

**RESOLUTION NO. 582 -2014, ADOPTING LOCAL LAW
NO. 22 -2014, A LOCAL LAW TO STREAMLINE PROCEDURES
FOR FILLING PRESIDING OFFICER AND DEPUTY PRESIDING
OFFICER VACANCIES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 29, 2014, a proposed local law entitled, "**A LOCAL LAW TO STREAMLINE PROCEDURES FOR FILLING PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER VACANCIES;**" now, therefore be it

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

LOCAL LAW NO. 22 -2014, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO STREAMLINE PROCEDURES FOR FILLING
PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER
VACANCIES**

**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 procedures for selecting a Presiding Officer and Deputy Presiding Officer of the Suffolk County Legislature, and the filling of vacancies in these offices, are set forth in the SUFFOLK COUNTY ADMINISTRATIVE CODE and the Rules of the County Legislature.

This Legislature determines that the existing provisions for filling vacancies in the offices of Presiding Officer and Deputy Presiding Officer are inadequate to ensure that these offices are filled in a timely and efficient manner. For example, the office of Deputy Presiding Officer remained vacant and unfilled for the last four months of 2013.

This Legislature further finds and determines that a mid-year vacancy in the offices of the Presiding Officer or Deputy Presiding Officer has the potential to ignite a protracted political battle and bring County government to a grinding halt. Accordingly, a new procedure should be established that will allow such vacancies to be filled quickly so that the Legislature can continue to function without interruption.

Therefore, the purpose of this local law is to streamline the process for filling vacancies in the offices of the County Legislature's Presiding Officer and Deputy Presiding Officer.

Section 2. Amendments.

Section A2-5 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

§ A2-5. Filling Vacancy in offices of Presiding Officer and Deputy Presiding Officer.

- A. In the event the office of Presiding Officer becomes vacant due to death, disability, resignation or any other cause, such vacancy shall be filled by the County Legislature at a regular meeting within 60 days after such vacancy occurs. The Deputy Presiding Officer shall exercise all the powers, duties and functions of the Presiding Officer until such time as the Legislature fills the vacancy. In the event the County Legislature is unable to fill the vacancy within 60 days, the Deputy Presiding Officer shall assume the office of Presiding Officer and serve in that capacity for the unexpired term of his predecessor.

- B. In the event the office of Deputy Presiding Officer becomes vacant due to death, disability, resignation or any other cause, such vacancy shall be filled by the County Legislature at a regular legislative meeting within 60 days after such vacancy occurs. In the event the County Legislature is unable to fill the vacancy within 60 days, the Presiding Officer shall appoint a member of the County Legislature as the Deputy Presiding Officer. The Legislator appointed to fill a vacancy in the office of Deputy Presiding Officer pursuant to this section shall serve in that capacity for the unexpired term of his predecessor.

Section 3. Applicability.

This law shall apply to the filling of vacancies in the offices of the Presiding Officer and Deputy Presiding Officer of the County Legislature 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 its filing in the Office of the Secretary of State.

DATED: July 29, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: August 12, 2014

After a public hearing duly held on August 11, 2014
Filed with the Secretary of State on September 16, 2014