

5274

2009-2010 Regular Sessions

I N   A S S E M B L Y

February 11, 2009

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Introduced by M. of A. FARRELL -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the waterfront commission act, in relation to empowering the waterfront commission to accept applications in the longshoremen's register; and to repeal section 5-p of such act relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 5-p of chapter 882 of the laws of 1953, constituting the waterfront commission act, is REPEALED and a new section 5-p is added to read as follows:

2     S 5-P. THE COMMISSION SHALL ACCEPT APPLICATIONS FOR INCLUSION IN THE  
3     LONGSHOREMEN'S REGISTER UPON THE RECOMMENDATION IN WRITING OF STEVEDORE  
4     AND OTHER EMPLOYERS OF LONGSHOREMEN IN THE PORT OF NEW YORK DISTRICT,  
5     ACTING THROUGH THEIR REPRESENTATIVES FOR THE PURPOSE OF COLLECTIVE  
6     BARGAINING WITH A LABOR ORGANIZATION REPRESENTING SUCH LONGSHOREMEN IN  
7     SUCH DISTRICT AND SUCH LABOR ORGANIZATION OR IN WRITING OF A STEVEDORE  
8     OR ANOTHER EMPLOYER OF LONGSHOREMEN IN THE PORT OF NEW YORK DISTRICT  
9     WHICH DOES NOT HAVE A REPRESENTATIVE FOR THE PURPOSE OF COLLECTIVE  
10    BARGAINING WITH A LABOR ORGANIZATION REPRESENTING SUCH LONGSHOREMEN.

11    S 2. If any part or provision of this act or the application thereof  
12    to any person or circumstances be adjudged invalid by any court of  
13    competent jurisdiction, such judgment shall be confined in its operation  
14    to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not  
15    affect or impair the validity of the remainder of this act or the application thereof to other persons or circumstances and the two states  
16    hereby declare that they would have entered into this act or the remainder thereof had the invalidity of such provisions or application thereof  
17    been apparent.

18    S 3. This act constitutes an agreement between the states of New York  
19    and New Jersey, supplementary to the waterfront commission compact and

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

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1 amendatory thereof, and shall be liberally construed to effectuate the  
2 purposes of said compact and the powers vested in the waterfront commis-  
3 sion hereby shall be construed to be in aid of and supplemental to and  
4 not in limitation of or in derogation of any of the powers heretofore  
5 conferred upon or delegated to the waterfront commission.

6 S 4. This act shall take effect upon the enactment into law by the  
7 state of New Jersey of legislation having an identical effect with this  
8 act, but if the state of New Jersey shall have already enacted such  
9 legislation, then it shall take effect immediately; and provided that  
10 the waterfront commission shall notify the legislative bill drafting  
11 commission upon the occurrence of the enactment of the legislation  
12 provided for in section one of this act in order that the commission may  
13 maintain an accurate and timely effective data base of the official text  
14 of laws of the state of New York in furtherance of effecting the  
15 provisions of section 44 of the legislative law and section 70-b of the  
16 public officers law.