

(Use this form to file a 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 ERIE
~~Town~~
~~Village~~

Local Law No. 6 of the year 19 95

A local law amending section 1602 of Erie County local law number 1 of 1959, constituting the Erie County (Insert Title) charter, as amended, with respect to conferring additional powers upon the board of managers of the Erie County Medical Center,

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

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

Be it enacted by the Erie County Legislature, as follows:

Section 1. Paragraph two of subdivision B of section sixteen hundred two of Erie county local law number one of nineteen hundred fifty-nine, constituting the Erie county charter, as amended, is amended to read as follows:

2. Of those eleven members first appointed, three shall have been appointed for a term of five years, two appointed for a term of four years, two appointed for a term of three years, two appointed for a term of two years, and two appointed for a term of one year. The chairman of the Erie county legislature shall designate one of the two positions which next become vacant by expiration of the original term after approval of this local law at referendum, which position shall then and thereafter be the position to be appointed by the chairman of the Erie county legislature with the appointee serving for a term of five years. The two board members first appointed by the members of the Erie county legislature shall each serve for a term of four years. Appointments of successors shall be for the full term of five years except that the appointment of a person to fill a vacancy occurring by death, resignation or cause other than the

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

expiration of a term shall be made for the unexpired term. Board members shall hold over and continue to discharge the duties of their office after the expiration of the terms of their appointment, until a successor has been chosen and qualified. Nothing contained herein shall divest any present board member of his previously appointed term and any present vacant position shall be filled for the balance of the original term. The provisions of subdivision three of section one hundred twenty-seven of the general municipal law shall apply with respect to vacancies in the office of any board member.

Section 2. Paragraph four of subdivision C of section sixteen hundred two of Erie county local law number one of nineteen hundred fifty-nine, constituting the Erie county charter, as amended, is amended to read as follows:

4. The board shall appoint and, subject to legislative appropriations provided therefor and the provisions of paragraph 8(a) of subdivision C of this Section, fix the compensation of the medical center chief executive officer, medical director, chief financial officer, chief operating officer, and associate administrator for health systems development. The chief executive officer shall be appointed on the basis of his training and experience in hospital administration, shall not be a member of the board, and shall hold office at the pleasure of the board. The chief executive officer of the medical center shall have and exercise all the powers and duties of a superintendent of a public

general hospital under New York statutes not inconsistent with this section of the Erie county charter, and shall also have and exercise those powers and duties conferred or imposed by the Erie county charter, the administrative code, and subsequent local law.

Section 3. Subparagraph c of paragraph eight of subdivision C of section sixteen hundred two of Erie county local law number one of nineteen hundred fifty-nine, constituting the Erie county charter, as amended, is amended to read as follows:

c. Subject to civil service law and rules and to all provisions of applicable collective bargaining agreements, the board shall have the power to create and abolish full-time and part-time permanent or temporary positions of employment. Assignment of job groups, except in the case of the medical center chief executive officer, medical director, chief financial officer, chief operating officer, and associate administrator for health systems development, shall be certified by the county department of personnel. When the medical center is unable to fill a position with a qualified person at the lowest salary level for the job group assigned to the position, the board may fill such position at a higher salary increment within the assigned job group with the approval of the County Department of Personnel.

Section 4. This local law shall take effect the first day of January following approval by the electorate at a referendum to be held at the general election next held in the county of Erie not less than sixty days following adoption of this local law.

(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. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____. in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 19 95 of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on July 20, 1995, and was (approved)(~~not disapproved~~) after ~~disapproval~~ by the Erie County Executive on August 18, 1995. 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 November 7, 1995, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body) (Elective Chief Executive Officer*)

*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 the power to approve or veto local laws or ordinances.

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

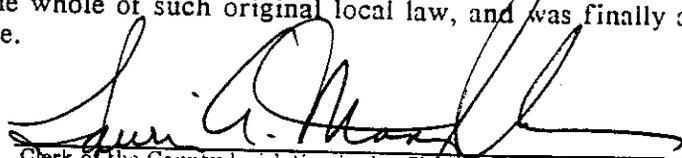
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 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 3, above.


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

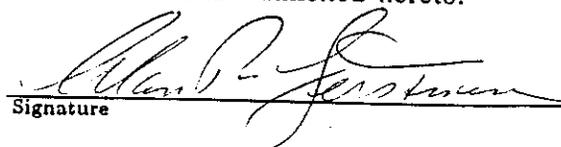
Date: December 28, 1995

(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.


Signature
1st Assistant County Attorney
Title

County
~~CITY~~
~~TOWN~~ of Erie
~~VILLAGE~~

Date: December 28, 1995

ERIE COUNTY BOARD OF ELECTIONS
134 West Eagle Street
Buffalo, New York 14202-3896

1995 General Election Certification

STATE OF NEW YORK)
COUNTY OF ERIE) ss. :

We, Roger I. Blackwell and Ralph M. Mohr, Commissioners of the Board of Elections of the County of Erie, and constituting said Board of Elections, do hereby certify that the annexed statement of canvass of the votes cast for the **County Proposition No. 1** in the County of Erie, State of New York on the 7th day of November, 1995 is a true and correct transcript of the original entered and filed in this office on this date.

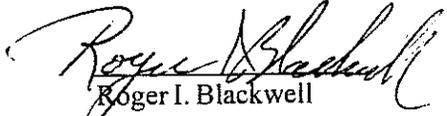
County Proposition No. 1
Submitting Erie County Local Law intro. No. 10

YES.....	Received	73,727
NO.....	Received	71,773
Blank, Void & Scattering	Received	132,004
Total Votes Cast		277,504

It is hereby further certified, pursuant to the provisions of § 9-212 of the election law that "Yes" has received the highest number of votes cast at the General Election for **County Proposition No. 1** in the County of Erie, New York held on the 7th day of November, 1995 and is hereby adopted.

In Testimony Whereof, we have hereunto set our hand and affixed the Seal of the Erie County Board of Elections, this 6th day of December, 1995.


Ralph M. Mohr
Commissioner


Roger I. Blackwell
Commissioner