

**RESOLUTION NO. 688 -2011, ADOPTING LOCAL LAW  
NO. 42 -2011, A LOCAL LAW TO ENSURE FULL  
REPRESENTATION OF DISABLED PERSONS ON THE  
DISABILITIES ADVISORY BOARD**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on June 21, 2011, a proposed local law entitled, "**A LOCAL LAW TO ENSURE FULL REPRESENTATION OF DISABLED PERSONS ON THE DISABILITIES ADVISORY BOARD**;" now, therefore be it

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

**LOCAL LAW NO. 42 -2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO ENSURE FULL REPRESENTATION OF  
DISABLED PERSONS ON THE DISABILITIES ADVISORY BOARD**

**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 Disabilities Advisory Board is supposed to consist of 30 members, 12 of whom are designated as "Group D" members. Group D members have a disabling condition or have children who are disabled.

This Legislature further finds that the County Executive appoints all Group D members, subject to legislative approval.

This Legislature also finds that there are numerous Group D vacancies and the few remaining active Group D members are serving in a holdover capacity.

This Legislature determines that the power to appoint Group D members should be shared by the County Executive and by the County Legislature to ensure that the disabled and the parents of the disabled have full representation on the Disabilities Advisory Board.

Therefore, the purpose of this local law is to authorize the County Legislature to appoint half of the Group D members to the Disabilities Advisory Board.

**Section 2. Amendments.**

Chapter 78 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 78, DISABILITIES ADVISORY BOARD**

\* \* \* \*

**§ 78-3. Membership; compensation.**

- A. The Board shall consist of 30 members. These members are to be broken up into the following four groups:

\* \* \* \*

4) Group D.

(a) Group D shall consist of twelve residents of Suffolk County who are either parents of children who are disabled or who have a disabling condition themselves.

(b) Six of [T]the Group D members shall be appointed by the County Executive with the consent and approval of the County Legislature for two-year terms. Six of the Group D members shall be appointed by the County Legislature for two-year terms by duly enacted resolution.

\* \* \* \*

**Section 3. Transition Provision.**

All Group D membership slots shall be deemed vacant as the effective date of this law. Members serving in a holdover capacity as of the effective date of this law shall be considered County Executive appointments and may continue to serve in a holdover capacity until such time as they are reappointed or a successor is qualified.

**Section 4. Applicability.**

This law shall apply to appointments occurring on or after the effective date of this law.

**Section 5. 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 6. 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 7. Effective Date.**

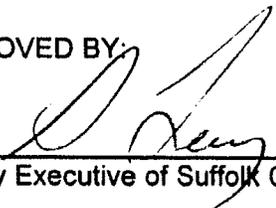
This law shall take effect immediately upon filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language

\_\_\_ Underlining denotes addition of new language

DATED: August 16, 2011

APPROVED BY:

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

Date: **SEP 09 2011**

After a public hearing duly held on August 30, 2011  
Filed with the Secretary of State on September 26, 2011

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on August 16, 2011 and that the same is a true and correct transcript of said resolution and of the whole thereof.*

*In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.*

*Tim Laube*

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Clerk of the Legislature

Intro. Res.

1613

Res. No.

688

August 16, 2011

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Vitoria-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Vitoria-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Vitoria-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Sarah S. ANKER					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	18				

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
Send To Committee
Table Subject To Call
Lay On The Table
Discharge
Take Out of Order
Reconsider
Waive Rule _____
Override Veto
Close
Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED

*Tim Laube*

Tim Laube, Clerk of the Legislature

Roll Call \_\_\_\_\_ Voice Vote