Intro. Res. No. 2-2014 Laid on Table 1/2/2014
Introduced by Presiding Officer

RESOLUTION NO. 2 -2014, ADOPTING RULES OF THE LEGISLATURE OF THE COUNTY OF SUFFOLK

BE IT RESOLVED, that the attached shall constitute the Rules of the Legislature of the County of Suffolk:

RULES OF THE SUFFOLK COUNTY LEGISLATURE

1. Organization
2. Order of Business
3. Powers & Duties of the Presiding Officer
4. Rights & Duties of Members
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8. Public Participation
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2014 RULES OF THE LEGISLATURE

RULE 1. ORGANIZATION

A.) The members of the Suffolk County Legislature shall meet to organize on the first business day in January in each calendar year, unless the first business day in January falls on a Friday, in which case the County Legislature shall hold its organizational meeting on the following Monday.

B.) At such organizational meeting, or at a recessed meeting, the Legislature shall select a member of the Legislature as Presiding Officer by an affirmative vote of at least a majority of the entire membership of the Legislature. The term of office of the Presiding Officer shall expire at the end of the calendar year in which he or she is selected.

C.) Upon his or her election, the Presiding Officer shall immediately assume all the duties and responsibilities of the office and shall continue to act in such capacity until the termination of his or her term of office as such.

D.) The County Legislature may act upon the following additional Resolutions at or after the organizational meeting:

1.) Appointment of Deputy Presiding Officer;

2.) Appointment of Clerk of the Legislature;

3.) Appointment of Chief Deputy Clerk;

4.) Appointment of Counsel to the Legislature.

5.) Fixing the time of regular meetings of the County Legislature; such regular meetings may only be changed by the adoption of a separate Resolution directed solely and explicitly to that purpose in conformity with the procedure set forth in Rules 5 and 6 of these Rules;

6.) Designating depositories pursuant to Section 212 of the COUNTY LAW;

7.) Designation of official newspapers pursuant to Section 214 of the NEW YORK COUNTY LAW;

8.) Designation of local newspapers in each town for publication of County notices; and

9.) Action on any other Resolution which would otherwise qualify or be eligible to be voted upon.

E.) The political party with the largest number of elected members of the County Legislature shall choose a majority conference leader and the political party with the second largest number of elected members of the County Legislature shall choose a minority conference leader.

RULE 2. ORDER OF BUSINESS

A.) At all regularly scheduled Legislative meetings the following business shall be conducted, unless otherwise changed by the Presiding Officer or by an affirmative vote of at least a majority of the entire membership of the Legislature, in the following order:

1.) Roll call at 9:30 A.M. for day time Legislative meetings or 4:00 p.m. for night-time Legislative meetings;

2.) Salute to the Flag;

3.) Invocation;

4.) Presentation of petitions and communications;

5.) Statements and presentations by Legislators. Legislators shall notify the Presiding Officer, no later than 12:00 noon of the day immediately preceding any Legislative meeting, of any such presentations to be made;

6.) Statements and presentations of Village, Town, State, or Federal elected officials;

7.) Statements and presentations by members of the public until 11:00 a.m. for day-time Legislative meetings and 6:30 p.m. for night-time Legislative meetings ("public portion") and again either immediately before or immediately after the public hearing portion, if necessary. In the event that consideration of a proposed Resolution, Charter Law, or Local Law (hereinafter referred to as "legislation") has not occurred prior to 6:00 p.m. on the day of a full daytime Legislative meeting, or 10:00 p.m. on the day of a full night-time Legislative meeting, then the public portion shall be deemed suspended so as to allow for a vote on all legislation. The public portion shall be suspended every time there is less than a majority of the members of the County Legislature present until such time as a quorum has been reconstituted. Elected or appointed County officials, department heads, and their representatives shall not be permitted to address the Legislature on official business under the public portion.

8.) Reports and Statements from the County Executive, and/or Commissioners, Directors, Deputy Commissioners, Division or Department Heads of any County Office, Agency, or Department; and interviews of any nominees to any County Boards, Commissions, Departments, Agencies, and Offices at which time they may be questioned by County Legislators;

9.) Consideration of the consent calendar;

10.) Consideration of motions, Resolutions, and notices together with

committee reports;

11.) Public hearings, except at special meetings, shall be held at 2:30 p.m. on the day of a full daytime Legislative meeting, or 6:30 p.m. of the day of a full night-time Legislative meeting;

12.) Schedule Public Hearing for Local Laws, if any;

13.) Consideration of unfinished business generally;

14.) Consideration of new business;

15.) Reports from committees, if any; and

16.) Adjournment.

B.) If a meeting of the County Legislature is not completed by twelve midnight (12:00 a.m.) on a meeting day, such meeting shall be recessed to another day and hour to be specified by the Presiding Officer unless there is a motion to extend the meeting beyond the hour of 12 midnight. In the event that a motion is made to extend the meeting beyond the hour of twelve midnight (12:00 a.m.), such procedural motion shall require an affirmative vote of at least a majority of the entire membership of the County Legislature.

RULE 3. POWERS AND DUTIES OF THE PRESIDING OFFICER.

A.) The Presiding Officer shall possess the following powers and perform the following duties:

1.) To preside over all meetings of the full Legislature; call the Legislature to order, direct a call of the roll, and, except in the absence of a quorum, proceed to business in a manner prescribed by these rules;

2.) To preserve order and decorum;

3.) To execute on behalf of the Legislature contracts and/or contract amendments and other documents authorized by the County Legislature and to execute all contracts necessary for the day-to-day operation and administration of the County Legislature without additional Legislative authorization;

4.) To decide all questions of order, subject to appeal of the Legislature as hereinafter provided;

5.) To substitute any Member to perform the duties of the chair in the absence of the Deputy Presiding Officer;

6.) To recess meetings;

7.) To declare a recess for lunch for a period of time determined by him or her;

8.) To be a voting member ex-officio of all Legislative committees and to receive notice of all meetings thereof;

9.) To appoint and designate or terminate, within the budgetary appropriations, all officers and employees of the Legislature not required to be selected by these Rules, except as provided for in Rule 4 (E) for Legislative Aides and Legislative Secretaries assigned to a Legislative District Office;

10.) To establish guidelines and criteria and approve the expenditure of funds in the budget of the Legislature for the printing and/or mailing of literature by members of the Legislature to their constituents within the appropriations therefore; provided, however, that no such literature shall be mailed at or delivered to any postal facility by such members during the period of forty-five (45) days immediately prior to a date of an election in which such member is a candidate, whether such election is a special, primary, or runoff election. Nothing contained in this Rule shall apply to any mailing which is:

a.) A direct response to inquiries or request from persons to whom the matter is mailed;

b.) Addressed to colleagues in the Legislature or to government officials (whether Federal, State, or Local); or

c.) Consisting entirely of news releases to the communications media;

11.) To establish independent committees, boards, and commissions to report to the Presiding Officer and/or Legislature, and appoint or remove the members thereof;

12.) To cancel public hearings for which the underlying Local Law or Charter Law has been withdrawn;

13.) To automatically sponsor all legislation requesting licenses, franchises, or fare increases for ferry operators; and

14.) Such other powers as may be set forth in more detail in these Rules or in state, federal, or local laws.

B.) In the event of an absence from a full Legislative meeting of the Presiding Officer, the Deputy Presiding Officer shall preside. The Deputy Presiding Officer shall, in

such event, exercise all the powers, duties and functions of the Presiding Officer at the meeting over which he or she is called to preside.

C.) In the event of the absence from a full Legislative meeting of both the Presiding Officer and the Deputy Presiding Officer, the Presiding Officer shall designate in writing another member of the Legislature to preside, or in the event the Presiding Officer is unable to make such designation in writing then the Majority Conference Leader shall preside, or in the event that such person is absent, then the Minority Conference Leader shall preside. Such person shall, in such event, exercise all the powers, duties and functions of the Presiding Officer at the meeting over which he or she is called to preside.

D.) In the event of a vacancy in the office of Presiding Officer, Deputy Presiding Officer, Clerk of the Legislature, Chief Deputy Clerk, or Counsel; the submission of a written resignation by one of the persons holding such office regardless of its effective date; or a physical or mental disability which impairs such person from performing his or her duties of holding such office, such vacancy shall be filled at a regular meeting of the County Legislature within sixty (60) days after such vacancy or resignation shall occur. The person so elected shall serve in that capacity for the unexpired term of his or her predecessor.

RULE 4. RIGHTS AND DUTIES OF MEMBERS

A.) Petitions and any other papers addressed to this Legislature for informational purposes only may be presented by the Presiding Officer, Clerk, or by any member.

B.) A member of the Legislature may introduce a Home Rule Message pursuant to, and in compliance with, Section 40 of the NEW YORK MUNICIPAL HOME RULE LAW. A Home Rule Message may be given immediate consideration in accordance with §C2-12 of the SUFFOLK COUNTY CHARTER.

C.) The Legislative committee created within the County Legislature for the purpose of maintaining general supervision of and liaison with the Legislative Office of Budget Review (BRO) shall meet monthly, maintain minutes, and disperse those minutes to all Legislators. The membership of the Legislative Budget Review Committee (Screening Committee) shall be as follows:

1.) The Presiding Officer of the Suffolk County Legislature:

2.) The Chairman of the Budget and Finance Committee or its successor Committee; and

3.) One (1) Legislator at Large, to be chosen by the Presiding Officer.

Any Legislator may request a report from the Legislative Office of Budget Review. The request will be acted upon by the BRO in accordance with the directives, rules, and priorities established by the Screening Committee.

