

STRICKEN AS OF END OF YEAR 2011

Intro. Res. No. 2091-2011

Laid on Table 12/6/2011

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW
NO. -2011, A CHARTER LAW REQUIRING THE VOTE ON
THE COUNTY BUDGET PRIOR TO ELECTION DAY**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on December 6, 2011, a proposed Local Law entitled "**A CHARTER LAW REQUIRING THE VOTE ON THE COUNTY BUDGET PRIOR TO ELECTION DAY;**" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

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

**A CHARTER LAW REQUIRING THE VOTE ON THE COUNTY BUDGET
PRIOR TO ELECTION DAY**

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

Section 1. Legislative Intent.

This Legislature finds and determines that in the last few annual budget cycles, amendments to the recommended Operating Budget are not being distributed within the prescribed timeline. This is not in the best interests of the residents of the County. People who are affected by the budget and these amending resolutions are not given any time to evaluate the financial impact of budget amendments; the Budget Office is not given any time to do any financial analysis, and the public at large is deprived of information about the budget until the time of the vote. Moreover, legislators are deprived of the opportunity to read the details of the proposed budget plan. This delay diminishes transparency in the budget process and deprives the public of detailed comment during any public portion of the meeting of the Legislature where in the budget is adopted.

Therefore the purpose of this law is to accelerate the budget timeline.

Section 2. Amendments.

Article IV of the Suffolk County Charter is hereby amended as follows:

Article IV
County Budget and Capital Program

§ C4-9. A.) The County Legislature shall hold at least two public hearings on the proposed County budget not later than the [31st] 17th day of October in each year [or the 42nd day after the County Executive has actually submitted the proposed budget required by § C4-6 to the County

Legislature, whichever is later]. The County Legislature shall have available for the public in advance of the hearings a reasonable number of copies of the tentative budget.

§ C4-10. A.) Not less than 10 days after public hearings required by § C4-9 and not later than election day [the 10th day of November or the 52nd day after the County Executive has actually submitted the proposed budget required by § 4-6 to the County Legislature, whichever is later], the County Legislature shall adopt the proposed county budget consisting of an expense budget by voting to approve a separate mandated portion and a separate nonmandated portion, with or without amendment. If the County Legislature does not adopt a county budget on or before election day [the [10th day of November [or the 52nd day after the County Executive has actually submitted the proposed budget required by § C4-6 to the County Legislature, whichever is later], the proposed county budget shall be deemed adopted as submitted. The Suffolk County Legislature's Budget Review Office shall prepare budgetary and financial forecasts of cost to continue expenditures and revenues for major omnibus-type budget amending resolutions for the following year.

Section 3. Applicability.

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

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 not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon 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: