§ 534-f. Pier superintendents and hiring agents. 1. No person shall act as a pier superintendent or as a hiring agent within the port of New York district in this state without first having obtained from the commission or previously, from the bi-state commission, a license to act as such pier superintendent or hiring agent, as the case may be, and no person shall employ or engage another person to act as a pier superintendent or hiring agent who is not so licensed.

2. A license to act as a pier superintendent or hiring agent shall be issued only upon the written application, under oath, of the person proposing to employ or engage another person to act as such pier superintendent or hiring agent, verified by the prospective licensee as to the matters concerning that person, and shall state the following:

(a) The full name and business address of the applicant;

(b) The full name, residence, business address (if any), place and date of birth and social security number of the prospective licensee;

(c) The present and previous occupations of the prospective licensee, including the places where the person was employed and the names of the person's employers;

(d) Such further facts and evidence as may be required by the commission to ascertain the character, integrity and identity of the prospective licensee; and

(e) That if a license is issued to the prospective licensee, the applicant will employ such licensee as pier superintendent or hiring agent, as the case may be.

3. No such license shall be granted:

(a) Unless the commission shall be satisfied that the prospective licensee possesses good character and integrity;

(b) If the prospective licensee has, without subsequent pardon, been convicted by a court of the United States, or any state or territory thereof, of the commission of, or the attempt or conspiracy to commit, treason, murder, manslaughter or any crime punishable by death or imprisonment for a term exceeding three hundred sixty-four days or any of the following misdemeanors or offenses: illegally using, carrying or possessing a pistol or other dangerous weapon; making or possessing burglar's instruments; buying or receiving stolen property; unlawful

entry of a building; aiding an escape from prison; unlawfully possessing, possessing with intent to distribute, sale or distribution of a controlled dangerous substance (controlled substance) or a controlled dangerous substance analog; and violation of this act. Any such prospective licensee ineligible for a license by reason of any such conviction may submit satisfactory evidence to the commission that such person has for a period of not less than five years, measured as hereinafter provided, and up to the time of application, so acted in a manner as to warrant the grant of such license, in which event the commission may, in its discretion, issue an order removing such ineligibility. The aforesaid period of five years shall be measured either from the date of payment of any fine imposed upon such person or the suspension of sentence or from the date of the person's unrevoked release from custody by parole, commutation or termination of sentence;

(c) If the prospective licensee knowingly or willfully advocates the desirability of overthrowing or destroying the government of the United States by force or violence or shall be a member of a group which advocates such desirability, knowing the purposes of such group include such advocacy.

4. When the application shall have been examined and such further inquiry and investigation made as the commission shall deem proper and when the commission shall be satisfied therefrom that the prospective licensee possesses the qualifications and requirements prescribed in this section, the commission shall issue and deliver to the prospective licensee a license to act as pier superintendent or hiring agent for the applicant, as the case may be, and shall inform the applicant of this action. The commission may issue a temporary permit to any prospective licensee for a license under the provisions of this article pending final action on an application made for such a license. Any such permit shall be valid for a period not in excess of six months.

5. No person shall be licensed to act as a pier superintendent or hiring agent for more than one employer, except at a single pier or other waterfront terminal, but nothing in this section shall be construed to limit in any way the number of pier superintendents or hiring agents any employer may employ.

6. A license granted pursuant to this section shall continue through the duration of the licensee's employment by the employer who shall have applied for the person's license.

7. Any license issued pursuant to this section may be revoked or suspended for such period as the commission deems in the public interest or the licensee thereunder may be reprimanded for any of the following offenses:

(a) Conviction of a crime or act by the licensee or other cause which would require or permit the person's disqualification from receiving a license upon original application;

(b) Fraud, deceit or misrepresentation in securing the license, or in the conduct of the licensed activity;

(c) Violation of any of the provisions of this act;

(d) Criminal possession of a controlled substance or criminal sale of a controlled substance;

(e) Employing, hiring or procuring any person in violation of this act or inducing or otherwise aiding or abetting any person to violate the terms of this act;

(f) Paying, giving, causing to be paid or given or offering to pay or give to any person any valuable consideration to induce such other person to violate any provision of this act or to induce any public officer, agent or employee to fail to perform the person's duty hereunder;

(g) Consorting with known criminals for an unlawful purpose, provided, however, that consorting without unlawful purpose shall be insufficient grounds for revocation or suspension;

(h) Transfer or surrender of possession of the license to any person either temporarily or permanently without satisfactory explanation;

(i) False impersonation of another licensee under this act;

(j) Receipt or solicitation of anything of value from any person other than the licensee's employer as consideration for the selection or retention for employment of any longshore worker;

(k) Coercion of a longshore worker to make purchases from or to utilize the services of any person;

(l) Lending any money to or borrowing any money from a longshore

worker for which there is a charge of interest or other consideration; and

(m) Membership in a labor organization which represents longshore workers or security officers; but nothing in this section shall be deemed to prohibit pier superintendents or hiring agents from being represented by a labor organization or organizations which do not also represent longshore workers or security officers. The American Federation of Labor and Congress of Industrial Organizations and any other similar federation, congress or other organization of national or international occupational or industrial labor organizations shall not be considered an organization which represents longshore workers or security officers within the meaning of this section although one of the federated or constituent labor organizations thereof may represent longshore workers or security officers.

8. Any applicant for pier superintendent or hiring agent ineligible for a license by reason of the provisions of paragraph (b) of subdivision three of this section may petition for and the commission may issue an order removing the ineligibility. A petition for an order to remove ineligibility may be made to the commission before or after the hearing required by section five hundred thirty-four-n of this article.