

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2001**

No. 77

Introduced by Council Members Pinkett and Clarke (by request of the Mayor)

A LOCAL LAW

To amend the New York City charter in relation to the effective date of amendments concerning the board of health.

Be it enacted by the Council as follows:

Section 1. Legislative Findings. The Council hereby finds that it is critically important that the Board of Health be capable of functioning continuously in the coming months, during which there will be a transition to a reconstituted and expanded Board of Health in accordance with Charter amendments adopted by the electorate at the 2001 general election. The Council further finds that the Mayor will need to screen carefully the candidates for membership on the Board of Health in order to identify the most qualified and appropriate appointees, and the Council will need a sufficient period to perform its advice and consent function pursuant to section 31 of the Charter. Therefore, the Council hereby determines that the thirty-day period provided for transition to the reconstituted and expanded Board of Health in the effective date provisions of the recently adopted Charter amendments should be extended to June 1, 2002 or the date upon which the ten members of the reconstituted and expanded board other than the chairperson have been duly appointed and qualified, whichever is earlier.

§2. Subparagraph (a) of paragraph 4 of subdivision h of section 1152 of the New York city charter, as added by a vote of the electorate at a general election held on November 6, 2001, is amended to read as follows:

(a) The amendments to the charter, amending section fifteen and chapter twenty-two, repealing chapter twenty-three, renumbering section one thousand fifty-eight, amending renumbered section one thousand fifty-seven-a and sections fourteen hundred three, fourteen hundred four, and twenty-nine hundred three, approved by the electors on November 6, 2001, shall take effect immediately, or as soon thereafter as a transfer of agency functions may be effectuated, and thereafter shall control as provided in respect to all the powers, functions and duties of all officers, agencies and employees, except as further specifically provided in other sections of this charter, except that the amendments to the charter, amending section five hundred fifty-three of such chapter twenty-two, shall take effect [thirty days after approval] June 1, 2002 or the date upon which the ten members of the reconstituted and expanded board other than the chairperson have been duly appointed and qualified, whichever is earlier, provided, however, that of the first nine members of the board of health appointed on or after the effective date of these

amendments, three members shall serve for two years, three members shall serve for four years, and the remainder shall serve for six years, provided further, however, that the term of any member of the board of health serving on the date of the approval of these amendments shall be deemed expired on such effective date.

§3. This local law shall take effect immediately, and shall be deemed to have been in force on and effect on and after December 6, 2001; provided however that the mayor and the city council, and any affected city agencies, are hereby authorized to perform all acts necessary to ensure that all of the members of the reconstituted and expanded board of health may take office no later than June 1, 2002 or as soon as practicable thereafter.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of the city of New York, passed by the Council on December 19, 2001, and approved by the Mayor on December 27, 2001.

VICTOR L. ROBLES, City Clerk Of The Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 77 of 2001, Council Int. No. 995-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on December 19, 2001: 48 for, 0 against, 0 not voting.

Was signed by the Mayor on December 27, 2001.

Was returned to the City Clerk on December 28, 2001.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel