

4555--A

2011-2012 Regular Sessions

I N S E N A T E

April 12, 2011

Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to the Montgomery, Otsego, Schoharie county solid waste management authority

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

1 Section 1. Sections 2041-w and 2041-x of the public authorities law
2 are renumbered 2041-x and 2041-y, respectively, and a new section 2041-w
3 is added to read as follows:

4 S 2041-W. WITHDRAWAL OF OTSEGO COUNTY. NOTWITHSTANDING ANY PROVISION
5 OF LAW TO THE CONTRARY, OTSEGO COUNTY IS HEREBY AUTHORIZED TO TERMINATE
6 ITS MEMBERSHIP IN THE MONTGOMERY, OTSEGO, SCHOHARIE COUNTY SOLID WASTE
7 MANAGEMENT AUTHORITY.

8 SUCH TERMINATION SHALL BE EFFECTIVE UPON APPROVAL OF A RESOLUTION BY A
9 MAJORITY OF THE DULY CONSTITUTED MEMBERSHIP OF THE OTSEGO COUNTY BOARD
10 OF REPRESENTATIVES, FILED WITH THE AUTHORITY AND THE LEGISLATIVE BOARD
11 CLERKS OF THE COMPONENT COUNTIES. THE AUTHORITY AND OTSEGO COUNTY SHALL
12 EXECUTE A PLAN FOR OTSEGO COUNTY'S ASSUMPTION OF ITS PROPORTIONAL AND
13 EQUITABLE SHARE OF THE AUTHORITY'S ASSETS AND LIABILITIES. FOR PURPOSES
14 OF THIS SECTION, "PROPORTIONAL AND EQUITABLE SHARE OF THE AUTHORITY'S
15 ASSETS AND LIABILITIES" SHALL BE BASED ON THE POPULATION OF OTSEGO COUN-
16 TY AS COMPARED TO THE TOTAL POPULATION OF THE THREE COUNTIES THAT
17 CONSTITUTE THE AUTHORITY BASED ON THE TWO THOUSAND TEN CENSUS. ASSETS
18 SHALL INCLUDE, BUT NOT BE LIMITED TO, THE AUTHORITY'S RESERVE AND OPER-
19 ATING FUNDS AND RIGHTS TO THE USE OF ANY MONTGOMERY, OTSEGO, SCHOHARIE
20 COUNTY SOLID WASTE MANAGEMENT AUTHORITY OPERATED TRANSFER STATIONS IN
21 OTSEGO COUNTY SUBJECT TO THE CONDITIONS HELD BY THE RESPECTIVE OWNERS OF
22 THE PROPERTIES.

23 S 2. This act shall take effect immediately.

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

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