

Abstract of Local Law Intro. No. 7-2006  
To be Submitted to Electors for Approval

Abstract of Local Law Intro. No. 7-2006, entitled "A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to recommendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 4-2005, as amended by Local Law No. 10-2005" to be submitted as Proposition No. \_\_\_\_ to the electors of the County of Erie at the next general election to be held on the 7th day of November, 2006.

SECTION 1: Contains a statement of legislative intent regarding the introduction of this local law.

SECTION 2: Contains language amending section 101 of the charter to add language relating to alternatives to mandates, encouraging coordination of planning and economic development and intergovernmental cooperation among the various levels of government in Erie County.

SECTION 3: Removes obsolete language regarding the number of districts in Erie County and inserts the current number.

SECTION 4: Amends Section 201 of charter and reflects the fact that there are currently 15 members of the Erie County Legislature.

SECTION 5: An addition to Section 202 of the charter and authorizes the legislature to confirm certain appointments made by the County Executive.

SECTION 6: An addition to section 202 of the charter and requires the Legislature to appoint one of its members as an open meeting advisor to advise the body on compliance with open meetings and freedom of information laws.

SECTION 7: An addition to section 204 of the charter requiring the legislature to hold a public hearing prior to consideration by the full body of local laws.

SECTION 8: A change to section 211 of the charter deleting a reference to ECMC and the home and infirmary and including a reference to ECC (this relates to selection of independent auditor for county).

SECTION 9: A change to section 307 clarifying that certain appointments made by the County Executive are subject to legislative approval and that holdover appointments are subject to reconfirmation by the legislature in a timely fashion.

SECTION 10: Amends sections 401 & 402 of the charter to abolish the Department of Finance and the commissioner and to create a Department of Real Property Tax Services headed by a director.

SECTION 11: Contains a change to section 505 of the charter specifically authorizing the Commissioner of Health to appoint the Director of the county laboratory and not the County Executive.

SECTION 12: Contains language creating a Department of Labor Relations which will be headed by a Commissioner appointed by the County executive subject to the Legislature's confirmation.

SECTION 13: Contains language amending Article VII of the charter by adding forestry to the title of the department and eliminating certain obsolete language.

SECTION 14: Contains a change to section 1002 of the charter eliminating a reference to ECMC and the home and infirmary.

SECTION 15: Contains language adding a new section to Article XI of the charter relating to the Division of Youth Services. This change is accomplished by deleting reference to "Youth Detention" from section 1606 of the charter (see section 21 of this local law below).

SECTION 16: Eliminates language relating to the Office of the Disabled and transfers certain of its provisions to a new article relating to the Office of Public Advocacy which will contain a Division for the Disabled.

SECTION 17: Contains language creating the new Office of Public Advocacy which will include the division of equal employment opportunity, the division on the status of women, the division of veterans services, the division for the disabled and the consumer protection committee.

SECTION 18: Contains language adding specific new responsibilities to the comptroller in section 1202 of the charter. The new responsibilities relate to the review of revenue projections, responsibility for revenue collection efforts of the county and responsibility for providing centralized accounting services to all county departments, offices and units.

SECTION 19: Eliminates section 1602 from the charter and language relating to ECMC is included in a new article entitled Autonomous Institutions (see section 30 of this local law below).

SECTION 20: Eliminates section 1603 of the charter and transfers the language relating to the county laboratory to Article V of the charter (see section 11 of the local law above).

SECTION 21: Eliminates reference to youth detention from section 1603 of the charter and also eliminates the division of probation from the Department of Probation (see section 15 of this local law above).

SECTION 22: Contains a technical update relating to section 1607 of the charter (updating the reference to ECC).

SECTION 23: Contains language creating a new section 1607-a of the charter establishing uniform standards and requirements for all advisory groups unless they are established elsewhere in law.

SECTION 24: Eliminates section 1612 of the charter relating to libraries and moves the language to a new article entitled Autonomous Institutions (see section 30 of this local law below).

SECTION 25: Deletes section 1613 of the charter and language relating to ECC is set forth in a new article entitled Autonomous Institutions (see section 30 of this local law).

SECTION 26: Deletes Article XVI-B of the charter and certain provisions relating to the Erie County Consumer Protection Committee are transferred to a new article entitled Office of Public Advocacy (see section 17 of this local law above).

SECTION 27: Deletes Article XVI-C of the charter relating to the Erie County Citizens Committee on Rape and Sexual Assault.

SECTION 28: Deletes Article XVI-D of the charter relating to Art and Culture in Public Places Board.

SECTION 29: Deletes Article XVI-E of the charter and certain provisions relating to the Commission on the Status of Women are moved to a new article entitled the Office of Public Advocacy (see section 17 of this local law above).

SECTION 30: Amends the charter by adding a new article relating to autonomous institutions clarifying the status of three self-governing institutions; Erie Community College, Erie County Medical Center Corporation and the Buffalo and Erie County Public Library.

SECTION 31: Deletes Article XVII-A relating to the narcotics control board.

SECTION 32: Contains several substantial changes to Article XVIII relating to financial procedures. Among the changes are the inclusion of a statement of intent to insure that transparency, programmatic budgeting, quantification and cost accounting are included in the budget; clarification that the Legislature must vote on each individual item proposed in an amendment to the budget offered less than forty-eight hours prior to the annual budget meeting of the Legislature; a requirement that budget documents are made accessible to the public; authorization for the county executive to appropriate unanticipated revenues up to the amount available subject to legislative approval and a mechanism authorizing the comptroller to have a role in declaring the existence of a deficit. There are also several other changes which are critical to the county's budget development process included in this section.

SECTION 33: Amends section 1907 of the charter and authorizes the establishment by the Legislature of a new charter revision commission by January 15, 2016 with its recommendations due by May 15, 2016.

SECTION 34: Authorizes that this local law be placed on the ballot.

SECTION 35: Contains an effective date for this local law after approval by the voters.

SECTION 36: Authorizes certain action by the clerk of the legislature and the county attorney after the approval of this local law by the voters.

SECTION 37: Contains a severability clause in the event any section or part of this local law is successfully challenged in court.

Dated: Buffalo, New York  
September \_\_\_\_, 2006

---

DAVID J. SWARTS  
Erie County Clerk and  
Interim Clerk of the Erie County Legislature