it on the floor of the AFL no matter what happens because this legislation was enacted-- and I have to tell you my own case because it is in the crime records. My son lost his leg in the Marine Corps in the Second World War. He was 18 years of age. He came back and I didn't know what the hell I was going to do for him so I opened up a training camp - you might have read about it - called Brown's Hotel in Greenwood Lake. I was a voter up there in Passaic County. I ran this, but I didn't know enough about bookkeeping and all that stuff to keep records. And when the Crime Commission came into effect, I was one of the targets because I was one of those fellows who was a militant and had led three wild-cat strikes prior to the introduction of the legislation for better deals for the longshoremen. They summoned me down and because I refused to answer the question about my income tax because I was before the Grand Jury already, they publicized the fact that I took the Fifth Amendment. Now I am 54 years in this union and if this isn't guilt by association and by the law, itself -- you don't have to have a record. If they think that you are associating with somebody or met somebody in the back room or something, they are going to deny you a license.

But up in the State Legislature when I got on the floor to testify, they had one of their men ask the question: "Did you ever take the Fifth Amendment?" Now what the hell

does this mean? Haven't I got a right to defend myself when I testified and was given a clean bill of health before the Grand Jury? I wasn't at that time. But I got a clean bill of health before the Grand Jury. I was never arrested for a crime in my life and I am 54 years in this union. But this is the way - this is the pressure. The same pressure was put on some of your people. That's why I am drawing the analogy. The same thing has happened in the State of New Jersey now - Congressmen and everything else. We have a Senator in the United States Senate who, if the Waterfront Commission had any control over him, he couldn't serve there because we had a man who was working in the union 40 years who was in a stolen automobile and was denied his right to become a union official. Now if this is the kind of tactics you want, go ahead and pass these bills. But we are going to fight like hell.

There are a lot of undesirables in Wall Street. I read the papers every day. I read about the charges in Time Magazine. I read all the charges about the State of New Jersey. I am pretty well up on all this kind of stuff. But this is something where they are going to perpetuate more power, add more people, and the cost will go up to 2 per cent on a total payroll which may reach \$300 million and it is only in the Port of New York and it is a disadvantage to the Port of New York and there is no guarantee that the freight is going to come through New York.

ASSEMBLYMAN SCANCARELLA: Does anybody have any

questions? Senator --

SENATOR DUMONT: Mr. Gleason, on page 3, you refer to this as a temporary commission. In whose opinion was it supposed to be temporary?

MR. GLEASON: Mr. Meany, Mr. Dewey and the powers that be politically at that time in New York sat down. They couldn't pass it. Mr. Meany at that time would not agree if this was going to become a permanent agency. So they sat down and agreed that this would be a temporary agency and Mr. Dewey agreed to this and I think they will back this up. But once you establish an agency like this in government where you go from 35 to 40 jobs - I am surprised to hear 237 now - and I'll tell you it will go to 600 if you pass these bills.

I don't blame them for fighting for their jobs. I don't blame them. I know if I was in there, I would be fighting like hell too.

MR. WALDMAN: May I just take one sentence to answer that question? The characterization comes directly and primarily from Governor Dewey who was primarily responsible for the original adoption of the compact.

SENATOR DUMONT: Now I didn't sit in on any of those meetings, of course, but I voted for the original legislation in 1953 because I was here at that time. And I don't recall anybody saying to the members of the Legislature here in New Jersey or any member of the Legislature at that time thinking this was temporary legislation.

MR. WALDMAN: Who was the Governor?

SENATOR DUMONT: Driscoll.

MR. GLEASON: You heard what he said here.

SENATOR DUMONT: I heard what he said and I also remember what I recall here too.

MR. GLEASON: I know. I am talking about the Commission now. They only came over to get your name on the thing. They never originated anything in the State of New Jersey. They only come over here and say, "Look, you have to do what New York does. Put your name on this."

SENATOR DUMONT: That was not the reason why we passed it, simply because New York was going to pass it.

MR. GLEASON: Well, that's the way it has been working, my friend.

SENATOR DUMONT: As a matter of fact, Mr. Waldman in his own testimony - I think it was Mr. Waldman - indicated that he knew this body would act independently of New York.

MR. GLEASON: Mr. Waldman is a lawyer and he talks in a different vein than I do. [Laughter.]

SENATOR DUMONT: Regardless of that, he and I both have to be licensed in our respective states, Mr. Gleason - registered, so to speak.

MR. GLEASON: O.K.

SENATOR DUMONT: Now this New York SA - is that the New York Stevedores' Association?

MR. GLEASON: No. That's the New York Shipping Association, which is steamship companies and stevedores.

SENATOR DUMONT: That's all. Thank you.

ASSEMBLYMAN SCANCARELLA: Anything further?

ASSEMBLYMAN LITTELL: Mr. Gleason, you mentioned in your statement that you have members of all races, creeds, color and origin in New Jersey and New York in the area that we are concerned with. Is there a reasonable percentage of people other than white Caucasians working on the waterfront?

MR. GLEASON: You'd better believe it. You'd better believe it because in this day and age -- and I didn't want to bring this up but I am glad you brought it up. There are many of these minority groups that will be denied under this bill the right because somewhere along the line they committed a misdemeanor and instead of being able to rehabilitate these men, they will be denied the right to go to work. And this is one of the things which I am glad you brought up because I didn't want to play on that. And, you believe, this is one of the reasons.

Let me tell you something else about this union and racism or racists. This union has seven International Vice Presidents on its Executive Board - negroes - negroes. We are the only union in the United States can say this. We have top men in all brackets of our business and this is one of the things that we resent, that they will be denied the right of a work opportunity here because of this bill.

ASSEMBLYMAN LITTELL: Mr. Gleason, in addition to that would you please tell me what a person has to do to

become a member of your union so that he might work on the waterfront?

MR. GLEASON: All he does is make an application to become a member. And if he is an American citizen and he is not subversive, he becomes a member. That's all.

ASSEMBLYMAN LITTELL: So the only reason you deny membership to anybody in your union is non- --

MR. GLEASON: -- American citizenship.

ASSEMBLYMAN LITTELL: [Continuing] -- American citizenship. And what was the other one? Subversion?

MR. GLEASON: I think it is pretty good. I don't want to wave the flag again either.

ASSEMBLYMAN LITTELL: Thank you.

ASSEMBLYMAN SCANCARELLA: Is there anything further, gentlemen? If not, we will recess and be back at 2:30.

[Recess for Lunch]

(Afternoon session)

ASSEMBLYMAN SCANCARELLA: While we're waiting for the members to be seated, I would like to read two telegrams I received during the luncheon recess. The first one:

"Honorable Joseph F. Scancarella, Chairman Assembly Labor Relations Committee, State Capitol, Trenton: Jersey City business and economic health importantly affected by water front conditions. Chamber of Commerce Board of Directors representing 900 businessmen has considered pending bills proposed by Water Front Commission, S-706, S-708 and especially S-705, and unanimously approves and urges their passage. Please enter our support into records of hearings on June 26. Walter E. Knight, Executive Vice President, Jersey City Chamber of Commerce."

Another one:

"Honorable Joseph S. Scancarella, Chairman, Labor Relations Committee, State House, Trenton: We endorse fully the three senate bills 705, 706, and 708, Recommend passage as written. We fully intended to appear personally. Please indicate in your Committee record. Sefton Stallard, Chairman, State Legislative Committee, Eastern Union County Chamber of Commerce."

Before we begin with the next witness, if there is anyone in the Chamber who has a prepared statement and wishes to leave it with us rather than make an oral presentation, please come forward. You can deliver them personally to each member and we will note your presence on the record.

Will you state your name for the record?

J O H N J. B A C H A L I S: John Bachalis. I am Vice President, New Jersey Manufacturers Association and we are submitting a statement in favor of passage of both Senate 705 and 708. (See page 72 A)

ASSEMBLYMAN SCANCARELLA: Thank you.

Mr. Bachalis, do you mention 706 at all?

MR. BACHALIS: No, we haven't taken a position on that.

ASSEMBLYMAN SCANCARELLA: No position. All right, thank you.

Is Congressman Fish in the audience? Are you ready, sir.

H A M I L T O N F I S H: Mr. Chairman and members of the Committee, I want to thank you for holding an open hearing and making it possible for some of us who oppose this legislation, fundamentally, to appear before you.

I do think before I start I ought to introduce myself. I am a member of a very old and famous firm, 30 years ago, known as Martin, Barton & Fish. I served in Congress for 25 years and have served as ranking member of the Rule Committee of the House of Representatives and for a long time, 25 years on the Foreign Affairs Committee. So I have had some little experience with Committee meetings and I am very happy, therefore, to come here and talk to you about this matter which is very close to my heart and to my conscience.

I might also say that I have some connection with the great State of New Jersey. I am a direct descendent of William Livingston, the first Governor of New Jersey, and

my Godfather was Senator John Kean, United States Senator; Hamilton Fish Kean, another Senator, is my cousin; and so on; and my daughter lives in Princeton, married to one of the Pyne family and he was a member of the State Senate only a short time ago. So I have some connection with your State.

But the issues that I want to talk on are much greater than those that are contained in these bills, of which I am opposed to fundamentally and because I don't think they are in any way necessary.

If there is anybody in America more opposed to crime - I was Chairman of the first committee in Congress to investigate Communism. If there is anybody more against Communism or Naziism or organized crime, it must be me. But I don't think any of this legislation has anything to do - I've heard all of these speeches here today and I read the bills three or four times and I got more confused the more I listened to some of the speeches. But I want to concur with the speech made by Tom Gleason. And although I have not any connection with organized labor, I know Tom Gleason well and I think he's one of the finest Americans I've ever met. I had the honor to present him, as Chairman of the Order of Lafayette, with our Freedom Award for distinguished leadership in fighting Communism, the same award that we presented to General Eisenhower, Herbert Hoover, Madam Chian Kai-shek, and others, because he deserved it. See, you don't know too much about this man but you heard him talk today and when he did talk it was from his heart and from his experience. He went over to

Vietnam three times, at his own expense, and helped unload the munitions and materials for our Armed Forces. At his own expense, bringing over a group of men to help because they were having difficulty supplying our Armed Forces with the necessities to fight.

Therefore, naturally, I am very sympathetic with men of that kind, particularly in the labor organizations.

Now my objection very strongly to this is, I believe this legislation is unAmerican and unconstitutional. I don't believe I have ever seen any legislation like this in the Congress of the United States.

Let me tell you something about the history of what happened recently. I've only been studying this for the last month, because of certain reasons I may or may not talk about today, and I got in touch with the people in the Legislature. I sat in the Legislature years ago, my father was Speaker of the Legislature. I asked them about it, there was no hearing in the Assembly Committee, recently, the bill only came out a short time ago. It was through sheer trickery and political manipulation and chicanery that this bill was taken out of the Committee which refused to hold any hearings on it, and taken out the last hour or two before they adjourned and they presented it in the middle of the night when no member knew a thing about it. And they jammed it through that way. And, furthermore, anybody who'd come up and use the word "crime" or "Naziism" that would be enough to help it. They never saw the bill, knew nothing about it. That's the bill that's

before you now. Those are the bills that I'm opposing here on general principles, not just on the picayune things that might or might not be in it because I'm not one of those that have much faith in the Waterfront Commission. I don't want to abolish it, but they've been going for 15 years and their duty was to clean up the waterfront. Well, if they didn't clean it up in three, four or five years, they're never going to clean it up. They've been 15 years at cleaning it up. And now they have created a bureaucracy, a rampant bureaucracy, always trying to get more and more power and more and more employees and more and more influence. And that's typical of bureaucracy. But this is a bureaucracy that's even worse than the others because it intrudes on the rights of civil rights and the rights of American citizens, and also on the rights of labor.

What do you people here -- I know you people, my district borders on New Jersey, I know them as well as you do, they're the same type of people that we have up in my district. And I know, if you know the history of this whole thing and this bill and what you're confronted with, you will not put it out here, and you shouldn't.

This bill places labor in the category of chattels. Now I have to admit I'm a Republican but before I'm a Republican, I'm an American. And I believe both Democrats and Republicans are loyal American citizens and believe in our Constitution and our general principles of government. And I know something about the Republican Party. I know what the Republican Party under Lincoln stood for. Labor

was part of capital, and labor was free. That was our platform in 1960, that you have free labor, not labor that you were going to regiment and regulate and treat them as if they were chattel and second-class people.

I am not speaking to you as Tom Gleason spoke to you as an organized labor man, but I believe every word he said. But I go further, I think this is a gestapo affair that we're creating here in the heart of America, without knowing it. And I'm not for abolishing it but I'm for bringing some new blood into it, and I would like to see this bill defeated, not defeated, no, just tabled and later on maybe the Republicans will have a governor here and we may have some new blood.

I don't want to continue these same people in power because I think they've failed. They have had a wonderful opportunity. They have not cleaned up the waterfront. They're living on propoganda, pages, ten or 15 pages, - you heard them all today, and all the time jamming these things through the Legislature which the Legislature doesn't want. And who wants gestapo tactics in America?

Let me tell you that I think the greatest single issue in all the world, greater than the Republican Party or the Democratic Party, is the preservation of freedom and that includes free labor and not people who are going to be told they must be examined physically and mentally and so on. The next thing, you will put a tattoo on them, as they did in the concentration camps.

I may be exaggerating that a bit, but it's wrong

principles that I'm talking about. And how any thinking Republican who has stood for this - I saw this businessman come down here and say he was against the bill - I don't think he knows a single thing about the bill, I don't believe he read the bill, someone handed it to him and said, here, we are against this bill, labor's for it, labor is this and that, there's Mafias in it. There is no Mafia in this thing. If there is Mafia, it is your duty then to write the strongest kind of legislation to destroy this evil thing in America. You can't do it in these bills, but that's what they feed out to you here, these are the Mafia bills, this is an organized crime bill, and you'll show them there is practically no organized crime.

Now I'm going to talk about a matter, and you'll be a little bit surprised but I didn't come here to do it, I'm not using any personalities, I don't know any of these Commissioners and I don't know any of the people employed by them, but I know their tactics and I know their failures and I know how little they've done and how picayune despite all of this propoganda that's handed out to you.

And I know another reason that I may be here, because I have a little pride in my record in Congress and in this Country. I asked, with a Four Star General, General Jocko Clark, one of the great war heroes to go meet the Republican member of this Commission in New York to ask for a rehearing about a thing I thought was an absolute injustice, far worse than an injustice, and he declined to see me. That's the first time in 50 years, from the

President down to an alderman, anyone has declined to see me. Any maybe that is a little chip on my shoulder but I'm here on bigger principles than that.

Then there's another thing, and I was not going to speak about it at all, but it's in this thing that one of these gentlemen read here today. This happens to be the wife of General, Admiral Jocko Clark, - some of you probably know him because he is a great war hero here, and he's my brother-in-law, and this is his wife, one of the finest women that ever lived, and she inherited a little picayune company from her former husband who was Captain in the Marines, Maritime, and he begged her to keep it going, take care of the people. And she knew nothing about the business. And there may have been some padding of payrolls, one or two or something of that kind; they may have put on supervisors and had them do the work of day laborers. Maybe that was done but she was not very well advised on business. And they brought her in before the Commission and they treated her as no woman should be treated, and then they fined her \$4,000 or 45 days suspension of her business. She took the suspension but it happened to be during the strike. So she obeyed the rules and that was it. But for some reason I have never known and cannot conceive, something very vindictive happened and so, instead, they decided to punish her and brought

criminal action against this woman.

Now it so happens that there was a man by the name of Matthew Brandon, one of the great Lawyers in New York, - I don't know him - he happened to be there this time. He saw this woman being torn apart, absolutely murdered, without any recourse at all, and he spoke to a friend of mine, it so happened a friend of this woman, as a matter of fact, called Eugene Nixon, Chairman of the Republican Finances in New York, maybe in the country, as far as I know, and he was a member of the Dreyfus Board, a fine man, also Chairman, in my time, of the First Assembly Republican District in New York City. And he said, "I never saw anything like it," he told her. He said, "I saw this woman crucified, ruined, torn apart," and he didn't even know her name. He told about it and Nixon said, "Who is it?" He said, "Mrs. Kristopher." "Oh, my God," he said, "I know her, she's a great friend of mine. One of the finest women I have ever known." So this lawyer called up Mrs.

Kristopher, now Mrs. Clark, and said, "I heard this thing and I am shocked. In fifty years I have never heard anything like it and I want to represent you." She said, "I have no money left. I paid \$5,000 to my lawyer," who let her down. I'm using very calm words when I say that. "But," he said "I'm going to represent you free, I want to do a good thing," and a week later he died. And that is a case that is now before the Criminal Court, because of a thing of that kind. And

no wonder I'm against gestapoes.

I would like to fire both commissioners and I hope the Republicans come in and have a Republican Commission. And, my God, in New York State I have some influence up there too in my own district; plenty of Assemblymen will go along with me on things of this kind that are wrong and rotten. I don't use the word "corrupt" but it stinks to the high heavens, like a dead mackeral in the moonlight it shines. I could use much stronger language if I wanted to.

I want you to know what this Commission does because they're drunk with power, because they're typical bureaucrats; there's no one above them, no one to stop them. If they can do that to that woman they can do it to your wife or others that have no chance at all. And here why I mentioned it today was because just before that they give a couple of cases, they referred to cases of the same kind, someone has Mafia connections, another one has felony convictions and grand larceny, robbery, another one convicted of perjury. This is the finest woman you've ever known on her record and they bring that in and they end the thing, they say, another maintenance company, the A. M. Kristopher Company, used the same technique and overbilled the NYK Lines and the Grancolumbia Line in the sum of approximately \$50,000 for a two year period. You know that both of these companies

are opposed to any action against her. They are both doing business with that company, they both want to do business with it and they have refused to protest, one or both, and I've talked to both of them and they've given affidavits to that effect. Yet they've gone over that, over the men who were the victims, these powered people, and took it upon themselves to try to send a woman to jail for something of that kind when these others - and nothing happened. This was supposed to be against criminals and gangsters. That's the trouble and that's why I'm against this form of having gestapoes in America of any kind.

How can I - I happen to be President of an organization that's just starting out and we expect to have 10 million people - Operation Freedom - to carry the torch of freedom behind the iron curtain because that's the only way we can defeat communism, not through nuclear war. They're afraid of the word "freedom." How can I go and talk about freedom if we don't have free labor in our own country, and that we can tell them what they are mentally or what they are, examine the color of their eyes, it might spread all over. How would you like it on this Committee if it applied to real estate or to bankers or to lawyers? That's the beginning of everything when it's wrong and the only time to stop it is to stop it now. So much for that.

I have taken this matter up, of course, for the last month studying and I have talked to the people who know all about this. They tell me that the record is very picayune on the whole waterfront, they've accomplished very little in 16 years. But they now will add on more men and more pay and more, of course, power. But they won't do it anymore, I can assure you, in New York State because I have friends up there myself in the Legislature and this will never go through and never would have gone through if they had known about it before.

I had no idea they could put through legislation of this kind anyway. If you could say to free labor - I don't think that Tom Gleason went far enough. I told him afterwards - I said, "My God, why didn't you speak out this way before? What right have you to remain silent when they take labor, organized labor and make chattels of them, make them secondclass citizens and make them as if they had no rights."

Here I am a non-labor man saying they have as much right as any member of this Committee and as much right as I have. How would I like it if they did that to me if I applied for a job? If they had accomplished a great deal, even then it would be wrong, but they haven't.

So I have come here today to make this as strong as I could within the law, because it has been ethically wrong, ethically wrong, a lot of these things, and ask

you, and I'm asking you because I'm a Republican, I don't want to see the Republican Party made the enemy of labor; I don't want to see the Republican Party go out and deliberately antagonize labor, and this time you are going to antagonize all labor, not only your districts but all, in every State, because it's going to be taken up in a big way as one of the big objects of labor. You can't kick them around that way. There is absolutely no reason for it. We've been telling you that these are good, honest people, and I believe they are, just as good as you and I are. Now when it comes to pilfering and robbing and stealing of goods, then it's up to you to write legislation yourself, and strong legislation and with real penalties, under enforcement officers. These people aren't enforcement officers, never were, never supposed to be. And the net result is they have a great propoganda machine and bureaucracy goes on, marching and marching on, and nobody comes here to tell you the truth, nobody.

I have come down here at my own expense from New York representing no one but myself. But I can assure you that the New York Legislature will know about it the next time any bill comes up for the Waterfront Commission.

Why should you Republicans take up the gauntlet that's thrown at you that already had consideration even in New York and which you know very little about

already, and take it up and then make a fight for it here and go out in this election and you will be denounced all over as the enemy of labor. And I think it would be a fair thing to do. And also, beyond that, it isn't your fight.

If there was any reason, if we were going to jail a lot of Nazis or a lot of criminals or a lot of organized crime - My God, I'd be in the forefront of the battle and helping in every way. But I have just come down here to ask you not to kill the bills, just to table the bills. None of them are of any value of any kind except to give more jobs, more power, more influence to this Commission which has accomplished very little, I think. I have taken it up with all these people and I asked the Democratic Leader, the other day, about this and he said the same thing. I asked him about the situation in Albany, the same thing. He said, "We Democrats are all against this bill. It was jammed down our throats and the question is whether they even had the true majority." They did it in the middle of the night. It's wrong in principle, it's wrong all the way through. That's for the Democrats. I'm talking for Republicans, and my Republicanism goes back pretty far. I have a son in Congress and he is the fourth of the same name to be a member of Congress in direct descent. I have a right to talk to Republicans; I have a right to tell

you that our Party stood against this thing from the very beginning. And you are following in the footsteps of Nazism and Fascism and Communism when you start electing gestapos and turn labor into secondclass people. If they don't rebel and fight back, I won't respect labor.

