

5039

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. HASSELL-THOMPSON -- read twice and ordered printed,
and when printed to be committed 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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 5-p of chapter 882 of the laws of 1953, constitut-
2 ing the waterfront commission act, is REPEALED and a new section 5-p is
3 added to read as follows:
4 S 5-P. THE COMMISSION SHALL ACCEPT APPLICATIONS FOR INCLUSION IN THE
5 LONGSHOREMEN'S REGISTER UPON THE RECOMMENDATION IN WRITING OF STEVEDORE
6 AND OTHER EMPLOYERS OF LONGSHOREMEN IN THE PORT OF NEW YORK DISTRICT,
7 ACTING THROUGH THEIR REPRESENTATIVES FOR THE PURPOSE OF COLLECTIVE
8 BARGAINING WITH A LABOR ORGANIZATION REPRESENTING SUCH LONGSHOREMEN IN
9 SUCH DISTRICT AND SUCH LABOR ORGANIZATION OR IN WRITING OF A STEVEDORE
10 OR ANOTHER EMPLOYER OF LONGSHOREMEN IN THE PORT OF NEW YORK DISTRICT
11 WHICH DOES NOT HAVE A REPRESENTATIVE FOR THE PURPOSE OF COLLECTIVE
12 BARGAINING WITH A LABOR ORGANIZATION REPRESENTING SUCH LONGSHOREMEN.
13 S 2. If any part or provision of this act or the application thereof
14 to any person or circumstances be adjudged invalid by any court of
15 competent jurisdiction, such judgment shall be confined in its operation
16 to the part, provision or application directly involved in the contro-
17 versy in which such judgment shall have been rendered and shall not
18 affect or impair the validity of the remainder of this act or the appli-
19 cation thereof to other persons or circumstances and the two states
20 hereby declare that they would have entered into this act or the remain-
21 der thereof had the invalidity of such provisions or application thereof
22 been apparent.

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

LBD09027-01-9

1 S 3. This act constitutes an agreement between the states of New York
2 and New Jersey, supplementary to the waterfront commission compact and
3 amendatory thereof, and shall be liberally construed to effectuate the
4 purposes of said compact and the powers vested in the waterfront commis-
5 sion hereby shall be construed to be in aid of and supplemental to and
6 not in limitation of or in derogation of any of the powers heretofore
7 conferred upon or delegated to the waterfront commission.

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