

SENATE, No. 2332

STATE OF NEW JERSEY

INTRODUCED DECEMBER 1, 1997

By Senator DiFRANCESCO

1 AN ACT concerning the "Waterfront Commission Compact,"
2 P.L.1953, c.202 (C.32:23-1 et seq.), providing for the extension of
3 the term of the license granted to stevedores pursuant to Article VI
4 thereof, and amending P.L.1991, c.248.

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6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

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9 1. Section 1 of P.L.1991, c.248 (C.32:23-23.1) is amended to read
10 as follows:

11 1. A stevedore's license shall, notwithstanding the provisions of
12 Article VI, paragraph 5 of P.L.1953, c.202 (C.32:23-23) be for a term
13 of ~~[three]~~five years or fraction of such ~~[three]~~five-year period, and
14 shall expire on the first day of December. In the event of the death of
15 the licensee, if a natural person, or its termination or dissolution by
16 reason of the death of a partner, if a partnership, or if the licensee shall
17 cease to be a party to any contract of the type required by subdivision
18 (d) of paragraph 3 of Article VI (C.32:23-21), the license shall
19 terminate 90 days after such event or upon its expiration date,
20 whichever shall be sooner. A license may be renewed by the
21 commission for successive ~~[three]~~five-year periods upon fulfilling the
22 same requirements as are set forth in Article VI for an original
23 application for a stevedore's license.

24 (cf: P.L.1991, c.248, s.1)

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26 2. (New section) If any part or provision of this act or the
27 application thereof to any person or circumstances be adjudged invalid
28 by any court of competent jurisdiction, such judgment shall be
29 confined in its operation to the part, provision or application directly
30 involved in the controversy in which such judgment shall have been
31 rendered and shall not affect or impair the validity of the remainder of
32 this act or the application thereof to other persons or circumstances
33 and the two states hereby declare that they would have entered into
34 this act or the remainder thereof had the invalidity of such provisions

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 or application thereof been apparent.

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

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12 4. This act shall take effect immediately but shall remain
13 inoperative until the enactment into law by the State of New York of
14 legislation of substantially similar substance and effect; but if such
15 legislation already has been enacted, this act shall take effect
16 immediately.

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STATEMENT

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21 This bill amends the "Waterfront Commission Compact," P.L.1953,
22 c.202 (C.32:23-1 et seq.) between the State of New Jersey and the
23 State of New York, and consented to by the Congress of the United
24 States pursuant to the provisions of Pub.L.252, c.407, 67 Stat. 541 et
25 seq., which regulates certain activities relating to waterborne freight.

26 The bill extends the licensing period for stevedores from three years
27 to five years and authorizes the commission to review stevedore
28 licenses for successive five-year rather than three-year periods.

29 For the provisions of this act to have the force of law, the State of
30 New York must adopt substantially identical legislation.

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35 Extends duration of licenses for stevedores.