

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  
City of Niagara  
Town  
Village

Local Law No. 2 of the year 1983

A local law amending Local Law No. 1 for the year 1956, as amended by Local Laws No. 1 for the year 1967 and No. 3 for the year 1981, so as to revise the formula for contributions to and withdrawals from the Niagara County Self-Insured Workers' Compensation Mutual Pool Plan and the method for assessment of the amount to be collected from each participant therein.

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

County  
City of Niagara  
Town  
Village as follows:

Section 5, entitled "Withdrawal" shall be deleted and there shall be substituted in place and instead thereof the following:

"Section 5. WITHDRAWAL. Withdrawal from the Plan by a participant may be effected by filing on or before the 15th day of July in any year with the Chairman of the Insurance Committee and the Clerk of the Legislature, a certified copy of a resolution from its governing body electing to withdraw from the Plan at the end of the operating, current calendar year. Upon withdrawal, the withdrawing participant shall pay, in a lump sum or in agreed-to installments, an equitable share of the total, outstanding liabilities of the Pool Plan calculated as of the effective date of the withdrawal. The withdrawing participant's pro rata share of the outstanding liabilities of the Plan shall be based entirely (100%) on the loss percentile experience of the withdrawing entity, said loss percentile to be calculated on the basis of the paid and reserved losses of the withdrawing participant, in relation to the aggregate paid and reserved losses for the entire Plan, for the three (3) preceding years immediately prior to the year in which the withdrawal notice is filed, omitting the current year."

Section 11 shall be deleted and there shall be substituted in place and instead thereof, the following:

"Section 11. ANNUAL APPORTIONMENT OF COSTS FOR OPERATING FUND;  
MAXIMUM LOSS LIMITATION.

(a) The apportioned share of each participant shall be based one hundred (100%) percent on the loss percentile experience of each participant as it relates to the aggregate loss experience of the entire Pool Plan. The loss percentile experience of each participant in the Plan shall be calculated on the basis of the paid and reserved losses of each participating entity in relation to the aggregate paid and reserved losses of the entire Plan, for the three (3) preceding years immediately prior to the year in which the budget estimate is presented, omitting the current year.

If additional space is needed, please attach sheets of the same size as this and number each)

(b) There shall be a maximum loss limitaton for a single accident or a single occurrence that may be used in the assessment calculation for a participant's annual experience charge. The maximum loss limitations that will apply to the various entities in the Plan are as follows:

1. Villages	\$ 10,000
2. School Districts & Towns	35,000
3. City of Lockport	50,000
4. City of North Tonawanda	75,000
5. City of Niagara Falls	100,000
6. County of Niagara	125,000"

Section 12 shall be deleted and there shall be substituted in place and instead thereof, the following:

**"Section 12. THE ASSESSMENT OF EACH PARTICIPANT SHALL BE COLLECTED AS FOLLOWS:**

(a) The assessment share of each participant in the Plan shall be paid not later than thirty days after the commencement of each participant's next fiscal year. For any assessment amount not paid within the time limit specified above, a penalty of one (1%) per cent of the principal amount due shall be collected for each delinquent month or part of a month after the due date thereof.

(b) The amounts collected from each of the participating entities shall be paid over to the County Treasurer and by him credited to the Separate Account established for the Fund of the Self-Insured Pool Plan."

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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. .....2..... of 19..83.  
County  
of the ~~City~~ of Niagara..... was duly passed by the Legislature.....  
~~Town~~ (Name of Legislative Body)  
~~Village~~  
on May 3,..... 19..83. in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the ~~City~~ of..... was duly passed by the .....  
~~Town~~ (Name of Legislative Body)  
~~Village~~  
on ..... 19..... and was approved ..... by the .....  
not disapproved ..... Elective Chief Executive Officer \*  
repassed after disapproval .....  
and was deemed duly adopted on ..... 19....., 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 19.....  
County  
of the ~~City~~ of..... was duly passed by the .....  
~~Town~~ (Name of Legislative Body)  
~~Village~~  
on ..... 19..... and was approved ..... by the .....  
not disapproved ..... Elective Chief Executive Officer \*  
repassed after disapproval .....  
on..... 19..... Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive general  
thereon at the special election held on..... 19....., in accordance with the appli-  
annual  
cable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the ~~City~~ of..... was duly passed by the ..... on  
~~Town~~ (Name of Legislative Body)  
~~Village~~  
..... 19..... and was approved ..... by the ..... on  
not disapproved ..... Elective Chief Executive Officer \*  
repassed after disapproval .....  
..... 19...... Such local law being subject to a permissive referendum and no  
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on  
..... 19....., 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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with 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 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 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 ..... 19 ..... 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 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., 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 of 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.

*Ilene L. Boyd*

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

Ilene L. Boyd

Date: May 3, 1983

(Seal)

(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 NIAGARA

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.

*Glenn S. Hackett*

Signature

Niagara County Attorney

Title

Date: May 3, 1983

County  
City of Niagara  
Town  
Village