That's all I've got to say to you. I am willing to answer any questions you want but I tell you that one thing above all comes before me and before the Republican Party, and that's the preservation of freedom in the United States, for all people, wage earners and union men and all the rest of us.

ASSEMBLYMAN HEILMANN: While the Chairman is getting ready, Congressman, I want to compliment you. Coming from organized labor to a Republican, we need more people like you in the Republican Party.

MR. FISH: Let me tell you this, what we need are more leaders like Tom Gleason among labor in the United States of America.

May I be excused?

ASSEMBLYMAN SCANCARELLA: Does anyone have any questions of the Congressman?

ASSEMBLYMAN HIRKALA: Congressman, you indicated that these bills were passed in the middle of the night.

MR. FISH: Yes.

ASSEMBLYMAN HIRKALA: You indicated they would never go through again. Do you know of any attitude

on the part of the New York Legislature to repeal these bills?

MR. FISH: It only went through a few weeks ago. They were in the Committee and the Chairman of the Committee when they went to him asking for a hearing on it, he said it was not necessary to have a hearing, these bills are not coming out. So, under the rules, and I served there and the rules are the same at this time and I think the rules are very autocratic, - the Rules Committee can take a bill out of any committee automatically, and they took it out automatically, without a hearing, and put it up in the middle of the night, absolute bedlam going on all the time, and nobody could hear anybody else, of course, and they put the bill through. That's the history and one of the reasons I came down here, to tell you this.

ASSEMBLYMAN HIRKALA: But these bills did receive public hearings in the State of New York and after the public hearing --

MR. FISH: I just told you there was no hearing in the Committee in the Legislature.

ASSEMBLYMAN HIRKALA: In the Assembly.

MR. FISH: In the Assembly.

ASSEMBLYMAN HIRKALA: All right, we'll get on to another question. You indicated that you would prefer Republican Commissioners to Democratic Commissioners and so forth. Are you making any charge that there are some

undue partisan politics being disseminated from the Waterfront Commission of the State of New Jersey?

MR. FISH: If you listened to what I said. I said, I think they need new blood in it. I think these fellows have become bureaucrats and I think they think they're drunk with power and nobody is over them, and I think they think they can do whatever they want and sometimes they run up against somebody who will speak out and tell the truth. That's why I'm here. Now it wasn't a question of Republicans or Democrats, I've already said that I think the Democrats are just as loyal as Republicans but I would like to see a Republican Governor here for the purpose of changing it and having a new commissioner, and I'd like to do the same thing in New York because I think they've been there long enough and I think they've just become bureaucrats. They need new blood and I think in time that will happen.

ASSEMBLYMAN HIRKALA: But are either Governor Hughes or Governor Rockefeller, for instance, or any of their subordinate officers injecting political partisan feelings into the Waterfront Commission?

MR. FISH: You're a politician and so am I. I don't want to call myself a statesman, a statesman is a dead politician. I'm a politician. And you and I know that if the Governor in the State is Republican in New York he's going to appoint Republicans to that

organization, and they have a whole lot of people to appoint and they are good jobs, they are good paying jobs, and they are all Republicans. And I assume and I expect the Democrats would do the same thing when they're in power and appoint the ones in New Jersey who are Democrats, very largely. And that's all there is to it, you can't change that. What I object to is bureaucracy getting out of hand and becoming a gestapo and they think they're bigger than God. And unless one or two people, like myself, would come here and tell you, you would never know anything about it, not a thing.

ASSEMBLYMAN HIRKALA: Congressman, you don't get the gist of my question. Congressman, I want to know if there are any outside political interferences which are hampering the work of the Waterfront Commission.

MR. FISH: Well, I wouldn't have the faintest idea of whether anything outside is hampering it. I am just saying that Republicans appoint Republicans and Democrats appoint Democrats. I'm against both when they create a bureaucracy and if it comes to gestapo tactics. It's very simple.

ASSEMBLYMAN HIRKALA: That doesn't answer my question.

MR. FISH: I don't know outside influence trying to - I suppose the Mafia might be against them. I don't know whether they care enough about it. I think

it may not be important enough for the Mafia to bother with. But I am 100% against the Mafia and all organized crime. But I don't know of particular influence against this organization. I know I don't want to abolish it. I don't want to give them any more power. And let's wait until next year, that Legislature will take care of that in New York ourselves. But I'm talking to New Jersey people and that's what I'm asking you to do, just to carry this over, it's of no consequence, most of it, and not give them anymore power, then maybe your Legislature - and I think you should do it, I shouldn't be the one to tell you but I hope you're going to do it - write some strong bill against the Mafia, some really influential legislation with enforcement teeth in it against organized crime and not fool around with this Waterfront.

ASSEMBLYMAN SCANCARELLA: We're attempting to, Congressman. We shall continue in that endeavor but just for a second - Assemblyman Hirkala mentioned your comments about Republicans and Democrats - I think he questioned you on partisan interference. I don't think that was the Congressman's intent when he was talking about the difference between Republicans and Democrats, I think he was talking about fundamentals or philosophy and the question about new blood. But, be that as it may, Congressman, you mentioned Mr.

Gleason's report and said you agreed with it and criticized the Waterfront Commission for not doing the job that they were created to do. But in Mr. Gleason's statement and in your's, implicit in your's I think there might appear the same theme that the Commission has not been able to stamp out crime on the Waterfront and therefore they should give up, I think was Mr. Gleason's --

MR. FISH: I'm not going to say they should give up because --

ASSEMBLYMAN SCANCARELLA: You won't go that far.

MR. FISH: -- I'm not in a position to know enough about that.

ASSEMBLYMAN SCANCARELLA: But you are in a position to know that crime exists there.

MR. FISH: Yes.

ASSEMBLYMAN SCANCARELLA: And if they're not doing a job perhaps they need more tools. Would you think that that --

MR. FISH: No, I think they've got plenty of tools. I think they have become so bureaucratic and they are so egotistical too and so autocratic that I don't think they're able to function properly.

ASSEMBLYMAN SCANCARELLA: Do you think that they are anti-labor? Do you think that the Commission is anti-labor?

MR. FISH: Well, I don't know whether or not - I wouldn't be the one to answer that. Labor can answer

that.

ASSEMBLYMAN SCANCARELLA: But you did go so far as to say if we passed this we would be an enemy of labor.

MR. FISH: Yes. I think if you pass this bill the Republican party is deliberately antagonizing labor and will become known as the enemy of labor. That's the last thing I want in the United States and I'm sure that's the last thing Dick Nixon wants too.

ASSEMBLYMAN SCANCARELLA: Do you think they're already --

MR. FISH: Yes, you heard what he said. He's ready to go and make this a major issue. I agree with him. This has to do with higher principles than the waterfront. That's what I've been talking on.

ASSEMBLYMAN SCANCARELLA: Do you think that if we tabled this, would we then become a friend of labor?

MR. FISH: No, no. If you table it and say that we think we should have stronger legislation against organized crime or against the Mafia, and we table this because it has nothing to do with this --

ASSEMBLYMAN SCANCARELLA: If we tabled this --

MR. FISH: It would be a fraud and a hoax to say that this has anything to do with the Mafia or with organized crime. You should do that. It would be wonderful.

ASSEMBLYMAN SCANCARELLA: If we enacted anti-

crime or anti-Mafia measures --

MR. FISH: That's right.

ASSEMBLYMAN SCANCARELLA: -- in the total area, not only the waterfront and then tabled these particular measures, would we then become a friend rather than an enemy of labor, do you think?

MR. FISH: You would never be an enemy if you opposed this.

ASSEMBLYMAN SCANCARELLA: Do you think we're an enemy in certain circles already?

MR. FISH: I'm afraid we've gone over too far. I think we've gone over too far and I'm very sorry about it. Now I'm a middle-of-the-road Republican.

ASSEMBLYMAN SCANCARELLA: I think many of us on this Committee are your kind of Republican.

MR. FISH: I can tell you right now, I always stood for a square deal for labor and always will. When they're wrong, I won't do it, but I don't want the Republican Party to go out on a limb and take the offensive against them. That's about what happens too.

ASSEMBLYMAN SCANCARELLA: Senator Dumont has a few questions.

SENATOR DUMONT: Congressman, you were in the House of Representatives for 25 years.

MR. FISH: That's right.

SENATOR DUMONT: Were you there in 1953?

MR. FISH: I certainly was not. I got through in 1945.

SENATOR DUMONT: Well, you must have known about the fact that this legislation was being considered by both Legislatures in 1953.

MR. FISH: In the House?

SENATOR DUMONT: No, I'm not saying in the House of Representatives. You were out in 1945 but you kept in close contact with the New York Legislature, I take it, over the years.

MR. FISH: Oh, when I got out of politics, I got out of trying to run the Legislature or anything else. And I have been leading a different type of life, a very comfortable life and a very enjoyable life.

SENATOR DUMONT: Well, did you object to the original legislation when it was about to be passed?

MR. FISH: I wouldn't have objected because I knew nothing about it. I certainly would not have objected at that time because they said they were to clean up the waterfront. Now if they had done that in 15 years, or done it in five which I think they should have, I'd say hurray for them. But they haven't done it. Instead of that they built up this bureaucracy and autocracy and a gestapo. That's why I'm against it.

SENATOR DUMONT: All right. Thank you.

MR. FISH: I just want to say this. The last time I was here, the last time I spoke in Trenton was

when Congressman Powers was in the House and he asked me to come up here to talk to a big Italian meeting. They had two or three thousand here in Trenton. I put through a bill in Congress to give the naturalized citizens - but also mostly Italians because there are more Italians in our Armed Forces than any other group on the basis of percentage - so that their mothers and fathers could come over here. And I enjoyed that meeting and I want to tell you I enjoy coming here because I think you're right in holding an open hearing on a subject of this kind and I hope that the Republicans will take to heart some of the, not advice but some of the suggestions I made here today.

ASSEMBLYMAN SCANCARELLA: What kind of a Republican would you say Senator Marchi is?

MR. FISH: Senator who?

ASSEMBLYMAN SCANCARELLA: Senator Marchi.

MR. FISH: Oh, the Conservative?

ASSEMBLYMAN SCANCARELLA: Is that the answer?

MR. FISH: I'll tell you frankly. I'm a Republican and I believe in the American system of majority rule and when the majority votes one way and nominates a Republican, I'm for that Republican. I haven't said so yet but I may say so later on - and I'll tell you why.

ASSEMBLYMAN SCANCARELLA: Well, we got that out of you in New Jersey.

MR. FISH: And I'll tell you why I said so. He's

a great friend of my son, the Mayor. But I want to take part in this campaign later on and I am going to do it because of something I read in the paper coming down here, because the Mayor came out against the protection of the missile sites and I can tell you down here, I'd like to tell you if you would give me a minute more, and I know what I'm talking about because I've kept up with Communism, not with politics but I've kept up with Communism, and I know what they're after. They want to destroy all the free nations of the world. And it's an open invitation to the Communists with their new powerful weapons if we don't protect our missile sites. They will destroy them in the next two or three years overnight and then they will serve an ultimatum on us, not New York and New Jersey but the whole United States, surrender or die, surrender or die, and that's when we'll have to surrender, and that's a word that doesn't come very well.

ASSEMBLYMAN SCANCARELLA: So the Mayor came out against it?

MR. FISH: He came out against it. So I'm against him now. You asked me and that's all.

SENATOR DUMONT: So you're going to support Senator Marchi even though he sponsored these bills, is that it?

MR. FISH: I don't vote there. Thank God I vote in Dutchess County.

ASSEMBLYMAN SCANCARELLA: Just for the record, before you leave, Mr. Congressman, the public hearing was held in New York - I have a transcript here - on March 4, 1969 and that hearing was held under the sponsorship of the Senate Committee on New York City joined by the Assembly Committee on Corporations, Authorities and Commissions, and then it goes on to say who the Chairman was.

MR. FISH: The Chairman's name is Kelly --

ASSEMBLYMAN SCANCARELLA: Yes, Assemblyman Kelly.

MR. FISH: -- and he was nominated for one of the high offices in New York the other day, and he refused to hold a meeting of his Committee.

ASSEMBLYMAN SCANCARELLA: Well, Senator Marchi in his Committee hearing, at the outset, - just to point out that it was an extensive hearing said, "I should point out that for the purpose of incorporation into the record, whatever is said today will not preclude your right to include other statements and if indeed equity and our own enlightenment requires it, we can resume these hearings in the very near future so as to enable the Committee to document completely all of the elements that are involved in the subject matter of these bills. We are not going to chain any of you to any specific format and intend to develop the entire record." And that's the transcript. So there was a public joint hearing in New York on March 4.

OK. Thank you.

(Discussion off the record)

ASSEMBLYMAN SCANCARELLA: Is Mr. Wilfred Davis here?

W I L F R E D D A V I S: Gentlemen, my name is Wilfred Davis and I am the Attorney for Port Watchmen's Union, Local 1456.

Actually I didn't intend to appear here today, I thought my son was, who is a recent member of the New Jersey Bar, but I was able to get here. And I have been a Port Watchmen Attorney for 15 or 16 years.

There are just a few words that I want to say on this subject.

There has been talk about these being anti-labor bills. The other speakers have gone into this subject quite thoroughly. I am not going to cover matters that others have discussed.

The concern of the Port Watchmen's Union - by the way, the Port Watchmen's Union has historically watched and protected the cargo in this Port - the name of the organization is the Port Watchmen's Union of Port of New York and Vicinity -- has historically protected the cargo of this port for more than 50 years.

Our concern is a very deep one. We have 1600 and some odd members today. When the Commission came into existence we had some 3500 members. For some

reason or other the number of men has been cut down.

The Commission stated to me personally that it has no intention of replacing the Port Watchmen's Union and the men who have historically done this work. But that is our concern because in the Annual Report of the Waterfront Commission, recently released, these words appear on page 7 - and this talking about thefts on the waterfront, and I quote: "In view of the above history, the only answer to the problem of cargo protection seems to be a government operated and disciplined Port police force."

Now if the Waterfront Commission takes over these jobs, you are going to put some 1600 odd port watchmen out of work, men who have done this work for many, many years. They will tell you that their budget doesn't include it, there is no provision in their budget to do this. They will also tell you that the industry pays the tab. But the industry itself asked the Commission in submitting its legislation to New York to amend the proposed legislation to make it clear that Waterfront Commission Investigators would not operate as a police force or be permitted to perform the functions now performed by port watchmen.

That is our concern. The concern that these 1600 and some odd men will be replaced by a Waterfront Commission Police Force.

I want you to know something about our Port

Watchmen. The investigators who would become police officers under this legislation - and there was some talk by others as to their training and I am not going to go into it, but our Port Watchmen, by the very initial legislation creating the Waterfront Commission, are required to take physical examinations every three years, and no member of any public police force is required to do this, and this is to maintain their job. They are required to take a training program every three years or a re-training program. And the Waterfront Commission participates in setting up this program and in the type of training they must take, and in the examinations they must take.

So we say to you that it is our concern that if this legislation were to pass, and call it what you will, 1600 and some odd men will be eventually put out of their jobs and that is our concern.

Gentlemen, that is all I have to say.

ASSEMBLYMAN SCANCARELLA: Any questions?

ASSEMBLYMAN HEILMANN: How many of these watchmen are in New Jersey?

MR. DAVIS: I would say the bulk of them are in New Jersey today.

ASSEMBLYMAN HEILMANN: The bulk of them.

MR. DAVIS: Yes, sir. More and more of the work is coming to New Jersey.

ASSEMBLYMAN IRWIN: Is there anything in this bill -

now putting aside the fears of what you may feel as a continuing expansion of the authority of the Commission -- is there anything in this bill that would indicate to you that there was any basis or authority for the Commission to take over the watchmen's jobs in the Port?

MR. DAVIS: Sir, this bill is the initial step. And I want you to know that I have had many discussions with Commissioner Case and Commissioner Bercik on this particular subject. I spent several hours with them in their office prior to this legislation being voted on in our State Legislature over in New York. I happen to be a member of the New York Bar. My son is now a member of the New Jersey Bar. They had assured me that there was nothing in this legislation, no budget money, to permit this to happen. But this is the first step. And I'll tell you why I'm concerned. Perhaps their assurance should be enough, except for this. This report was just recently released. I got my copy about ten days ago. And on page 7, using their language and in talking about theft they say in their Annual Report to the Governors of the States of New York and New Jersey, "In view of the above history, the only" - and this is what disturbs me - "answer to the problem of cargo protection seems to be a government operated and disciplined Port police force."

ASSEMBLYMAN IRWIN: But that would take additional

legislation.

MR. DAVIS: It would. That it would. They could now, under the budget of 1.40 use the other 60 points to put additional investigative police officers on the payroll. I believe they have something like 47 - I believe that was the testimony over in New York - maybe I'm wrong in the number but I think it's somewhere in the nature of 47. This .60 of this total industry payroll could certainly put maybe another 100 on, maybe 75. And for every one of those you put on we are losing two or three port watchmen, port watchmen that have training that they won't even be required to take by their own standards. Their standards make us take physical examinations every three years; their standards make us take examinations before we enter the industry, mental examinations; and they make us take review courses. They participate in setting up this training program. And now they come along - and I say this, I have their assurance already but, unfortunately, - and this is what disturbs me, the language I read to you on page 7, without being repetitious. And I think it disturbed the industry too. I can't speak for the industry, I can only quote a telegram that they sent. I don't know whether they sent one here but I know they sent one to the New York Legislature. And in talking about what happened in the wee hours that night, I was there, I had assurances from a half a

dozen Assemblymen that they were going to vote against the police bill, the police power bill, but at the last minute - and I defy anyone to deny it - they were called in, they were called in to chambers before the vote on the police power bill, which was the first one they voted on.

ASSEMBLYMAN SCANCARELLA: Whose chamber? What chamber?

MR. DAVIS: Speaker Duryee's chamber.

ASSEMBLYMAN SCANCARELLA: What was the vote, do you know what the vote was?

MR. DAVIS: Yes, it was 77 votes in favor and they needed 76, and that included Speaker Duryee's vote.

ASSEMBLYMAN SCANCARELLA: How about in the Senate?

MR. DAVIS: The dissenters didn't make any difference because they needed 76 to pass.

ASSEMBLYMAN SCANCARELLA: Well, wait a minute. It passed both houses, didn't it?

MR. DAVIS: No, I'm talking about the Assembly. It had passed in the Senate.

ASSEMBLYMAN SCANCARELLA: Well what was the vote in the Senate, do you know?

MR. DAVIS: I don't know. It had passed in the Senate with a good comfortable margin. I make no bones about it. And I am a labor lawyer. As a matter of fact, I know Senator Marchi quite well. Senator Marchi was very kind to us on another piece of legislation.

I represent the school bus drivers in New York and Nassau County, and Senator Marchi was very kind to us on the decentralization legislation. I must say that. But on this particular bill there was a great deal of pressure and the Assemblymen were called in and they pressured. The Governor's own Counsel was there pressuring them and told them - and this I don't understand at all - that a vote against this bill was a vote for the Mafia. And God please tell me how that could be. And the bill passed 77 votes, they needed 76 and Speaker Duryee's vote was counted in the 77. That's our only concern.

SENATOR DUMONT: Mr. Davis, when did it pass the New York Senate?

MR. DAVIS: In the Senate, shortly after the public hearing.

SENATOR DUMONT: Well, in other words, some time before the Legislature recessed or adjourned.

MR. DAVIS: Oh, I'm talking about the Assembly.

SENATOR DUMONT: Yes, I know what you're talking about but I want to --

MR. DAVIS: Some time, shortly after the public hearing, about a week after.

SENATOR DUMONT: All right. Therefore, there was time for the Senate to consider it with some deliberations, is that true, before it passed there?

MR. DAVIS: They had hearings in which both

sides participated.

SENATOR DUMONT: You said something about the membership in your Union - I thought you said this - is decreasing or has been decreased.

MR. DAVIS: It has been decreasing, sir.

SENATOR DUMONT: Now for what reason?

MR. DAVIS: For a very simple reason.

SENATOR DUMONT: Is it under the pressure of the Commission or for some other reason?

MR. DAVIS: I have a feeling, and this is the Commission's own table that I'll read from now - when the Commission first came into existence we had approximately 3500 members.

SENATOR DUMONT: You have 1600 now.

MR. DAVIS: We have 1600 now. We had 2796 in 1954, going to 3,000 in 1955, and dropping down to 1654 in 1968. It is our contention that every time they put on an investigator we lose at least five port watchmen, maybe more, because these investigators - or it's our feeling that assurances are given to the industry that they don't need watchmen because the investigators will do the work. I can't say that they've said it but I can tell you this, we have told the Commission, I have told it to them personally, that there must be something in this Port setting adequate security measures. We have asked the industry to create a joint industry-labor committee that would survey

this Port - and by the way, the shippers have an organization called the Security Bureau which is supposed to look into the security of cargo on behalf of the shippers, and we said have them participate and let them survey this Port weekly, if necessary, and see if each pier has adequate protection. I can remember when your piers here in Port Newark each of them had at least five times as many watchmen on it. But as our wages went up a few Commission investigators were put on, we lost men and we lost them to the extent that we are down to 1600.

SENATOR DUMONT: All right. Now who actually hires port watchmen?

MR. DAVIS: The port watchmen are hired in two ways, either the steamship companies, who engage them, or a watching agency working under the direction of the steamship agency or a stevedoring company.

