§ 534-w. Annual preparation of a budget request and assessments. 1. The commission shall annually submit a budget request, which shall be submitted to the director of the budget in such form as the director may require.

2. After taking into account such funds as may be available, the balance of the commission's budgeted expenses shall be assessed upon employers of persons registered or licensed under this act. Each such employer shall pay an assessment computed upon the gross payroll payments made by such employer to longshore workers, pier superintendents, hiring agents and security officers for work or labor performed within the port of New York district in this state, at a rate, not in excess of two per cent, computed by the commission in the following manner: the commission shall annually estimate the gross payroll payments to be made by employers subject to assessment and shall compute a rate thereon which will yield revenues sufficient to finance the commission's budget for each year. Such budget to be assessed upon employers may include a reasonable amount not to exceed ten percent of the total of all other items of expenditure contained therein, which shall be allocated to an applicable fund balance to be held in the commission's employers assessment account.

3. The commission may provide by regulation for the collection and auditing of assessments. Such assessments shall be payable pursuant to such provisions for administration, collection and enforcement as the state may provide by legislation. In addition to any other sanction provided by law, the commission may revoke or suspend any license held by any person under this article, or the person's privilege of employing persons registered or licensed hereunder, for non-payment of any assessment when due.

4. The assessment pursuant to this section shall be in lieu of any other charge for the issuance of licenses to stevedores, pier superintendents, hiring agents and security officers or for the registration of longshore workers or the use of an employment information center. The commission shall establish reasonable procedures for the consideration of protests by affected employers concerning the

estimates and computation of the rate of assessment.