

**RESOLUTION NO. 119-79**

County Attorney [Signature]

Offered by: Workers' Compensation Committee

**TITLE:** ADOPTION OF LOCAL LAW INTRO. NO. 1 - 79, PRINT NO. 1, TO AMEND LOCAL LAW NUMBER ONE OF NINETEEN HUNDRED FIFTY-SIX, IN RELATION TO A PLAN OF MUTUAL SELF-INSURANCE

RESOLVED:

1. That proposed Local Law, Intro. No. 1-79, Print No. 1, is hereby adopted without any change in language, to wit:

A LOCAL LAW TO AMEND LOCAL LAW NUMBER ONE  
OF NINETEEN HUNDRED FIFTY-SIX, IN RELATION  
TO A PLAN OF MUTUAL SELF-INSURANCE

BE IT ENACTED by the Board of Legislators of the County of Allegany as follows:

Section 1. Sections two, three, four and five of local law number one of nineteen hundred fifty-six, are hereby amended to read as follows:

§ 2. The Allegany County mutual self-insurance plan heretofore established under the provisions of subdivision three-a of section fifty of the Workmen's Compensation Law of the State of New York is hereby continued and shall be operated by the Workers' Compensation Committee of the Board of Legislators in the manner provided in Article 5 of the Workers' Compensation Law.

§ 3. The plan of self-insurance hereby established shall be administered by a committee of three members of the Board of Legislators to be known as the Workers' Compensation Committee and to be appointed by the Chairman of the Board of Legislators, which committee shall be a standing committee of said Board.

§ 4. Meetings of the Workers' Compensation Committee shall be paid at the per diem and expense rate established by said Board for committee work and payable from moneys of the plan.

§ 5. The Workers' Compensation Committee shall appoint an executive secretary whose salary and expenses shall be payable from moneys of the plan, who shall keep the necessary records of the plan, attend hearings and transact such other business as shall be delegated to such officer by the Committee.

Moved by Mr. \_\_\_\_\_ Seconded by Mr. \_\_\_\_\_ Absent \_\_\_\_\_

VOTE: Acclamation \_\_\_\_\_ ROLL: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

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§ 2. Section six of such local law is hereby repealed.

§ 3. Sections seven, eight and nine of such local law are hereby renumbered six, seven and eight and such renumbered section eight is hereby amended to read as follows:

§ 8. Withdrawal from the plan may be effected by filing on or before the 15th day of July in any year with the executive secretary of the plan a certified copy of the resolution of its governing body electing to withdraw from the plan at the end of the current operating year. Upon withdrawal the participant shall pay, in lump sum or in installments, an equitable share of the outstanding liabilities of the plan as of the date of withdrawal, as determined by the Workers' Compensation Committee.

§ 4. Section nine-a of such local law, as added by local law number one of nineteen hundred sixty-six, is hereby renumbered nine and such renumbered section is hereby amended to read as follows:

§ 9. The Workers' Compensation Committee may develop and enforce a safety program or programs designated for the reasonable and adequate protection of the lives, health and safety of persons covered under the plan; and may provide for use by such persons of appliances and devices designed to minimize the possibility of injury or impairment of health; and it may provide awards to such persons on a basis designed to promote such safety program or programs.

§ 5. The opening paragraph of section ten of such local law is hereby lettered (a) and such lettered paragraph is hereby amended to read as follows:

§ 10. (a) All participants in the plan shall fully cooperate with the committee in the administration of the plan, shall annually, within 30 days of the close of each calendar year and at such other times as the Workers' Compensation Committee may require, submit such reports as may be requested, and shall promptly furnish all pertinent information relative to any claim, and aid in the investigation of any claim as requested by the Workers' Compensation Committee.

§ 6. Paragraph (a) of section ten of such local law, as added by local law number one of nineteen hundred sixty-six, is hereby relettered (b) and such relettered paragraph is hereby amended to read as follows:

Moved by Mr. \_\_\_\_\_ Seconded by Mr. \_\_\_\_\_ Absent \_\_\_\_\_

VOTE: Acclamation \_\_\_\_\_ ROLL: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

**Offered by:** Workers' Compensation Committee

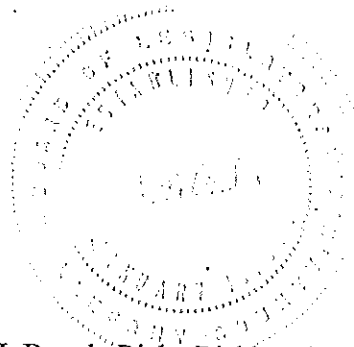
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(b) The Workers' Compensation Committee may require, after 30 days written notice to any participant or all participants in the plan that every new employee of any participant or all participants in the plan shall undergo a medical examination before undertaking any of the duties of his employment, except in an emergency, in which event, the participant employing such employee shall arrange for such medical examination at the earliest possible time after such undertaking of duty. The cost of such examination shall be an expense of the plan.

§ 7. Section eleven of such local law is hereby amended to read as follows:

§ 11. For any violation of the provision of the foregoing section or of the requirements of the Workers' Compensation Law the Workers' Compensation Committee may charge a penalty against any participant which shall not exceed One Hundred Dollars (\$100.00) or the Board of Legislators may upon resolution by a majority vote of the members present and voting upon roll call charge a penalty in excess of One Hundred Dollars (\$100.00) or expel such member from the plan.

§ 8. This local law shall take effect on the date it is filed in the office of the secretary of state.



**Local Law No. 1 of 1979**  
Adopted by Resolution No. 119-79  
May 31, 1979  
Amended by Local Law No. 2-1982 and 9-1985

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said Board on the 28<sup>th</sup> day of May 1979.

Brenda Rigby Riehle  
Clerk, Board of Legislators, Allegany County

Dated at Belmont, New York, this 19<sup>th</sup> day of August 2019.

Moved by Mr. Haamer Seconded by Mr. Hitchcock Absent 0

VOTE: Acclamation \_\_\_\_\_ ROLL: Ayes 15 Noes 0