

**WITHDRAWN AS OF 4/18/2012**

Intro. Res. No. 1196-2012  
Introduced by Legislator Kennedy

Laid on Table 2/7/2012

**RESOLUTION NO.                   -2012, ADOPTING LOCAL LAW  
NO.       -2012, A CHARTER LAW TO EXTEND THE DEADLINE  
FOR REAPPORTIONMENT COMMISSION TO PROPOSE NEW  
LEGISLATIVE BOUNDARIES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on       , 2012 , a proposed local law entitled, "**A CHARTER LAW TO EXTEND THE DEADLINE FOR REAPPORTIONMENT COMMISSION TO PROPOSE NEW LEGISLATIVE BOUNDARIES;**" now, therefore be it

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

**LOCAL LAW NO.   2012, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO EXTEND THE DEADLINE FOR  
REAPPORTIONMENT COMMISSION TO PROPOSE NEW  
LEGISLATIVE BOUNDARIES**

**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 Local Law No. 14-2007 established a non-partisan Reapportionment Commission ("Commission") to recommend new legislative district boundaries to reflect population changes within the County as documented by a federal census.

This Legislature further finds that Local Law No. 38-2011 established a new timeline for the proposal and adoption of a legislative reapportionment plan. Pursuant to Local Law No. 38-2011, the Commission was required to submit a proposed reapportionment plan to this Legislature by February 1, 2012.

This Legislature determines that the Commission has missed the February 1, 2012 deadline and needs more time to devise an acceptable plan.

This Legislature further finds that new legislative boundaries should not be drawn by a federal judge before this Legislature has had an opportunity to adopt a plan.

Therefore, the purpose of this law is to extend to June 1, 2012 the deadline for the Commission to recommend a reapportionment plan to this Legislature.

**Section 2. Amendment.**

Section C2-3 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

**§ C2-3. Legislative districts.**

\* \* \* \*

- C. (1) No later than the first day of [February] June in the calendar year following the publication of the results of the decennial federal census, the Reapportionment Commission, as established hereunder at Subsection E of this section, shall propose to the Suffolk County Legislature, by filing with the Clerk of the Legislature, appropriate revisions to the boundaries of the legislative districts so that they contain substantially equal citizen population. Such proposal shall be recommended by at least six affirmative votes of the entire membership of the Commission.

\* \* \* \*

- D. (1) If appropriate revisions of the boundaries of legislative districts required by Subsection C of this section are not proposed by the first day of [February] June in the calendar year following the publication of the results of the decennial federal census, then the County Attorney is hereby directed to make application to a court of appropriate jurisdiction for the appointment of a Special Master to prepare a redistricting proposal for revisions to the boundaries of the legislative districts in Suffolk County so that they shall contain substantially equal citizen population.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to 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 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:

APPROVED BY:

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

Date: