

(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.

STATE OF NEW YORK
DEPARTMENT OF STATE

RECEIVED JAN 24 1989

County of ERIE
~~City~~
~~Town~~
~~Village~~

[Signature]
Secretary of State

Local Law No. 3 of the year 19 89

A local law amending Erie County Local Law No. 1-1959, as amended, constituting the Erie County Charter, (has title) and Erie County Local Law No. 1-1960, as amended, constituting the Erie County Administrative Code, in relation to the establishment of a Division of Information and Support Services in the Executive Department.

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

County of ERIE
~~City~~
~~Town~~
~~Village~~ as follows:

Section 1. Erie county local law no. 1-1959, as amended, constituting the Erie county charter is amended by adding a new section three hundred ten thereto to read as follows:

Section 310. Division of information and support services. There shall be in the office of the county executive a division of information and support services, headed by a director of information and support services who shall be appointed by and serve at the pleasure of the county executive. The director shall provide such information and support services as provided for in the administrative code and shall operate such other central facilities as may be established by the county executive within the appropriations provided therefor.

b. Within the division of information and support services there shall be an office of data processing, headed by the director of data processing who shall be appointed by and serve at the pleasure of the county executive. The director shall be a person meeting such qualifications as may be set out in this charter or in the administrative code

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

at the time of his appointment. The director shall perform such data processing services as provided for in the administration code.

c. Subject to the approval of the county legislature, the county executive may enter into contracts with the federal government, the state government, or any municipal corporation to provide data processing services to such governments or units of government.

S2. Erie county local law No. 1-1959, as amended, constituting the Erie county administrative code, is amended by adding a new section 3.08 thereto to read as follows:

Section 3.08. Division of information and support services.

The division of information and support services shall be headed by the director of information and support services who shall have all the powers and duties lawfully conferred or imposed upon him by the county charter, by local law, by order or direction of the county executive, or by any applicable provision of any act of the legislature not in conflict with the county charter or this code. Such director shall be assisted by a director of data processing and by a deputy director of support services, and his powers and duties shall include the follows:

a. the provision of micrographics, printing, copying, messenger and mailing services and the care and supervision of equipment in the division of information and support

services related thereto, as well as the operation of such equipment including the preparation, processing, delivery and storage of data input into or output from such equipment where appropriate; and the performance of all functions, including advice and assistance, related to the operation, installation of or modification of such equipment in all participating county departments and agencies; and the training of personnel in participating departments and agencies for the purpose of using such equipment or properly preparing data for using such equipment;

b. the operation of a central records management system providing storage and retrieval services with respect to all records in any form, requiring either the retention of the contents or the actual preservation of such records. All county departments shall be required to avail themselves of said system;

c. the care and supervision of all vehicles and vehicle maintenance equipment in the division and the operation of a central motor pool for county employee use, as well as the collection of data on maintenance and operating costs of all county vehicles and the preparation and distribution of vehicle cost and utilization reports to participating departments and agencies;

d. the maintenance of records regarding total operating costs of the division of information and support and charging back such costs to participating departments and agencies.

The division of information and support services shall have the authority to require county departments to provide necessary data in usable format to compile its reports and statistics.

e. The office of data processing shall be headed by the director of data processing who shall be a person qualified by professional training and by practical or administrative experience in the area of data processing, and who shall have all the powers and duties lawfully conferred or imposed upon him by the county charter, by local law, by order or direction of the county executive, or by any applicable provision of any act of the legislature not in conflict with the county charter or this code. Such powers and duties shall include the care and supervision of all computers and related electronic equipment in the office of data processing, the preparation of programs and data for input into such computers, the processing and storage of output from such equipment, the supply of such output information to participating county departments and agencies, and the coordination of all county-owned or county-operated computer installation. The office of data processing shall advise and assist all departments of the county in matters relating to the installation of new data processing applications and modifications of existing procedures; evaluate and coordinate data processing requirements for participating departments and agencies;

assist in the conversion of raw data into machine-usable materials or perform such function itself; carry out all functions related to the operation of data processing equipment; and train personnel of participating departments and agencies in acquisition of data in a form suitable for processing.

f. The acquisition, replacement, operation, and informational input and output of any computers and related electronic equipment used by the department of central police services in connection with any criminal justice program shall be under the exclusive control of the commissioner of central police services, subject to contracting and purchasing regulations and procedures set forth in the charter and administrative code.

e. The county executive may enter into contracts with the federal government, state government and any municipal corporation to provide data processing service to any such municipality or governmental entity, subject to the approval of the legislature.

§3. Section 306.1 of the Erie county charter, as added by Erie county local law no. 5-1980, is hereby repealed.

§4. Section three hundred ten of the Erie county charter, as added by Erie county local law no. 12-1972, and as last amended by Erie county local law no. 11-1974, is hereby repealed.

§5. Section 3.08 of the Erie county administrative code as added by Erie county local law no. 5-1980, is hereby repealed.

§6. Section 3.10 of the Erie county administrative code as added by Erie county local law no. 14-1972, and as last amended by Erie county local law no. 6-1974, is hereby repealed.

§7. This local law shall be effective the first day of January, nineteen hundred eighty-nine.

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

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

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____
County _____
City _____
of the Town of _____ was duly passed by the _____ (Name of Legislative Body)
Village _____
19____ in accordance with the applicable provisions of law.~~

(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. 3 of 1989
County _____
City of ERIE was duly passed by the ERIE COUNTY LEGISLATURE (Name of Legislative Body)
Town of _____
Village _____
on Dec. 15 1988 ~~not disapproved~~ and was approved by the County Executive
~~repassed after disapproval~~ (Name of Elective Chief Executive Officer)
and was deemed duly adopted on January 10 1989, in accordance with the applicable provisions of law.

~~(Final adoption by referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____
County _____
City _____
of the Town of _____ was duly passed by the _____ (Name of Legislative Body)
Village _____
on _____ 19____ not disapproved and was approved by the _____
~~repassed after disapproval~~ (Name of Elective Chief Executive Officer)
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 applicable
annual 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 _____
City _____
of the Town of _____ was duly passed by the _____ (Name of Legislative Body)
Village _____
on _____ 19____ not disapproved and was approved by the _____
~~repassed after disapproval~~ (Name of Elective Chief Executive Officer)
on _____ 19____ Such local law was subject to a permissive referendum and
no valid petition requesting such referendum was filed as of _____ 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 _____ above.

[Handwritten Signature]

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

Date: JANUARY 13, 1989

(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 _____ ERIE _____

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.

[Handwritten Signature: Patrick McMoray]

Signature

COUNTY ATTORNEY

Title

Date: JANUARY 13, 1989

County _____ of _____ ERIE
~~City~~
~~Town~~
~~Village~~