SENATOR DUMONT: They are not hired then by the Commission.

MR. DAVIS: Oh, no. They are registered by the Commission and they cannot go to work until they've had a physical examination arranged for by the Commission. And I will say this, that physical examination is given in a medical center run by the industry for the port watchmen, prior to their going to work.

SENATOR DUMONT: What you're saying then is that the industry has been laying off, or at least not hiring

any new port watchmen, under the pressure of the Commission. Is that what you're saying?

MR. DAVIS: I can't tell you under whose pressure it is. I am saying that since the Commission is in existence we have less than half the number of port watchmen. And we have 47 investigators and if there were adequate port watchmen hired the petty pilferages that may go on - and we don't know where they take place because it could take place in some port where they have no watchman at all.

SENATOR DUMONT: Well is there anything to prevent the industry from having just as many port watchmen today as they had in 1953 or 1954, if the industry wanted them?

MR. DAVIS: Only one, economics, money, because every time we got a raise we lost a couple of watchmen.

SENATOR DUMONT: Well didn't they get raised too?

MR. DAVIS: The watchmen got raised, the port watchmen got raised, but the cost of hiring port watchmen went up. In order to offset the cost - you see, in a longshore gang they are a fixed number; in port watchmen they will hire what they think is adequate security for the day, as far as the port watchmen are concerned.

SENATOR DUMONT: All right. Now, before the port watchmen could be eliminated entirely, I think you said

this in response to what Assemblyman Irwin asked you, there would have to be new legislation --

MR. DAVIS: Additional legislation.

SENATOR DUMONT: -- passed in both states.

MR. DAVIS: Correct.

SENATOR DUMONT: And what you're objecting to here is to Senate Bill 708, is that right?

MR. DAVIS: Correct. I'm only talking on 708.

SENATOR DUMONT: You have no objection, then, to 705?

MR. DAVIS: We won't even discuss 705.

SENATOR DUMONT: All right, thank you.

ASSEMBLYMAN SCANCARELLA: OK, thank you.

The next gentleman is Herbert New. Meanwhile, Assemblyman Irwin has a question or two to briefly ask Counsel to the Waterfront Commission. You will just answer the questions. We are not going to have any rebuttal now.

ASSEMBLYMAN IRWIN: I have only three questions. I know that you want to have an opportunity for rebuttal but please don't use this as your forum for rebuttal, you will get another chance later. The Chairman has been kind enough to give me this opportunity out of turn because I have a commitment which forces me to leave a little bit early today, but there were some things raised and one question that I forgot to ask before.

First of all, and with respect to this question you may call upon the assistance of anybody that's here if you have any problem with it - I've looked at this bill carefully and have heard various analyses with respect to it. Now, will you tell me please what the position of the Commission is as to this particular situation. A man driving a trailer rig, which is equipped to pick up the containers, when he drives into the Port and picks up a container and drives out, under this bill would he now come within - well, let me put it this way, is he now covered by the Commission?

MR. SIRIGNANO: No, he is not.

ASSEMBLYMAN IRWIN: Would he be under 705?

MR. SIRIGNANO: No, he would not.

ASSEMBLYMAN IRWIN: Now, what's the basis for your statement, and a very unequivocal one, I must say, that he would not?

MR. SIRIGNANO: He would not because he is not handling cargo for a warehouseman or a consolidator, or a stevedore or a shipping company within the geographical area of the Port within the main terminal or 1,000 yards of the pier.

ASSEMBLYMAN IRWIN: Now what would that truck driver have to do physically in order to bring himself within the purview of 705?

MR. SIRIGNANO: He has to be an employee of the warehouseman who stores cargo in the area or a stevedore

or a consolidator or a shipping company. If he's an employee of a truck owner or a trucker, he is not included.

ASSEMBLYMAN IRWIN: Is there some physical act that he might perform that would bring him within the purview of the act?

MR. SIRIGNANO: No, there is not.

ASSEMBLYMAN IRWIN: OK. Second question, and I had noted this to ask before but the Congressman's remarks reminded me that I had not followed up on the note.

Among the various corporations that you spoke of in your presentation, and in many of them you made direct reference to links with organized crime, there was a short paragraph devoted to the A. M. Kristopher Company. Is there any evidence that the Commission has which would in any way link this company with organized crime in any way?

MR. SIRIGNANO: Absolutely not. That example was given only for the reason to show that this was an area where licenses should be required because of the practices that have been going on, overbilling, except for the reason they don't have a license we would not be able to take any action in this area.

ASSEMBLYMAN IRWIN: Fine. Now one last question. Do the investigators presently hired by the Waterfront Commission perform any of the same services performed

by the members of the watchmen's union?

MR. SIRIGNANO: That's a question that would take a little time to answer, if I have the time.

ASSEMBLYMAN IRWIN: Yes, go ahead.

MR. SIRIGNANO: Ordinarily our investigators do not engage in the actual protection and security of the cargo. That's a primary responsibility of the industry. At the present time they are doing it with privately hired watchmen and they hire them and put them in as they see fit to protect their own cargo. Whenever the Commission finds a situation where there is a theft or pilferage of any kind of substantial quality, we look into the area and find out if the place is not properly covered by port watchmen we call it to the attention of the employer and say, you are not properly guarding your cargo, you are not exercising your responsibility, you should have more watchmen. We by no means tell an employer how many he should have and only when we find it inadequate do we bring it to his attention.

ASSEMBLYMAN IRWIN: So you are saying that sometimes you recommend that he hire more?

MR. SIRIGNANO: If the cargo is not properly protected. If we find one man on a pier with \$3 million worth of goods all over the place, we find out that thieves went in and came out without anybody even noticing it, certainly we call it to the attention

of the employer who didn't have the proper coverage.

ASSEMBLYMAN IRWIN: Has it ever been the position of the Commission that Port Watchmen in some areas were not needed, that there was adequate coverage by Commission investigatory personnel?

MR. SIRIGNANO: Absolutely not.

ASSEMBLYMAN IRWIN: Mr. Bercik, do you concur in that?

MR. BERCIK: Yes, sir.

ASSEMBLYMAN IRWIN: OK. Thank you very much.
Thank you, Mr. Chairman.

MR. BERCIK: May I answer a question. You say, do you ever perform functions of port watchmen. Well we have had situations where we got numerous complaints that there were tremendous losses in shipments, one particular case in television sets on one of the shipping lines and they called it to our attention because they were losing the account and the television sets were going elsewhere. So when a ship arrives we concentrate a number of our investigators in the area to find out why these television sets are being lost and whereas in previous shipments there were 75 or 100 lost in each shipment, when we have our men there, there's a perfect turnout, not one is lost. So for finding out what is the cause for the loss, what is the reason for it, our people go in and watch cargo being loaded and unloaded.

ASSEMBLYMAN IRWIN: Thank you.

SENATOR DUMONT: Mr. Sirignano, I have to leave early too, unfortunately, but how do you account for the fact that there are only half as many port watchmen today as there were 15 years ago?

MR. SIRIGNANO: Well, I think Mr. Davis hit one reason, economics. The longshoremen have certain gangs, a certain number of personnel operating per year and the contract calls for the number of people working. When the cost goes up they can't cut down in that area and the only place an employer can cut down is in the security area. We complained about that, we brought it to their attention that they can't save money on security. One of the reasons is economics. The other reason is that people feel, employers feel that because of the existence of the Waterfront Commission the conditions are so much better on the Port that they don't need as many port watchmen. We've only had 49 port watchmen since 1957 and we haven't increased a one. So it's not because we're putting on more investigators. We have had the same staff of investigators since 1957.

MR. WALDMAN: May we just comment briefly on that?

ASSEMBLYMAN SCANCARELLA: No. After we get through with the other witnesses you may have a chance to comment.

ASSEMBLYMAN IRWIN: Let me assure anyone who is going to testify after I leave that I am not going to forget it when I leave, I will read the transcript and pick it up.

SENATOR DUMONT: What is the port watchman's pay scale?

MR. SIRIGNANO: I don't know the amount per hour but I could give you the average earnings of the port watchmen.

SENATOR DUMONT: Do you pay your investigators any more than a port watchman gets?

MR. SIRIGNANO: Yes.

SENATOR DUMONT: How much more?

MR. SIRIGNANO: We keep our investigators on the equivalent to law enforcement officers. Our investigators run the gamut from \$8700 to \$12,000 depending on the amount of years in their assignment.

ASSEMBLYMAN SCANCARELLA: Mr. Davis, can you just answer the question? We don't want to get in a discussion on this.

MR. DAVIS: Maybe I can assist. It's \$20.36 a day with time and half after 8 hours, and time and half for all work performed on Saturdays and Sundays and our men are guaranteed one overtime day per week, meaning they get one premium day per week. There is only one thing, Mr. Chairman, that I think ought to be made clear to you and Mr. Sirignano while he's

there. I was at the Commission's office one day when there was a pilferage in a ship on the North River and they had sent their investigators up to take pictures of what had taken place in the hatch. And I asked them were there any watchmen there and there were no watchmen present. So these pilferages did not take place because of watchmen not doing their job but because of lack of watchmen for the very reasons I suggested and Mr. Sirignano suggested.

ASSEMBLYMAN SCANCARELLA: Fine. OK, thank you.

ASSEMBLYMAN SCANCARELLA: Thank you.

I will call Mr. New.

H E R B E R T N E W: My name is Herbert New. We are counsel to the Motor Carriers Association of North Jersey, which is an association of over 100 companies of interstate motor common carriers with terminals in Hudson County and environs. Mr. Chairman, at this time I would ask permission be given Mr. James Horan as President of the New Jersey Motor Truck Association, who has a prepared statement, to first make a statement in which I wish to concur and then make a few short remarks.

ASSEMBLYMAN SCANCARELLA: Your name is on this list too, Mr. Horan?

MR. HORAN: Yes.

ASSEMBLYMAN SCANCARELLA: New Jersey Motor Truck Association?

MR. HORAN: Right.

ASSEMBLYMAN SCANCARELLA: There is another gentleman here. Mr. Frank Scotto. So you three who appear at the top of this sheet appear together. Thank you.

J A M E S R. H O R A N: My name is James R. Horan. I am President of the N. J. Motor Truck Association. I would like to address my remarks to Senate 705. I was quite pleased at several of the answers that Mr. Sirignano made a few minutes ago. However, I would like to comment -

Our organization has a membership comprising 1,000 companies. We have in excess of 100,000 employees that

would be affected by this legislation operating trucks and allied services in the State of New Jersey. A substantial number of these carriers perform services in the Port of New York district and are deeply concerned with the effects of the bill under consideration by this committee today.

The purpose of Senate 705, as we understand it, is to broaden the Waterfront Commission's area of responsibility to include the licensing and registration of employees of companies doing business on the waterfront so as to further tighten the security efforts of the Commission and to strengthen their activities in reducing thefts and pilferage.

Representing an industry that experiences these same problems, we readily support these purposes.

