S T A T E O F N E W Y O R K

4784

2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

Introduced by M. of A. MORELLE, GANTT -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT authorizing the abolishment of the Monroe county water authority; and to repeal title 5 of article 5 of the public authorities law relating thereto

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

Section 1. 1. The Monroe county water authority, created by section 1095 of the public authorities law is abolished. The Monroe county department of finance shall maintain the operation of the authority for the sole purpose of paying down its outstanding debt, and shall only operate the authority until such time as its outstanding debt is reduced to zero. Upon such occurrence, any remaining aspects of the authority shall immediately cease its operation and be abolished.

2. Any property of the authority shall automatically become property of Monroe county and shall be managed and controlled by the county department of environmental services upon the abolition of the authority.

3. a. The authority shall not incur any new debt or enter into any new contracts during the period of operation from the date that this act becomes a law to the date the authority becomes abolished. The Monroe county department of finance may appoint one or more persons to act as a receiver on behalf of the authority. Such person or persons shall be responsible for collecting any fees due to the authority and making any required payments until such time as the outstanding debt of the authority has been reduced to zero.

b. The Monroe county department of finance, on behalf of the authority, may enter into such agreements as are necessary to dispense with any existing contracts of the authority. Such agreements may authorize the authority to pay a lump sum in consideration for the immediate termination of the contract. Any such agreement shall be financially viable

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

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and shall be subject to the approval of the director of finance of Monroe county.

4. Any employee of the authority as of the effective date of this act shall be eligible for transfer and appointment without examination to comparable offices, positions and employment within Monroe county or local government. The salary or compensation of any such officer or employee shall, after such transfer, be paid by the county or such local government. Notwithstanding the provisions of this act, any such officers or employees so transferred, who are members of or beneficiaries under any existing pension or retirement system, shall continue to have all rights, privileges, obligations and status with respect to such fund, system or systems as are now prescribed by law, but all contributions to any pension or retirement fund or system to be paid by the employer on account of such officers or employees, shall be paid by the county or local government; and all such officers and employees who have been appointed to positions under the rules and classifications of the civil service commission of the county of Monroe shall have the same status with respect thereto after transfer to the county or local government as they had under their original appointments.

S 2. Title 5 of article 5 of the public authorities law is REPEALED.

S 3. This act shall take effect on the thirtieth day after it shall have become a law, provided that the department of finance of the county of Monroe shall notify the legislative bill drafting commission of the date of the final payment of the authority's debt and thus its abolition so that such commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law.