

6384

2009-2010 Regular Sessions

I N A S S E M B L Y

March 3, 2009

Introduced by M. of A. FIELDS, GUNTHER, ZEBROWSKI, SCHIMMINGER, GALEF, DelMONTE, GORDON, LUPARDO, KOON, CASTRO, SAYWARD, MOLINARO, P. LOPEZ, CORWIN, THIELE, ERRIGO, KOLB, WALKER -- Multi-Sponsored by -- M. of A. CALHOUN, CROUCH, DUPREY, GIGLIO, JOHN, MAGEE, McKEVITT, PHEFFER, REILLY, WEISENBERG -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to the performance of municipal cooperative activities

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

1 Section 1. Subdivision 1 of section 119-o of the general municipal
2 law, as amended by chapter 623 of the laws of 1998, is amended to read
3 as follows:
4 1. In addition to any other general or special powers vested in munic-
5 ipal corporations, DISTRICTS, and SCHOOL districts for the performance
6 of their respective functions, powers or duties on an individual,
7 cooperative, joint or contract basis, municipal corporations, DISTRICTS
8 and SCHOOL districts shall have power to enter into, amend, cancel and
9 terminate agreements for the performance among themselves or one for the
10 other of their respective functions, powers and duties on a cooperative
11 or contract basis or for the provision of a joint service or a joint
12 water, sewage or drainage project. Notwithstanding the foregoing grant
13 of authority, the temporary investment of moneys by more than one munic-
14 ipal corporation, DISTRICT or SCHOOL district pursuant to a municipal
15 cooperation agreement which meets the definition of "cooperative invest-
16 ment agreement" as set forth in article three-A of this chapter shall be
17 in compliance with all of the requirements of that article. Any agree-
18 ment entered into hereunder shall be approved by each participating
19 municipal corporation, DISTRICT or SCHOOL district by a majority vote of
20 the voting strength of its governing body. Where the authority of any
21 municipal corporation or district to perform by itself any function,

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

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1 power and duty or to provide by itself any facility, service, activity,
2 project or undertaking or the financing thereof is, by any other general
3 or special law, subject to a public hearing, a mandatory or permissive
4 referendum, consents of governmental agencies, or other requirements
5 applicable to the making of contracts, then its right to participate in
6 an agreement hereunder shall be similarly conditioned.

7 S 2. This act shall take effect July 1, 2009.