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

7212

2011-2012 Regular Sessions

I N A S S E M B L Y

April 19, 2011

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

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:

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

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

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

S 2. This act shall take effect immediately.

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

LBD09825-05-1