

**RESOLUTION TO BE SUBMITTED BY
CHAIRMAN MILLS**

Re: Erie County Charter Revision Commission Recommendation No. 32

WHEREAS, the Erie County Legislature created the Erie County Charter Revision Commission for the express purpose of reviewing the Erie County Charter and to make recommendations on whether or not the Erie County Charter and/or Administrative Code should be amended to facilitate the more effective delivery of services to the public and to better coordinate the functions between departments and agencies of the County and the various local governments within the County; and

WHEREAS, the Charter Revision Commission was convened and fully considered and debated the strengths and weaknesses of the present Charter and made numerous recommendations; and

WHEREAS, the Charter Revision Commission submitted its final recommendations to the Erie County Legislature on May 13, 2016; and

WHEREAS, in addition to the Charter Revision Commission, several organizations, individuals and elected officials submitted comments and recommended Charter changes to the Commission; and

WHEREAS, the Legislature is required to act on each recommendation of the Charter Revision Commission; and

WHEREAS, Chairman Mills has reviewed each recommendation of the Commission and has submitted each recommendation to this Honorable Body for its consideration; and

WHEREAS, Recommendation No. 32 amends Section 601 to provide autonomy to the County Attorney. The Recommendation allows for the County Attorney to be removed prior to the expiration of the term of the County Executive that appointed him or her by only (a) a majority vote of the Erie County Legislature on request of the County Executive or (b) the County Executive for cause.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature accepts the Charter Revision Commission's Recommendation No. 32 as described in Comm. 10M-1(2016); and, be it further

RESOLVED, that the Legislature's staff shall draft a local law or laws to reflect the Legislature's acceptance of the recommendation and to amend the Charter by referendum; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Attorney and any other party deemed necessary and proper.

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

Amendment to Recommendation Intro. No. 118 ~~A~~
Recommendation No. 32

**The text of Recommendation Into No. 118 is stricken and replaced with
the following:**

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 601 be amended to read as follows:

Section 601. Department of law; county attorney. There shall be a department of
law headed by the county attorney, who shall be appointed by the county executive
subject to confirmation by the legislature **A county attorney may only be
removed prior to the expiration of the term of the County Executive that
appointed him or her by (a) a majority vote of the Erie County Legislature on
request of the County Executive or (b) the County Executive for cause.** He or
she shall be a member in good standing of the bar of the state of New York.

Introducer's Memorandum to