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

5272

2013-2014 Regular Sessions

I N A S S E M B L Y

February 21, 2013

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

AN ACT to amend the public authorities law, in relation to authorizing counties to adopt local laws regarding recycling material

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

Section 1. Subdivision 3 of section 2050-t of the public authorities law, as added by chapter 936 of the laws of 1986, is amended to read as follows:

3. To further the governmental and public purposes of the agency, including the implementation of any contract or proposed contract contemplated by this title, the county shall have the power to adopt and amend local laws imposing appropriate and reasonable limitations on competition with respect to collecting, receiving, transporting, delivering, storing, processing, RECYCLING and disposing of solid waste or the recovery by any means of any material or energy product or resource therefrom, including, local laws requiring that all solid waste generated, originated or brought within their respective boundaries, subject to such exceptions as may be determined to be in the public interest, shall be delivered to a specified solid waste management-resource recovery facility; provided, however, that any such local law enacted by the county shall take precedence over and shall supersede any inconsistent provisions of any local law enacted by a municipality within the county. Any such local law shall be adopted in accordance with the procedure provided by the municipal home rule law, except that no such local law shall be subject to either mandatory or permissive referendum. [For purposes of this subdivision, solid waste shall have the meaning specified in this title, but shall not include any scrap or other material of value separated from the waste stream and held for purposes of materials recycling.]

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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