

**STRICKEN AS OF 6/7/2011**

Intro. Res. No. 2208-2010  
Introduced by Legislator Romaine

Laid on Table 12/7/2010

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW  
NO. -2011, A LOCAL LAW IMPLEMENTING THE CHARTER  
COMMISSION'S RECOMMENDATION REGARDING THE  
TERMS OF THE PRESIDING OFFICER AND DEPUTY  
PRESIDING OFFICER**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on December 7, 2010, a proposed local law entitled, "**A LOCAL LAW IMPLEMENTING THE CHARTER COMMISSION'S RECOMMENDATION REGARDING THE TERMS OF THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER;**" now, therefore be it

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

**LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW IMPLEMENTING THE CHARTER COMMISSION'S  
RECOMMENDATION REGARDING THE TERMS OF THE  
PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER**

**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 every ten (10) years a Charter Review Commission convenes to examine the Suffolk County Charter and provide recommendations to improve the document.

This Legislature finds that the Charter Review Commission submitted its report and recommendations to the County Executive and the County Legislature on June 12, 2009, outlining twelve (12) recommended changes to the County Charter.

This Legislature also finds that the Commission recommended that the Presiding Officer and Deputy Presiding Officer be elected to terms of two years to provide greater continuity and stability in County Government. Presently, the Presiding Officer and his Deputy are selected on an annual basis.

This Legislature also finds that by establishing a two-year term for the Presiding Officer and Deputy Presiding Officer, legislators will be free to focus more on substantive policy and less on politics.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY ADMINISTRATIVE CODE to increase the terms of the Presiding Officer and Deputy Presiding Officer from one to two-years.

**Section 2. Amendments.**

I. Section A2-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

**§A2-2. Organization of County Legislature.**

- A. The members of the County Legislature shall hold an organization meeting on the first business day in January in each year unless the first business day in January falls on a Friday, in which case the County Legislature shall hold its organization meeting on the following Monday.
- B. At the organization meeting in even numbered years (held following a general election at which County Legislators are elected) the County Legislature shall elect from its own members a Presiding Officer and Deputy Presiding Officer in accordance with the provisions of section A2-3 of this Administrative Code. The Presiding Officer and Deputy Presiding Officer so elected shall serve until the end of the subsequent calendar year.
- C. At all organization meetings, the County Legislature shall adopt the rules of its own proceedings and conduct such other business as may be authorized under the Legislature's rules.

II. Section A2-3 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

**§A2-3. Election of Presiding Officer and Deputy Presiding Officer.**

- A. The Presiding Officer and Deputy Presiding Officer shall be elected by not less than a majority of the total membership of the County Legislature.
- B. The Legislator serving as Presiding Officer at the end of the preceding calendar year shall preside at any organization meeting at which a Presiding Officer shall be elected until such time as the Presiding Officer has been elected, whereupon such newly elected Presiding Officer shall preside. In the event that such former Presiding Officer is unable to preside at such meeting due to death, disability, incapacity or any other cause, the Deputy Presiding Officer of the preceding year shall preside at the organization meeting until such time as the Presiding Officer has been elected. In the event that such former Deputy Presiding Officer is unable to preside at such meeting due to death, disability, incapacity or any other cause, then the most senior member of the Legislature, calculated on the basis of total number of years of service as a member of the County Legislature, consecutive or otherwise, shall preside at the organization meeting until the Presiding Officer has been elected.
- C. In the event no Legislator is elected Presiding Officer and/or Deputy Presiding Officer by a majority of the total membership of the County Legislature, the Legislature shall continue in session and conduct as many roll call votes as shall be necessary to elect a Presiding Officer and Deputy Presiding Officer.
- D. In the event the County Legislature is unable to elect a Presiding Officer on or before January 15 of any even numbered year, the County Clerk of the County of Suffolk shall appoint a member of the County Legislature as Presiding Officer, who shall serve until the end of the subsequent calendar year. The Clerk will also appoint a member of the

County Legislature to serve as Deputy Presiding Officer who shall serve until the end of the subsequent calendar year.

- E. In the event a Presiding Officer is elected by a majority of the total membership of the County Legislature on or before January 15 of any even numbered year but no Deputy Presiding Officer is elected by that date, the duly elected Presiding Officer will select a Deputy Presiding Officer who shall serve until the end of the subsequent calendar year.

**Section 3. Applicability.**

This law shall apply to the election of the Presiding Officer and Deputy Presiding Officer beginning January 1, 2012.

**Section 4. 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 5. 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 6. Effective Date.**

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

[ ] Brackets denote deletion of existing language  
\_\_\_ Underlining denotes addition of new language

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: