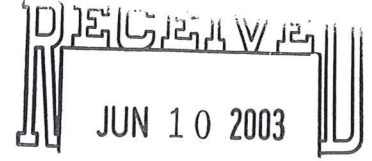


GEORGE E. PATAKI
GOVERNOR

RANDY A. DANIELS
SECRETARY OF STATE

June 6, 2003

CHRISTINE KANE
CLERK, STEUBEN COUNTY LEGISLATURE
COUNTY OFFICE BLDG.
3 EAST PULTENEY SQUARE
BATH NY 14810-1510



STEUBEN COUNTY
LEGISLATURE

Re: COUNTY of STEUBEN, Local Law 5, 2003, filed on 5/27/03

Local Law No. FIVE of the year 2003

A local law AMENDING RESOLUTION NO. 242-86, RELATIVE TO THE CREATION OF
(Insert Title)
THE LAW DEPARTMENT, PLACING THE COUNTY ATTORNEY IN THE UNCLASSIFIED
CIVIL SERVICE, RECLASSIFYING THE POSITIONS OF DEPUTY COUNTY ATTORNEY
AS DEPUTY COUNTY ATTORNEY/DSS FAMILY COURT, AND SENIOR ASSISTANT COUNTY
ATTORNEY AS DEPUTY COUNTY ATTORNEY/MUNICIPAL AFFAIRS.

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

County
~~XXX~~ of STEUBEN as follows:
~~XXXX~~
~~XXXXXX~~

SECTION 1: LEGISLATIVE INTENT

It is the intent of this Local Law to create two Deputy County Attorney positions to serve as the County Attorney's alter ego and in his place and stead. One such position is to be denominated "Deputy County Attorney/Department of Social Services, (hereafter "DSS") Family Court and the other to be denominated as Deputy County Attorney/Municipal Affairs. The County Attorney as department head of the County Law Department has two main statutory charges. The first is pursuant to County Law §50 charging the County Attorney with the responsibility as the Chief legal advisor to the County Legislature and all County officers for matters of a civil nature. The second responsibility is found in Family Court Act §§254 and 535 making the County Attorney the presentment agency for DSS in Family Court, and providing counsel to the Commissioner of Social Services.

SECTION 2: COUNTY ATTORNEY, DEPUTY COUNTY ATTORNEY/MUNICIPAL AFFIARS, DEPUTY COUNTY ATTORNEY/DSS, FAMILY COURT.

The County Attorney has been denominated as the head of the Law Department and appoints all members of the department, including, but not limited to Deputies. The position of Senior Assistant County Attorney is reclassified as Deputy County Attorney/Municipal Affairs. The position of Deputy County Attorney is reclassified as Deputy County Attorney/DSS Family Court. The above two Deputy County Attorney positions serve as the County Attorney's alter ego to and in his place and stead.

SECTION 3: CLASSIFICATIONS.

The position of County Attorney shall be placed in the unclassified Civil Service and the positions of Deputy County Attorney/Municipal Affairs, and Deputy County Attorney/DSS Family Court shall be designated and placed in the exempt class of the Civil Service.

SECTION 4: QUALIFICATIONS.

The County Attorney, Deputy County Attorney/Municipal Affairs and Deputy County Attorney/DSS Family Court must possess the following minimum qualifications: Graduation from a regionally accredited or New York State certified law school and five years of experience in the practice of the law, two years of which must have involved specialization in the practice of civil law in New York State, and admission to the Bar of the State of New York is required at the time of appointment.

SECTION 5: EFFECTIVE DATE.

The within Local Law shall be effective immediately upon passage.

(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. FIVE of 20 03 of the (County)(City)(Town)(Village) of STEUBEN was duly passed by the LEGISLATURE on 5/19 20 03, in accordance with the applicable provisions of law.

~~**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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____, 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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20 _____. 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 _____ 20 _____, in accordance with the applicable provisions of law.

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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, 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 chairperson 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.)~~

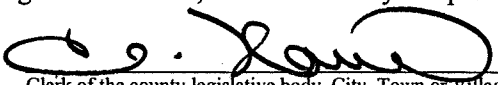
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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 1, above.



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

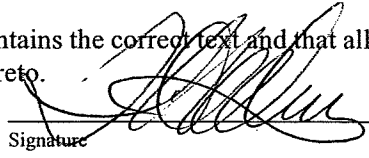
(Seal)

Date: May 21, 2003

(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 STEUBEN

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

COUNTY ATTORNEY

Title

County
~~XXX~~ of STEUBEN
~~XXXX~~
~~XXXXXX~~

Date: May 21, 2003