However, we feel obligated to direct your attention to certain questions that arise because of ambiguous language in the bill.

Paragraph (1) of Section 5-a proposes to define a contractor as any organization performing labor or services incidental to the movement of freight on piers and waterfront terminals. A strict construction of this language could include all trucking companies performing pickup and delivery service to steamship and warehouse facilities located in marine terminals in the Port of New York District.

Paragraph (6) of section 5-A proposes to define a "longshoreman" as any person performing labor or

services incidental to the movement of freight at any warehouse, depot or terminal located in a marine terminal. A strict construction of this language could include all truck drivers performing pick-up and delivery service.

Two examples of every-day operations that conceivably could be within the province of this proposed language can be cited:

1. By considering the numerous occasions when a container is moved from a private warehouse in the Port Newark terminal area to a steamship line in the same Port Newark terminal area;

2. By considering the numerous occasions when containers are interchanged from one water-borne carrier to another by a driver of a for-hire motor carrier.

Also our people are quite concerned because many of them are marginal operating companies and if they had to put their payrolls into this operation at 1.4 per cent, it would be the difference between red and black for them.

While we are reluctant to oppose the passage of this bill, we do urge that necessary amendatory language be adopted that will clearly indicate that employees performing private contract and for-hire transportation be excluded from its provisions.

ASSEMBLYMAN SCANCARELLA: Do you want all three of you to speak first and then open up the questions

or would you want to question each one -

ASSEMBLYMAN HEILMANN: Let me ask Mr. Horan one question: You do then disagree with what the gentleman said before. Your truckers would come under this bill as it's drawn now?

MR. HORAN: The way we read it and counsels look at it and tell us, the language is loose and it could be construed, the intent now may be that this is what it is, and I am happy to hear Mr. Sirignano say that, but when some of us aren't around here and they sit down and interpret the law as it is written, they may interpret it differently.

ASSEMBLYMAN SCANCARELLA: Thank you, Mr. Horan.

Now the next speaker. Will you kindly state your name.

F R A N K S C O T T O: My name is Frank Scotto; I am Managing Director of the New York State Motor Truck Association.

Our Association represents some 2,000 employers, many of whom are engaged in trucking to and from the piers of the Port of New York and New Jersey. We join and concur in the statement just presented to you by Mr. Horan of the New Jersey Motor Truck Association with regard to Senate Bill 705. We feel that the language of 6-c in Sub-division 10 may be too broad and, therefore, we respectfully request that mandatory language be adopted

that will exclude employees performing trucking operations from the provisions of Senate Bill 705.

Thank you very much, Mr. Chairman.

MR. NEW: Mr. Chairman, the Motor Carriers Association of North Jersey concur in the statement made by Mr. Horan of the New Jersey Motor Truck Association.

Our Association, as I have indicated before, represents many of the large interstate motor carriers that have terminals which terminate in Hudson County and many of these terminals, of course, carry general commodities, ICC tariffs; they carry export freight, import freight, and the like.

We feel that the bill as it is presently before you is not clear as to whether or not some of the trucking companies, some of the terminals, some of their activities are covered. Mr. Horan cited two examples. I would like to cite some others very briefly. We have trucking companies that supply the wheels, so to speak - tractors and trailers, that carry containers from a warehouse on or near the waterfront to the docks or from the docks. That's all they do. We are wondering whether, under the language, they will be covered.

Frankly, reading section 6-c, sub-paragraph 10, and reading section 1-c, it is not clear, it is ambiguous. I have read it many times and I say to myself: "We're not covered." I read it again and I say to myself, "It could

be construed not to be covered." We have companies that carry containers from the terminal, which may be in Hudson County - Secaucus or Jersey City - to the dock or from the dock to their terminal, all over the road. Are those people covered? I again say it is not clear. If they are covered, what about the other employees of that particular terminal? Are they also to be registered?

We have situations where historically trucking companies' employees - the drivers in many of the companies, the platform men,- are covered by either contract, but historically there are a few terminals in which the dockworkers, the platform workers, are covered by ILA, Mr. Gleason's Union. The mere fact that they are ILA men means that this bill would cover them even though they have nothing to do with dock work, or very little to do with dock work. It is a historical accident that these dockworkers are ILA members, and the ILA is the collective bargaining agent for that dock.

I suggest that the language defining "marine terminal" and defining "longshoremen" under the added subparagraph c is not clear. There are trucking companies whose sole business practically is consolidating export and import freight. Many companies don't want to bother with some of the freight that goes to the dock. They give it to a consolidating company whose main business is going to and from the

dock each and every day. Their terminal is not on the waterfront. It is on Route 1 in Jersey City or thereabouts - maybe Secaucus. What about those? There are companies in Seacaucus who stuff and strip containers who are not on the waterfront but who carry that freight to the waterfront. Are they covered?

Mr. Sirignano, in answer to Mr. Irwin's question before, indicated that a tractor-trailer driver going to and from the terminal, to the dock and returning, would not be covered, and I am pleased and assured by that statement. However, I am wondering how that situation differs from the example cited by Mr. Sirignano in his direct testimony regarding Ross Trucking. And we do not represent Ross Trucking; I do not know Ross Trucking; I make no excuses for Ross Trucking; I don't know them. But how did that differ from the Ross Trucking situation. I assume the Ross Trucking Terminal is off the dock some place. Now how did that differ? If this bill is net, so to speak, and catches that, why does not that net also not cover a trucking terminal carrying to and from the dock, whether it is a major part of his business or incidental thereto - his general trucking business.

These are questions which our Association raises and we are wondering whether this bill covers those situations. As Mr. Horan stated, we are not per se against the bill or per se against those evils which it intends to cure, but we feel that the language is

very loose. We feel it needs amendment to make it clear exactly those activities that are covered and to make clear those activities such as I have just indicated, and Mr. Horan has indicated, which are excluded.

I, therefore, urge this Committee and the Legislature to look carefully at this bill and to see whether or not it does not include, unwillingly or unconsciously, because of its loose language these activities of which we speak and which I presume were not intended by the Waterfront Commission be included in this bill.

ASSEMBLYMAN SCANCARELLA: Do the members have any questions? [No questions]

Thank you, gentlemen.

Is Mr. Ted Nalikowski here from the Teamsters Joint Council?

T E D N A L I K O W S K I: Mr. Chairman, Members of the Committee, my name is Ted Nalikowski and I represent the New Jersey Teamsters Joint Council No. 73, which represents about 85,000 members in the State of New Jersey, about 15,000 freight handlers who might become affected by Senate Bill 705, 706 and 708 because of our close proximity to our laboring kind of operation.

We are opposed and we are appearing here - I would like to apologize for our attorney not being here. He planned on being here with a prepared statement. I will be brief because I know you've had a long day. Most

of my thunder was stolen from me by the previous speakers, but we do want to get on the record what our position is.

We are definitely opposed to Senate Bill 705 and if it affects our members, and we are definitely opposed to Senate 706 and 708 for that reason. We feel also that the language is loosely worded; we feel that, although statements are made here at the public hearing, they don't appear in the bill when it is finally brought out for a vote by you gentlemen, and we feel that you should give serious consideration to either modifying or amending the language.

I would like to point out that what disturbs us in on the third page of S-708, Section 10, which says that other waterfront terminals shall also include any warehouse, depot, or other terminal, other than appear, whether enclosed or open. Now many of our people work in the Port Newark area in warehouses and, if you are acquainted with the Port Newark area as those who are involved in this industry are acquainted with it, you will know that there are thousands of trailers that are parked adjacent to the pier area on land that is no doubt owned by the Port Authority or the shipping interests - primarily the Port Authority - and our drivers by the thousands come in and out of there on a daily basis to move freight, deliver it, pick it up, and there is no roof over that kind of an operation.

In addition, I would like to call to your attention

that in the same area there are warehouses that are under the jurisdiction of Teamsters. Teamster members operate the entire warehouse operation, handling commodities that are either produced or assembled with the raw product coming in and the finished product going out. There are also lumber yards in the area that are under the jurisdiction of the Teamsters in this State that definitely would fall under this Bill 705 if it were permitted to continue in its present form.

We are also concerned that in the very near future in the Elizabethport area, with the heavy construction and with the consensus of the trucking industry to try to remain as close to the pier work as possible, there is a move now to build more terminals adjacent to the Elizabethport area that might very well come under this category. In addition to that, in that area there are in the meadowland development - not the meadowland in Bergen County but down in that Port Newark area - that if the Waterfront Commission were given this extensive authority to extend on and beyond what they are entitled to at the present time, it would cause a very serious situation to us, because I would like to bring very

- definitely to your attention that our industry is policed very well, all of our members are required to pass examinations, physical examinations, and are issued ICC authority to operate these vehicles. They are also required every three years to take a physical examination and in the industry itself, with the Management and Labor Relations

situation and organization that we have developed now we are able to control most of any discipline that would ordinarily fall under the jurisdiction of what the Waterfront Commission would like to impose, I guess, or extend their authority.

In conclusion, I would like to close by saying that in the statement part of Senate 705, in the third sentence down in the statement it says, "also to require the licensing and registration of service companies and warehouse operators and their employees at areas located on the waterfront."

Then down further, if you will follow with me, at the fourth line it says, "doing business on the waterfront. And also container consolidating companies doing business on the waterfront to become licensed as stevedores." I ask you, which I know you will, to very seriously consider this bill because it affects a very influential number of employees who for many years have been able to police themselves and we feel that extending any more police powers to the Waterfront Commission will not add anything to our industry.

Thank you for giving me this opportunity of presenting our position.

ASSEMBLYMAN SCANCARELLA: Just one moment, Mr. Nalikowski. Do you have any specific recommendation for substitute language or for amendment here in the event that is what the Committee or the Assembly decides?

MR. NALIKOWSKI: We were prepared through our attorney who, unfortunately, could not be here, and it

is unfortunate because we were prepared to present language.

ASSEMBLYMAN SCANCARELLA: Now you are talking about Senate Bill 705, paragraph 10?

MR. NALIKOWSKI: I am talking about several paragraphs in Senate 705. Paragraph 10 we are primarily concerned with, and also Section 5-b and c.

ASSEMBLYMAN SCANCARELLA: 6-b and c, you mean.

MR. NALIKOWSKI: Excuse me. Well, 6-c is closely patterned to 5-c but Section 6, paragraph 10, is what concerns us as far as that language is concerned.

ASSEMBLYMAN SCANCARELLA: You don't have a copy of your attorney's statement?

MR. NALIKOWSKI: No, unfortunately, I don't. Will we have time to mail it in?

ASSEMBLYMAN SCANCARELLA: Well, it may not become a part of the record but you might want to mail it to the various committee members.

MR. NALIKOWSKI: We will mail it to you as Chairman and you can do with it as you please.

ASSEMBLYMAN HEILMANN: Mr. Nalikowski, before you leave, I think you also forgot to mention - aren't your teamsters all bonded?

MR. NALIKOWSKI: Yes. I thought that was a foregone conclusion.

ASSEMBLYMAN SCANCARELLA: Is there anyone else who wishes to testify?

ASSEMBLYMAN HEILMAN: I would like to ask him one

question. I am still a little bit dense on it.

ASSEMBLYMAN SCANCARELLA: Just a minute. I am going to allow Mr. Sirignano and Mr. Waldman a couple of minutes each for rebuttal and that will be the end of the hearing. As soon as they finish their remarks, which will be brief, I trust, then we will ask each of them a question..

Do you want to start first this time, Mr. Waldman? One pro and one con.

ASSEMBLYMAN HEILMANN: This morning I raised a question about if the warehouse was in Camden and the material was to be shipped into Port Newark, for argument, you said they would not be involved.

MR. NALIKOWSKI: That's right.

ASSEMBLYMAN HEILMANN: Now there was quite a bit of testimony and discussion about Erb Strapping and some other company who I assume are on the waterfront now. Am I correct in assuming that if they were to move five, six or seven blocks away from the waterfront, they would not then come under these bills?

MR. NALIKOWSKI: If they moved the operation they are presently performing more than a thousand yards away from the pier, they would not be included.

ASSEMBLYMAN HEILMANN: Then this bill wouldn't mean anything.

MR. NALIKOWSKI: They couldn't perform the function because the work they are doing is transporting meat from the shipside to an inspection station.

ASSEMBLYMAN HEILMANN: Let's forget about meat. They could handle other material and they would not then come under this bill.

MR. NALIKOWSKI: If they are outside the water-front area.

ASSEMBLYMAN HEILMANN: So the bill does have loopholes in it for the very same people that you are trying to get.

MR. NALIKOWSKI: Except that the bill covers functions that of necessity are more economical and practical to perform at the pier areas.

ASSEMBLYMAN HEILMANN: But you still lose me. These people are the people you are trying to get because of certain people being in possession of these companies are people of ill repute. Now their operation as it is now, this bill is to put them out of business, but if they were to move X number of blocks away, the bill could not do a damn thing to them.

MR. NALIKOWSKI: That's right, and if you meant the whole of New Jersey and they moved to Pennsylvania, you couldn't do anything to them. It's a question of where you are going to draw the line.

ASSEMBLYMAN HEILMANN: And the bill is wide open.

MR. NALIKOWSKI: Well, if they moved from New Jersey to Pennsylvania the bill would be wide open.

ASSEMBLYMAN GARIBALDI: Mr. Sirignano, not to be presumptuous, but in the event that these bills, the ones in question here today, were to be enacted into law, you have stated that you have presently in your employ or in the Commission 237 members of your staff.

MR. SIRIGNANO: That's right,

ASSEMBLYMAN GARIBALDI: Do you anticipate, with the enactment of this legislation here in question today,

an increase in this staff to carry out the intent of the bills here?

MR. SIRIGNANO: The Commission - and this goes to one of the rebuttal questions - much has been said about the purpose of our getting these bills to build an empire to increase our employees and to get political appointments. In the first place, the Commission is entirely non-political. We have had Democrats and Republicans in this Commission with no regard to political affiliations of the staff and most of the staff members have been there since its inception. We have had 275 employees back in 1957 which is the highest number of employees we had, and we had a register of approximately 75,000 people who were in and out of our register.

Since we've gotten down to a stablized identified work force of approximately 20,000 registers at the present time, we reduced our staff to 237, so this nonsense about the reason for this bill is to build an empire is just hog-wash. We have been reducing our staff, not increasing it.

As to these particular bills, we are going to have to license probably a thousand or maybe twelve hundred or something thereabouts new people and investigate them; it may be that temporarily we will need some additional help and maybe we can do it with overtime, with the other people on the staff working overtime. We are going to have a larger area to cover with our investigators and the only increase I foresee is a few investigators, maybe four or five investigators, for this whole purpose. It's all false that we are trying to build an empire.

ASSEMBLYMAN GARIBALDI: Further along the same lines, what I am driving at is what would be the additional cost to carry out the functions of this legislation?

MR. SIRIGNANO: Well, if we add four or five investigators on a permanent basis, the rule-of-thumb is with one investigator with equipment, fringe benefits, and all, at about \$10,000 a year, it would be about fifty or sixty thousand dollars a year additional.

ASSEMBLYMAN GIRIBALDI: In other words, if we are called upon to vote on an additional appropriation for the purpose of the Waterfront Commission -

MR. SIRIGNANO: There is no appropriation involved in this bill because we do not get public moneys. We get our support from assessment on the industry's payroll. There is no appropriation involved.

ASSEMBLYMAN SCANCARELLA: Are you through, Mr. Sirignano?

MR. SIRIGNANO: I'm through answering questions. I have some other remarks I would like to make.

Mr. Waldman tried to create the inference that we were trying to sneak something by this Committee by indicating that the only people we were seeking - or the people likely to register - the court has said were no longer under our jurisdiction. Nothing is further from the truth. In the initial statement, as a matter of fact, it is included with the bill when it's filed, it says explicitly and then on the last line: "The proposed bill would also make a correlative change in

the definition of longshoreman in section 5-a so as to require the waterfront employees of such companies not already registered to become registered as longshoremen." So this Committee, this Legislature, knew we were looking for additional areas and I explained why we were looking for additional areas - because of the development and the change in the method of operation in the piers.

He said we made a good showing on employers but we did not make any showing as to the men. In my statement, I said the last time we came here to seek legislation because we found some loopholes and we had shown that 100 men who were involved in the waterfront were now going into some ^{un}covered area. In this particular instance we made a survey and out of 75 people who applied to us for licenses who were former longshoremen and rejected, 13 out of 75 had been barred as waterfront employees and were now working in the warehouses.

And that is not the only point. We are not looking to go around persecuting the man and throw him off the waterfront and if he goes some place else to throw him out of the next place. If men have been working in this area for 15, 16, 2 years, 3 years, even though they have had criminal records and even though they have been barred from waterfront employment in the past, and they have showed signs of rehabilitation, they have shown no criminal associations, they have shown no criminal activity, certainly they will be kept. I want to tell

this Committee that possibly 30 per cent or more of our registered people at this time have some kind of criminal history but they have proved themselves, they have rehabilitated themselves, they are working as decent people, and they are still working on the waterfront despite the fact that they have had a criminal record in the past. Don't be sold this idea that just because a man in his youth got in trouble, the Commission persecutes them and follows them around to make sure they won't get work elsewhere.

Mr. Waldman also alluded to the fact that he knows of no other case in which a man has to be licensed or registered or pass a test to be employed in the trade. That's not so, because all taxi drivers have to pass a character test before they can get a taxi license.

ASSEMBLYMAN SCANCARELLA: We don't want to get into all that. We understand that.

MR. SIRIGNANO: The same way with bartenders. He has to work. They don't ask him if he can mix a drink. They want to know what kind of person he is.

Now I want to take a minute because on the public records in this hearing room, the personal integrity of my Commissioners has been attacked by former Congressman Fish. I don't think it is fair that the record of this Legislature should carry such a personal attack without an opportunity to answer it. The case that he referred to was a case in which he admits that maybe this woman did do something that was contrary to law, that she did pad the payrolls for \$50,000. What he objects to is

the fact that she was the wife of a former General and a friend of his and, therefore, we didn't have any consideration or act differently in this case than if she was a nobody. The woman admitted the charges; she was represented by counsel -

ASSEMBLYMAN SCANCARELLA: Mr. Sirignano, that charge is not before us. We are here to have a hearing on the bills. We understand that - we'll take that -

MR. SIRIGNANO: Except that if the Commissioners were the type of people that he tried to convey to you, we don't deserve to have this legislation, we don't deserve to be in office.

ASSEMBLYMAN SCANCELLARA: I think you have made that point. I don't want to get into that because that is not our province.

Are you through, Mr. Sirignano?

MR. SIRIGNANO: I want to explain the objection of the truckers and then I'll be through.

The section that concerns the trucking business is Section (6) - "Longshoremen" shall also include a natural person, other than a hiring agent, who is employed for work at a pier or other waterfront terminal.

It does not mean that if you visit there or your work takes you there, you will be covered by this bill. The bill is specific - "employed at the terminal for work."

ASSEMBLYMAN SCANCARELLA: What line is that?

MR. SIRIGNANO: Line 46 - lines 45 and 46. The bill is clear, specific, definite. You must be employed at the waterfront terminal.

Now there is a reference to one area of activity that one of the persons testified to that would become

covered. He said some truckers, because they handle freight, consolidate freight. Well, if he consolidates freight at the waterfront terminal, then he would be covered, but that is not the case. That may be the exception rather than the rule. These freight forwarders, these consolidators who are truckers are usually at the truck terminal which is not at the piers or waterfront terminal. But if they did do it at the pier or waterfront terminal, the terms of this bill would cover them. He says, how do we make a distinction between Ross Trucking who trucks bananas and their function. I think I explained that in response to a question by one of the Committee members when I said that if Ross gave up the storing of bananas, for which he is paid by the carriers of the bananas, the shipping company, he would not be included in this bill. It's the storing function at the pier, at the waterfront terminal, for which he is paid not by the consignee or the consignor but by the carrier at the pier, which makes him subject to this bill. If he gave up that function he would not be covered. So there is no concern on the part of the truckers that if they merely pass forth, in and out, and don't perform the services that are referred to in this bill at the pier or at the waterfront terminal and employ people there to do it, this bill does not cover them.

ASSEMBLYMAN SCANCARELLA: Thank you.

MR. WALDMAN: I will be very brief.

I would say first that I disagree totally with Mr. Sirignano's interpretation of the effect of the bill in terms of other crafts and other employees who would be covered.

ASSEMBLYMAN SCANCARELLA: Let me just ask him one question. If this bill was enacted into law, how many more employees would have to be registered?

MR. SIRIGNANO: We can only make a preliminary survey.

ASSEMBLYMAN SCANCARELLA: Based on your information.

MR. SIRIGNANO: one thousand to fifteen hundred. We now register about 22,000.

ASSEMBLYMAN SCANCARELLA: You now register 22,000 and this would make it 23,000 or 23,500.

MR. WALDMAN: To say that the language "who is employed for work" means that he must be hired exclusively for work at a pier or terminal is just to torture words beyond what they say. You have maintenance people of the building trades who may work for days at a time at a pier or terminal, and that is service incidental to helping water-borne cargo move, and those people are hired to do the work at the pier or terminal. The fact that they also work elsewhere during a portion of their working year or working month or working week is no exclusion or exception under this language here, and I would suggest that a fair construction of the language as applied to truckmen and teamsters would include them also because they are employed to work here among other places and

there is no requirement of exclusivity or 100 per cent of the work under this language. And I think, as a matter of construction, that it is broad enough in terms of a fair construction, to cover anybody who does work at a pier or terminal, because all such work is incidental to the movement of cargo.

Secondly, with respect to the need, which I did dwell on, to say that there are thirteen people who were barred does not establish need and does not indicate that a single one of them did anything wrong in the work which they are now performing and which is not now covered and which the Commission seeks to have covered. I submit that it does not establish any need of any kind for this drastic legislation.

ASSEMBLYMAN HEILMANN: I don't know whether it was him or Mr. Gleason, either one can answer it, but this morning there was reference made to some fellow that was charged with bookmaking. Do you know what happened to that fellow?

MR. WALDMAN: No, I don't.

ASSEMBLYMAN HEILMANN: Do you, Mr. Gleason?

MR. GLEASON: On the bookmaker that you talked about, that man was 27 years on the docks - 27 years he worked on the docks. He was caught taking a few bets - God knows, it probably happens in the back room out here - I don't know.

ASSEMBLYMAN SCANCARELLA: Not in this room.

MR. GLEASON: I know that won't be in the record, but here is what happened. He was fined \$1,000 and he

received five years probation. He was a Negro. After three months, he was starving. His family was starving. He had quite a family. He was going to lose his pension. He had built up an equity of 27 years. What was he supposed to do? Starve to death? Is this the kind of legislation you are supposed to enact to take care of a fellow like this? I think there are other ways of taking care of these things. If that isn't persecution, I don't know what persecution is.

Now the other one, Chet Matens. Who do you think he was? He was a police officer with five of the highest citations in the Police Department and he served for 25 years and had an honorable discharge, and he went on retirement from the Police Department. This man was cited for bravery and for his apprehension of criminals. This is the other case.

Now in the banana business, these gentlemen can't talk about the banana business or the discharging or loading of ships because they are not that type of people. I respect them as administrators and lawyers, possibly good administrators and good lawyers. But when you discharge a ship of bananas, you cannot store bananas on a dock. You must have some place to put them when they come off the ship, and the only place you can put them is in refrigerated trucks, and they stay there possibly for a day or two until they are sold. They are not sold. These 60,000 or 70,000 boxes of bananas, or stems as they used to come, are not sold - they are sold at auction or bid at auction, so they must have some place to go and

the only way these bananas will ever come into New York - and if you prevail here, these bananas don't have to come to New York. The same as we have strikes once in a while on various ports, they go to other ports. Now Ross - I'm not caring anything about Ross; I don't know Ross, although I know he's around 40 or 50 years - around doing his banana business.

Now the other one that was brought up here this morning was about the truckman from Camden. I never thought I'd live to see the day when one labor organization would say the hell with the other labor organization as long as you don't put me in the legislation. Myself and the teamsters have come down the line for over fifty years and I think that if we are going to be licensed for doing the same type of work that the teamster is not going to be licensed for, then I'm going to fight like hell, and I tell you and this is not a threat. I'll take some kind of action, because the guy operating out of Camden, bringing that load down into Port Newark, will deliver that load and pick up another load and may make 40 stops between Port Newark and Camden making his deliveries. He is handling that freight, that driver, and he may have a helper with him.

So we are not going to give our jurisdiction away to anybody even if we have to give up the licensing of these people. It looks like now - all right, the hell with the ILA. Go over here to some other Union and you won't be licensed. We're the only ones that are going

to be. I assure you I'm taking this up with the AFL which meets in Atlantic City in October.

I heard something else, and I don't want to believe it. I'm not going to mention any names. This was supposed to be an impartial hearing, a public hearing here today. I walked out in the hall - "Don't worry about these bills. I'm going to vote for these bills" - before you even go over the transcript. Do you think this is a fair and impartial public hearing? I just don't want to be dressed up. I don't just want to come down and testify and say I had a chance to testify before you gentlemen. If I can't make a place for myself before you and the people I represent, then I don't want to come down here for a dress rehearsal. I just don't like that.

I am asking you to put us under the Taft-Hartley Act and give us the same restrictions. I'm one of those fellows that believes in certain parts of the Taft-Hartley Act, but give us the same restrictions that apply to every Union, but don't say we are second-class guys and try to put a group of people over us for the rest of our lives. I didn't ask you and I know how your Chairman might say, "I didn't ask you to abolish this Commission." I said if they didn't do their job in 15 years, then they shouldn't be around here. This is all I'm talking about.

I'm no quitter. I want you to believe that. I'm no quitter, and we'll take this head-on no matter how the hell we do it to prove our case. And I'm asking you

in all fairness to treat us the same as any other Union in the United States is treated, because we deserve it, because we are the only Union that waves that flag when it's necessary.

ASSEMBLYMAN SCANCARELLA: We certainly commend you for that, Mr. Gleason.

Do you have estimates as to how many additional workers would be registered under this bill, would have to be registered under this bill?

MR. GLEASON: Well, under this bill now, of course, when there is a strike - we had a strike in some ports of 172 to 174 days and it was a terrific backlog and there were possibly 1500 to 2000 men. The way I look at it from my figures and from my consultants and my economists, while there are 23,000 men now registered in the Port, this time next year, because of the type of ships that are coming out, it will probably be only 16,000 or 15,000 men.

ASSEMBLYMAN SCANCARELLA: It would be less?

MR. GLEASON: Oh, attrition is taking place.

ASSEMBLYMAN SCANCARELLA: I am talking about as a result of this legislation. If this bill is enacted into law how many more on top of the 16,000 next year or the 23,000 this year will there be.

MR. GLEASON: There will be 16,000 men needed to service this industry. Now if they move in and consolidate as forwarders, that will be included in the

16,000 men. And we have an agreement with the teamsters. We definitely have an agreement with the teamsters which we have never broken.

ASSEMBLYMAN SCANCARELLA: Let's say there is no attrition. Let's say there are still 23,000, just for the sake of argument. How many more would come under this bill?

MR. GLEASON: Under this bill? Five thousand.

ASSEMBLYMAN SCANCARELLA: All right. Thank you. Are there any other questions? (No questions.)

Thank you very much, Mr. Gleason.

That concludes the hearing.

ASSEMBLYMAN HEILMANN: I move we adjourn, Mr. Chairman.

[HEARING CONCLUDED]

STATEMENT

PRESENTED TO THE ASSEMBLY LABOR RELATIONS COMMITTEE
ON THE
SENATE BILLS 705 AND 708
BY THE
NEW JERSEY MANUFACTURERS ASSOCIATION

June 26, 1969

The New Jersey Manufacturers Association favors passage of both Senate Bills 705 and 708 introduced by Senators McDermott and Crabiel on April 10, 1969 and passed by the Senate on May 8.

Our Association maintains a keen interest in international trade and in stimulating new entrants into export activities. Our interest in such activity is manifest by our participation in European trade fairs and in Mexican and Central American sales promotional efforts. We are concerned, as are all who engage in exporting and importing, that competent protections be afforded cargo and preventable losses avoided.

A recent New York Times news item indicated that in 1968 thefts on piers totalled in excess of \$54,000,000. S-708 by vesting police powers in Waterfront Commission investigators would give the Waterfront Commission added muscle to combat such crimes. This Assembly has itself recognized the need for police powers in county park policemen through introduction and passage of Assembly Bills 747, 748, 749 and 750.

Senate Bill 705 would:

1. Restores licensing jurisdiction in areas the Waterfront Commission had previously exercised such powers until curtailed by court interpretation of the statute.
2. Licenses new activities heretofore not covered.
 - a. Activities occasioned by technological changes in cargo-handling operations.
 - b. Activities regularly performed on the waterfront over which the Commission did not have jurisdiction.

The first provision seeks to close a loophole which alternatively permits infiltration of port jobs by persons pushed out of direct longshore activity by decision of the Waterfront Commission. Originally, it was believed that the act

gave the Waterfront Commission jurisdiction over ancillary waterfront activities. However, the court held that while the law authorized inclusion of employees in the Waterfront Commission Act registration rules, licensing of the employing companies was not required.

The new licensing authority deals with activities brought about by technological changes as well as with functions heretofore not subject to licensing but, in fact, an integral part of pier operations.

Cargo work formerly handled by licensed stevedores has been increasingly handled by unlicensed container companies. S-708 would make such unlicensed companies subject to the same registration and licensing requirements as stevedores. To permit such operations without the screening presently exercised by the Waterfront Commission or to deny it greater flexibility in meeting innovative changes in port operations would enable criminals barred from the waterfront to turn up with impunity in other pier-related occupations.

It is in this area of delegating broad authority and powers in the Act that a difficult decision must be made. A delegation of too much power, unwisely used, can oppressively affect the legitimate interests and operations of concerns with integrated manufacturing and distribution operations. Should bona fide manufacturers and their permanent year-round employees now be considered stevedores and longshoremen simply because distribution warehouses are maintained? Would efforts at protecting such legitimate interests open other loopholes for criminal infiltration? On principle it appears that the desired end result, to prevent new inroads of organized crime in pier activities, leaves little alternative but to enact S-705 giving the Waterfront Commission the powers necessary to screen employees and employers and depending upon their judicious good judgment. We would hope that the new powers would be exercised in such fashion as not to unduly interfere with good employee relations.

Moreover, New York has enacted similar legislation which cannot become effective until similar enactment in New Jersey. Delay seems only to benefit primarily undesirable elements.

The exercise of powers granted in S-705 should be closely watched and the Waterfront Commission held accountable for adequate reports of its implementation. Where improper or intemperate actions are complained of, the Legislature should act promptly to remedy discovered deficiencies.

Thank you for this opportunity to present our views.

WATERFRONT COMMISSION OF NEW YORK HARBOR



15 PARK ROW
NEW YORK 38, N. Y.

WORTH 4-3520

SUPPORTERS OF WATERFRONT COMMISSION LEGISLATIVE PROPOSALS FOR 1969

Editorials

NEW YORK TIMES

NEW YORK DAILY NEWS

THE NEWARK STAR-LEDGER

NEWARK EVENING NEWS

THE HACKENSACK RECORD

THE ELIZABETH DAILY JOURNAL

THE JOURNAL NEWS (Nyack, N.Y.)

THE REPORTER DISPATCH (White Plains, N.Y.)

THE DAILY ARGUS (Mt. Vernon, N.Y.)

THE JERSEY JOURNAL

THE PERTH AMBOY NEWS TRIBUNE

THE NEW BRUNSWICK HOME NEWS

LYNDHURST COMMERCIAL LEADER

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SUPPORTERS OF WATERFRONT COMMISSION LEGISLATIVE PROPOSALS FOR 1969

Trade Associations of New York and New Jersey

New York Shipping Association

**National Association of Customs Brokers and Forwarders
of America**

American Importers Association

American-Italian Chamber of Commerce

New York Chamber of Commerce

Commerce and Industry Association of New York

**Association of Secretaries of Foreign Chambers of
Commerce in the United States**

Chamber of Commerce of Eastern Union County

New Jersey State Chamber of Commerce

Jersey City Chamber of Commerce

American-Israeli Chamber of Commerce

