

RECEIVED  
ERIE COUNTY  
LEGISLATURE

AUG 14 4 53 PM '85

LOCAL LAW NO. 2

LOCAL LAW INTRO. 20 (Print #2)

1985

A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter as amended, repealing Section 1602 of Article XVI, and substituting a new Section 1602, and amending Local Law No. 1-1960, as amended constituting the Erie County Administrative Code, repealing section 16.02 of Article XVI, and substituting a new Section 16.02, thereby providing the powers and duties of the hospital board of managers be governing powers and duties instead of advisory only and providing for the board's establishment, appointment, membership, term and also its specific powers and duties, and also those of the hospital superintendent and certain directors, officers and employees of the hospital to be appointed by the Erie County Executive, the Erie County Legislature and/or the hospital board of managers.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE, AS FOLLOWS:

Section 1. The Erie County Charter, Section 1602 of Article XVI thereof, as amended, is repealed in its entirety and a new Section 1602 is substituted therefor as follows:

Section 1602. County Hospital; Superintendent;  
Board of Managers.

1. Legislative intent. It is found, declared and determined that the erie county medical center was built and exists in all respects for the benefit of the people of the county of erie and is a public purpose institution. The exercise by the board of managers of its ascribed functions, powers and duties as hereinafter provided, constitutes the performance of an essential public governmental purpose.

2. There shall be a county hospital superintendent, who shall be appointed by the hospital board of managers on the basis of his training and experience in hospital administration. He shall not be a member of the board of managers and shall hold office at the pleasure of the board.

The superintendent shall have charge and supervision of all county hospitals and shall have and exercise all powers and duties of a hospital superintendent of a public general municipal hospital not inconsistent with the Erie County Charter and Administrative Code.

There shall be a hospital board of managers of eleven members who are resident citizens of the County of

Erie appointed for five year staggered terms. Such appointments shall be made by the County Executive subject to confirmation by the Erie County Legislature. 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 expiration of a term shall be made for the unexpired term.

No member of the board shall serve in any salaried or elected position in erie county government. Members shall serve without compensation except that members may be reimbursed for travel expenses if the county legislature so authorizes.

No member of the board of managers shall have any financial interest in the hospital nor shall any member sit on an advisory or governing board of any other hospital.

Of those first appointed, three (3) shall be appointed for a term of five (5) years, two (2) appointed for a term of four (4) years, two (2) appointed for a term of three (3) years, two (2) appointed for a term of two (2) years, and two (2) appointed for a term of one (1) year.

The board of managers shall have and exercise all the powers and duties of a board of managers of a public

general municipal hospital not inconsistent with the Erie County Charter and Administrative Code.

Section 2. The Erie County Administrative Code, Section 16.02 of Article XVI thereof, as amended, is repealed in its entirety and a new Section 16.02 is substituted therefor as follows:

Section 16.02. Erie county medical center superintendent, board of managers. The superintendent shall have and exercise all the powers and duties hereafter conferred or imposed upon him by the county charter, this code, by local law or resolution of the erie county legislature and by an applicable act of the new york state legislature including the general municipal law of the state of new york, not inconsistent with the county charter or this code. The board of managers shall have and exercise all the powers and duties of a board of managers of a public general municipal hospital not inconsistent with the erie county charter, administrative code or such local laws as may from time to time be enacted by the erie county legislature.

Section 3. This local law shall take effect immediately upon filing with the secretary of state after approval by the electorate at the general election to be

held in the county of erie next succeeding the date on which  
this law shall have been approved by the county legislature  
and county executive pursuant to the erie county charter.

Underlined material is new material.

Robert H. Meier.

ROBERT H. MEIER

Legislator, 9th District