

(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.

OFFICE OF THE SECRETARY OF STATE
DEPARTMENT OF REVENUE

RECEIVED DEC 08 1989

St. S. Sly
Secretary of State

County of ERIE

Local Law No. 12 of the year 1989

A local law Providing for the creation of a County records commission in the
County of Erie. (insert title)

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

County of ERIE as follows:

Section I. County Records Commission.

A. There is hereby created a County Records Commission to work with and develop policy for the Records Management Officer. The Commission shall consist of the following:

1. Erie County Clerk, who shall be the Chairperson of the Board.
2. Erie County Executive or designee.
3. Erie County Comptroller or designee.
4. Chairman of the Erie County Legislature.
5. Minority Leader or designee.
6. Librarian of the Erie County Historical Society or designee.

7. In addition, three persons who are active in the Erie County Historic Community or experience in the records management area, shall be appointed with the concurrence of the County Clerk, the County Executive, and the Chairman of the Erie County Legislature.

8. The Commission shall convene as called by the chairperson at least five (5) times annually or when called by any five (5) members thereof.

Section II.

A. The County Records Commission shall have the following duties and responsibilities:

1. To set policy regarding the development of the Records Management Program and advise the Records Management Officer regarding its implementation.

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

2. To monitor the implementation of archival and records management programs on an ongoing basis and prepare changes and improvements.

3. To provide advice on the appraisal of records for archival value and be the final sign-off entity as to what is or is not archival.

4. To actively support the archival and records management program and promote it among all the departments and agencies of the local government and community.

5. To explore a regionalized records program to potentially include all municipalities, school districts and fire districts within Erie County, thereby maximizing the benefits to be derived from State funding grants.

6. To review retention periods proposed by the Records Management Officer for records not covered by State Archival's schedule.

7. To develop a broad policy to include not only hard copy records but also microfilm and other types of machine readable records to ensure that the program strategies are sufficient to accommodate records in electronic form which will significantly increase in the future.

Section III. Savings Clause

Nothing contained herein shall be construed as modifying, transferring or abolishing the power, duty or authority of the County Legislature, any County Department or its head or any other elected or appointed official.

Section IV. Effective Date

This Local Law shall take effect upon its adoption.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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____
County _____
City _____
of the Town of _____ was duly passed by the _____ (Name of Legislative Body)
Village _____
on _____ 19_____ in accordance with the applicable provisions of law.

2. (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. 12 of 19 89
County _____
of the ~~Town~~ ^{City} of _____ ERIE _____ was duly passed by the _____ ERIE COUNTY LEGISLATURE _____ (Name of Legislative Body)
~~Village~~ _____
on November 16 19 89 ~~not disapproved~~ and was approved by the _____ COUNTY EXECUTIVE _____
~~repassed after disapproval~~ Elective Chief Executive Officer*
and was deemed duly adopted on December 4 19 89, in accordance with the applicable provisions of law.

3. (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~~ 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~~ 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 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 Council or officer designated by local legislative body.

Date: DECEMBER 6, 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]

Signature

COUNTY ATTORNEY

Title

Date: DECEMBER 6, 1989

County
City of ERIE
Town
Village