

October 24, 2007

County Clerk

RE: County of Steuben, Local Law No. 8, 2007, filed on June 29, 2007

Dear Sir/Madam:

- Town
- Village

Local Law No. EIGHT of the year 20 07

A local law RELATIVE TO THE ADMINISTRATION AND OPERATION OF THE STEUBEN COUNTY
(Insert Title)
WORKERS' COMPENSATION SELF-INSURANCE PLAN, TO PROVIDE FOR THE
APPORTIONMENT OF COSTS AND OPERATION OF THE STEUBEN COUNTY SELF-
INSURANCE PLAN, AND REPEALING LOCAL LAW NO. THREE FOR THE YEAR 1992.

Be it enacted by the LEGISLATURE of the
(Name of Legislative Body)

- County
- City of STEUBEN as follows:
- Town
- Village

SECTION 1: LEGISLATIVE INTENT

It is the intent of the within legislation to repeal Local Law No. Three for the Year 1992 and to provide for the apportionment of costs to the participants in and the maintenance and operation of the Steuben County Self-Insurance Plan through the enactment of these Rules & Regulations.

Said apportionment shall be a combination of past claims history, assessed full valuation and payroll costs.

SECTION 2: APPORTIONMENT OF COSTS TO PLAN PARTICIPANTS

Following the preparation of the annual estimate of projected amounts necessary for the ensuing calendar year, pursuant to Workers' Compensation Law §67, the share of the amounts chargeable to each participant shall be made in the following manner: 42.5% of such projected cost share shall be apportioned based on the proportion that the full aggregate valuation of the taxable real property of the participant bears to the aggregate full valuation of all participants; 42.5% shall be apportioned based on the proportion that the full aggregate payroll of the participant bears to the full aggregate payroll of all participants; and, the final 15.0% shall be apportioned among the participants based on the proportion of the full value of claims paid over the preceding three (3) years of each participant bears in proportion to the full aggregate value of all claims paid by all participants over that same period of time.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 3: PREPARATION OF THE APPORTIONMENT OF COSTS

Annually, the Administration Committee of the Steuben County Legislature shall review and adjust the apportionment of costs to each participant based on percentage of full valuation, experience and payroll. Said review and adjustment shall then be presented to the County Legislature for final adoption by resolution filing and approving the table of apportionment.

SECTION 4: ENTRY AND WITHDRAWAL OF PARTICIPANTS

Entry into the Plan by an eligible municipality shall be made by service upon the Administrator of a certified copy of the local resolution or legalizing act authorizing same on or before March 31st of each calendar year for the ensuing calendar year. Withdrawal by an eligible municipality from the Plan shall be made by service of a certified copy of the local resolution or legalizing act withdrawing from the Plan on or before March 31st of each calendar year for the ensuing calendar year. Any withdrawal from the Plan shall require payment of the withdrawing municipality's equitable share of the outstanding liabilities of the Plan as of the date of the withdrawal. Payment of said sum shall be made in a lump sum or periodic payments as determined by the Administrator of the Plan upon the advice and consent of the Administrative Committee of the Steuben County Legislature.

SECTION 5. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this title or its application to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this title to its application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. EIGHT of 20 07 of the (County)(City)(Town)(Village) of STEUBEN was duly passed by the LEGISLATURE on 6/25 20 07, in accordance with the applicable provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20 _____, in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

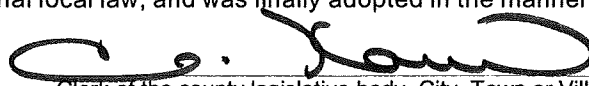
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.~~

~~6. (County local law concerning adoption of Charter.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 _____, above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

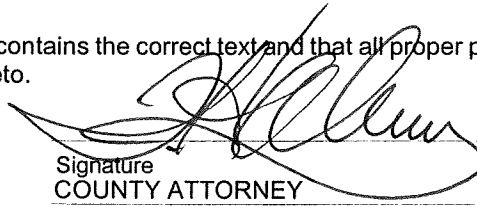
(Seal)

Date: June 26, 2007

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF STEUBEN

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature
COUNTY ATTORNEY

Title

County
~~City~~ of STEUBEN

~~XXXX~~
~~XXXX~~

Date: June 26, 2007