

6013

2013-2014 Regular Sessions

I N A S S E M B L Y

March 13, 2013

Introduced by M. of A. GIGLIO -- read once and referred to the Committee
on Environmental Conservation

AN ACT to amend the environmental conservation law and the general
municipal law, in relation to authorizing the department of environ-
mental conservation to engage in cooperative purchasing and authoriz-
ing intergovernmental agreements

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

1 Section 1. Section 3-0117 of the environmental conservation law is
2 amended by adding a new subdivision 5 to read as follows:
3 5. THE DEPARTMENT MAY, WITH WRITTEN APPROVAL OF THE COMMISSIONER,
4 PARTICIPATE IN, SPONSOR, CONDUCT OR ADMINISTER A COOPERATIVE PURCHASING
5 AGREEMENT FOR THE PROCUREMENT OF MATERIAL OR NONPROFESSIONAL SERVICES
6 WITH ONE OR MORE PUBLIC PROCUREMENT UNITS EITHER WITHIN THE STATE OR
7 WITH ANOTHER STATE IN ACCORDANCE WITH AN AGREEMENT ENTERED INTO BETWEEN
8 THE PARTICIPANTS.
9 S 2. The general municipal law is amended by adding a new section
10 109-c to read as follows:
11 S 109-C. INTERGOVERNMENTAL AGREEMENTS. 1. FOR PURPOSES OF THIS
12 SECTION, THE TERM "PUBLIC AGENCY" SHALL MEAN ANY COUNTY, CITY, TOWN,
13 VILLAGE, SCHOOL DISTRICT, IMPROVEMENT DISTRICT OR DISTRICT CORPORATION
14 OF THE STATE OF NEW YORK.
15 2. ANY POWER OR POWERS, PRIVILEGE OR PRIVILEGES, AUTHORITY OR UNDER-
16 TAKING, EXERCISED OR CAPABLE OF EXERCISE, OR WHICH MAY BE ENGAGED IN,
17 AND ANY PUBLIC WORKS WHICH MAY BE UNDERTAKEN, BY A PUBLIC AGENCY ACTING
18 ALONE MAY BE EXERCISED, ENJOYED, ENGAGED IN OR UNDERTAKEN JOINTLY WITH
19 ANY OTHER PUBLIC AGENCY WHICH COULD LIKEWISE ACT ALONE.
20 3. ANY TWO OR MORE PUBLIC AGENCIES MAY ENTER INTO A WRITTEN AGREEMENT
21 WITH ONE ANOTHER FOR JOINT OR COOPERATIVE ACTION PURSUANT TO THE
22 PROVISIONS OF THIS SECTION. APPROPRIATE ACTION BY ORDINANCE, RESOLUTION
23 OR OTHERWISE PURSUANT TO LAW OF THE GOVERNING BODIES OF THE PARTICIPAT-

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

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1 ING PUBLIC AGENCIES SHALL BE NECESSARY BEFORE ANY SUCH AGREEMENT SHALL
2 BECOME EFFECTIVE. ANY SEPARATELY LEGAL OR ADMINISTRATIVE ENTITY ESTAB-
3 LISHED HEREUNDER IS A PUBLIC CORPORATION AND MAY EXIST FOR THE LENGTH OF
4 TIME SET FORTH IN THE INTERGOVERNMENTAL AGREEMENT.
5 S 3. This act shall take effect immediately.