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**Recommendation to Amend the Erie County Charter
Erie County Charter Revision Commission of 2016**

Amendment to Recommendation Intro. No. 154
Recommendation No. 26

Introduced on the Report of the Special Committee on Consolidation and Conformity.

Sponsored by Commission Member _____

The Erie County Charter Revision Commission of 2016 does hereby recommend that Section 2508 be amended to read as follows:

- A. The county legislature after one or more public hearings thereon, may strike items of appropriation from the tentative budget or reduce items therein, excepting appropriations required by law or for debt service. The county legislature after one or more hearings, may add items to or increase items in such budget, provided that such additions or increases are stated separately and distinctly. Decreases shall not require executive approval.

The report of the budget committee to the county legislature concerning amendments to the county executive's tentative budget shall be presented to the legislature and laid on the table at least forty eight hours prior to the annual meeting for budget adoption as prescribed in this section.

Budget amendments proposed subsequent to the tabling of the budget committee report, or less than forty eight hours prior to the annual meeting, shall be considered separately with each line item voted on individually on the floor of the legislature.

- B. If the budget is passed by the county legislature with no additions or increases, such budget shall be deemed to have been adopted without any further action by the county executive; if, however, the budget as passed by the county legislature contains any such additions or increases, the same shall be presented by the clerk of the legislature to the county executive not later than the **second business day after the sixth of** ~~Wednesday following the first Tuesday~~ in December, for his or her consideration of such additions or increases. If the county executive approves all additions and increases, he or she shall affix his or her signature to a statement thereof and return the budget and such statement to the clerk of the legislature. The budget, including the additions and increases as part thereof, shall then be deemed adopted.

- C. The county executive may object to any one or more of such added or increased items, and in such case shall append to the budget a statement of the added or increased items to which he or she objects with the reasons for his or her objections, and shall return the budget with his or her objections to the clerk of the county legislature who shall present the same to the county Legislature on or before the **seventh business day after the sixth of** ~~Monday preceding the second Tuesday in~~ December. The county legislature shall thereupon enter the objections upon its journal and proceed to reconsider the additions and increases so objected to. If upon such reconsideration two thirds of all members of the county legislature vote to approve such additions and increases, or any of them, the budget with any additions and increases so approved, together with any additions and increases not so objected to by the county executive, shall be deemed adopted.
- D. If a budget with additions or increases is not returned by the county executive to the clerk of the legislature with his or her objections on or before the **seventh business day after the sixth of** ~~Monday preceding the second Tuesday in~~ December, it shall be deemed adopted.
- E. If a budget has not been adopted, as herein provided, on or before the **tenth business day after the sixth** ~~second Tuesday~~ of December in each year, then the tentative budget as submitted by the county executive, plus all additions and increases to which he or she has failed to object, shall be the budget for the ensuing fiscal year.
- F. Four copies of the budget as adopted shall be certified by the county executive and by the clerk of the county legislature. One such copy shall be filed in the office of the county executive, and one each in the offices of the county comptroller, the commissioner of finance and the clerk of the county legislature. The budget as so certified shall be printed or otherwise reproduced and copies shall be made available.

**Introducer's Memorandum to
Recommendation Intro. No. 154**

Sponsored by Commission Member _____

The intent and purpose of this recommendation is change the budget deadlines so that more time is provided to the legislature to consider the budget.

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Recommendation Intro. No. 154A

Recommendation No. 26

	YES	NO	NOT PRESENT	ABSTAIN
Todd J. Aldinger	✓			
Joseph T. Burns	✓			
Tara Cadmus	✓			
Diana K. Cihak	✓			
Keith E. Dash	✓			
Kenneth J. Farrell	✓			
Peter J. Galie	✓			
Christina G. Holdsworth	✓			
Timothy M. Hudson	✓			
Matthew J. Kibler	.	✓		
Peter M. Kooshoian	✓			
Rashied McDuffie	✓			
Cheryl Meyers-Buth	✓			
Sibu S. Nair	✓			
Tiffany R. Perry	✓			
David Pollack	✓			
Myra E. Robinson-Moses	✓			
Mary A. Stang-Cooke	✓			
Jeanne M. Vinal	✓			

AYES 18

NOES 1