

STRICKEN END OF YEAR

Intro. Res. No. 1636-2009
Introduced by Legislator Alden

Laid on Table 8/4/2009

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW
NO. -2009, A CHARTER LAW TO TRANSFER PRINT
SHOP FROM COUNTY DEPARTMENT OF PUBLIC WORKS TO
COUNTY DEPARTMENT OF HUMAN RESOURCES,
PERSONNEL AND CIVIL SERVICE**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2009 a proposed local law entitled, "**A CHARTER LAW TO TRANSFER PRINT SHOP FROM COUNTY DEPARTMENT OF PUBLIC WORKS TO COUNTY DEPARTMENT OF HUMAN RESOURCES, PERSONNEL AND CIVIL SERVICE**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO TRANSFER PRINT SHOP FROM COUNTY
DEPARTMENT OF PUBLIC WORKS TO COUNTY DEPARTMENT
OF HUMAN RESOURCES, PERSONNEL AND CIVIL SERVICE**

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County print shop was previously under the jurisdiction of the County Department of Human Resources, Personnel and Civil Service.

This Legislature further finds that recent disturbing events reported by the news media indicate that the Executive branch of government has attempted to tamper with and/or censor and delay legislative newsletters. Several years ago when the print shop operated under the auspices of the Department of Civil Service, rather than the current Department of Public Works, incidents like those recently reported never occurred.

This Legislature also finds that the head of the Department of Human Resources, Personnel and Civil Service is appointed for a fixed term so this department is less subject to political interference.

Therefore, the purpose of this law is to transfer the functions of the print shop from the County Department of Public Works to the County Department of Human Resources, Personnel and Civil Service, to deal with the operation of the print shop and to handle all print shop issues.

Section 2. Repeal.

Paragraph (AA) of Section C8-2 of the SUFFOLK COUNTY CHARTER is hereby repealed in its entirety.

Section 3. Amendment.

Article 6 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**ARTICLE VI
Department of Human Resources, Personnel and Civil Service**

§6-2. Powers and Duties.

- B. The Division of Human Resources shall have the following powers, duties and responsibilities:

(14) Maintain a centralized print shop for the printing of county materials, notices, pamphlets, booklets, brochures, newsletters and reports.

Section 4. Transition Provisions.

- A. Any reference to the County Department of Public Works or Commissioner thereof in any other resolution, local law, Charter law, ordinance, rule or regulation of the County of Suffolk or in any state or federal law, rule or regulation in connection with the print shop shall be construed in the first instance as reference to the County Department of Human Resources, Personnel and Civil Service or Director thereof, as the case may be, anything in any other laws or regulations to the contrary notwithstanding.
- B. Any positions of employment within the Suffolk County Department of Public Works relating to the print shop shall be abolished and/or transferred to the County Department of Human Resources, Personnel and Civil Service, via appropriate resolution, as of January 1, 2010. Any positions of employment within the Suffolk County Department of Public Works relating to the print shop, transferred via prior or subsequent appropriate resolution, shall be transferred so as to retain the incumbent individual in said position of employment as the individual so employed in that position by the Department of Human Resources, Personnel and Civil Service to which such position has been transferred by resolution.
- C. Any reference to the County Department of Public Works in connection with the print shop, in any chapter of the SUFFOLK COUNTY CODE, shall be construed as reference to the County Department of Human Resources, Personnel and Civil Service, and any reference in said Code to the Commissioner of said Department in connection with the print shop shall be construed to mean the Personnel Director, as the case may be.

- D. All County Departments, offices and agencies shall cooperate fully with the Personnel Director, or his or her designee, in all phases of implementing the provisions of this Charter law.

Section 5. Transfer of Records, Property and Equipment.

All records, property and equipment presently associated with and utilized in connection with the powers, functions and duties to be assigned under this law shall be transferred to the pertinent department and division in a timely fashion.

Section 6. Applicability.

This law shall apply to the operation of the print shop on or after January 1, 2010.

Section 7. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 8. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 9. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

____ Underlining denotes addition of new language.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: