

STRICKEN AS OF 8/11/2014
AMENDED COPY AS OF 3/7/2014

Intro. Res. No. 1043-2014

Laid on Table 2/11/2014

Introduced by Legislators Cilmi, McCaffrey, Kennedy, Muratore, Barraga and Trotta

RESOLUTION NO. -2014, ADOPTING LOCAL LAW
NO. -2014, A LOCAL LAW TO STRENGTHEN POLICY
AGAINST DUAL PUBLIC SALARIES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on February 11, 2014, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN POLICY AGAINST DUAL PUBLIC SALARIES**"; now, therefore be it

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

LOCAL LAW NO. -2014, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO STRENGTHEN POLICY AGAINST DUAL
PUBLIC SALARIES

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 of Suffolk unanimously enacted Local Law No. 31-2011 which prohibits County elected officials from collecting another publicly-funded salary while serving the residents of Suffolk County.

This Legislature finds that Local Law No. 31-2011 exempted public school teachers and professors at public universities from this prohibition.

This Legislature determines that no good rationale exists for exempting public school teachers or full-time college instructors from the provisions of Local Law No. 31-2011.

This Legislature seeks to hold itself to the highest ethical standards and believes that allowing an elected official of Suffolk County to serve in a full-time capacity in any other publicly-funded position would constitute a breach of the public trust and would deprive the residents he or she represents of the full personal attention required by the challenges of the day.

This Legislature wishes to reaffirm its commitment to the taxpayers and residents of Suffolk County and state unequivocally that it is neither legal nor ethical for a member of this Legislature or any County-wide official to remain employed in a full-time capacity by, and collect a full-time salary from, any other level of the government.

Therefore, the purpose of this law is to strengthen the County's policy against dual public salaries by eliminating the exemption for public school teachers and full-time public university instructors.

Section 2. Amendments.

Chapter 77 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 77: Ethics and Accountability

Part 1: Code of Ethics and Financial Disclosure

Article 1: Code of Ethics

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§ 77-4 Prohibition on dual office-holding; other provisions relating to political party officials.

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B. No elected official shall hold another paid position of employment with the County or a paid position of employment with any department, office, commission, board or agency of the United States of America, New York State, any town or village government, or public benefit corporation created under the provisions of New York State law. This provision shall not apply to an elected official who also holds a part-time position as [a teacher in a public school district or a] an instructor or professor at a public university or college working less than 20 hours a week.

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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: