

GOVERNOR'S PROGRAM BILL

2023

MEMORANDUM

AN ACT to amend the retirement and social security law and the criminal procedure law, in relation to service rendered by investigators and sworn officers of the waterfront commission of New York harbor

Purpose:

This legislation would amend the Retirement and Social Security Law and Criminal Procedure Law to provide investigators and sworn officers of the New York Waterfront Commission with the same pension benefits and law enforcement powers currently granted to investigators and sworn officers of the Waterfront Commission of New York Harbor.

Summary of Provisions:

Section 1 amends Retirement and Social Security Law § 381-b to permit investigators and sworn officers of the New York Waterfront Commission to be covered by the retirement and pension plan that the State currently grants to members or officers of the State Police.

Section 2 amends Retirement and Social Security Law § 302 to provide that service to the Waterfront Commission of New York Harbor and to the New York Waterfront Commission constitutes "Police or fire service" as referenced in that Article.

Sections 3, 4, and 5 amend Criminal Procedure Law § 1.20 to provide that investigators and sworn officers of the New York Waterfront Commission are police officers.

Section 6 provides that the bill shall take effect immediately, except that Section 5 shall take effect simultaneously with the law which it amends.

Existing Law:

Investigators and sworn officers of the Waterfront Commission of New York Harbor, a bi-state commission established under New York law in 1953, are police officers eligible for the New York Police and Fire Retirement System. The Waterfront Commission of New York Harbor will soon be dissolved by New Jersey and, pursuant to part EEE of chapter 58 of the laws of 2023, will be replaced by the New York Waterfront Commission, with jurisdiction over port terminals in New York State.

Justification:

The New York Waterfront Commission was established to continue the functions and responsibilities of the Waterfront Commission of New York Harbor for port terminals in New York State. The current Commission employs a law enforcement and investigative force that plays a critical role in anti-corruption efforts in the Harbor. In order for the New York Waterfront Commission to continue that work, its officers must have the same duties, powers, and benefits, which this bill would provide.

Legislative History:

This is a new bill.

Budget Implications:

None.

Effective Date:

The bill takes effect immediately, except that Section 5 shall take effect simultaneously with the law which it amends.