D.) All members of the Legislature shall be entitled to postage that is reasonably necessary to discharge their day-to-day office responsibilities.

E.) All members of the County Legislature shall be entitled to the equivalent of three (3) full-time positions in their Legislative District Offices to consist of either Legislative Aides or Legislative Secretaries for the District Office, as determined by the Legislator for that District Office, each such person filling such position to be physically assigned to the district office. The appointment, designation, or termination of such individual shall be the sole and exclusive responsibility of the Legislator in whose district office the aide and/or secretary works, including simultaneous notification to the Payroll Clerk of the County Legislature. Nothing contained herein shall be construed as prohibiting the Presiding Officer from having additional staff assigned to the office of the Presiding Officer or from assigning additional staff beyond the above described minimum to other members of the County Legislature. All assignments of personnel hereunder shall be subject to available appropriations. Any permanent part-time budgeted exempt employee authorized by this paragraph shall be entitled to health insurance benefits as long as he or she works at least fifty-one percent (51%) of the established work week, anything in any other agreement or resolution to the contrary notwithstanding.

F.) A member of the Legislature may not serve as a voting member on the Board of Directors of a voluntary non-profit corporation or association that is receiving County funding pursuant to a contract with the County of Suffolk.

RULE 5. INTRODUCING LEGISLATION

A.) All legislation to be submitted to the Legislature shall be in strict compliance with Section C2-11 of the Suffolk County Charter and shall be filed with the Clerk of the Legislature no later than 1:00 p.m. at least four (4) business days immediately prior to the Legislative meeting at which such legislation is to be laid on the table.

B.) Immediately upon assignment of an introductory number to legislation, the Clerk shall make available to the Presiding Officer a copy of such legislation. The Clerk shall deliver copies of such legislation, including backup material, to all Legislators at the commencement of the meeting at which said legislation is to be laid on the table. The Clerk shall also electronically deliver copies of legislation to be laid on the table, with backup material, to each Legislator's electronic mailbox and to the County Attorney, the County Executive, and Legislative Counsel. Any Legislator may waive his or her right to receive hard copies of legislation for the purposes of complying with the seven (7) day rule, where applicable, as set forth in Section C2-12(A) of the SUFFOLK COUNTY CHARTER, by issuing such a waiver in writing to the Clerk of the County Legislature.

RULE 6. DISCHARGE OF LEGISLATION.

A.) The Presiding Officer shall assign legislation laid on the table to a committee of the Legislature for its review and report.

B.) Legislation laid on the table shall be placed on the agenda for consideration by the full Legislature at its next regularly scheduled meeting and shall be eligible for a vote by the full Legislature only if it been discharged, with or without recommendation, by a majority of the members present and voting and the number

of those present and voting to discharge equals in number at least a majority of the entire membership of the Legislative committee to which it has been assigned. For the purposes of this rule, the term "entire membership of the Legislative committee" shall mean the members appointed to the committee by the Presiding Officer and shall not include the Presiding Officer acting in his or her ex-officio capacity. The "entire membership of the Legislative committee" shall not increase when the Presiding Officer votes at a committee meeting in his or her ex-officio capacity. For the purposes of this rule, the term "members present and voting" shall include members casting an abstention.

C.) Legislation may be discharged from an assigned committee by a written petition to discharge being presented to the Clerk of the Legislature, signed by at least ten (10) members of the Legislature. A petition to discharge shall be delivered to the Clerk of the Legislature no later than 12:00 noon on the day immediately preceding a regular meeting. The Clerk shall notify all Legislators electronically that said legislation will be eligible for consideration at the next regular meeting.

1.) In the case of legislation that is the subject of a public hearing, such petition may only be submitted if the public hearing on said legislation has been closed. This subparagraph may not be waived at any meeting of the County Legislature by any vote.

2.) Legislation which has been defeated or tabled subject to call in its assigned committee, is eligible to be discharged from the committee by a petition to discharge.

D.) If proposed legislation is not discharged, with or without recommendation, by an assigned committee of the Legislature, or by a written petition to discharge, within a period of six (6) months from the date it has been laid on the table of the Legislature, then such legislation shall be deemed withdrawn as of the expiration of the six- (6)-month period.

E.) Each committee shall report the outcome of its vote on legislation to the Clerk of the Legislature, in writing, on forms prescribed by the Clerk of the Legislature at the conclusion of the committee meeting, but no later than twenty-four (24) hours from the conclusion of its committee meeting.

F.) Legislation may not be considered at any Legislative meeting unless it has been previously submitted to the Clerk of the Legislature no later than 5:00 p.m. and has been laid on the table for at least seven (7) days in its' final form, exclusive of Sunday. Pursuant to §C2-12(A) of the Suffolk County Charter, Home Rule Messages, Procedural Resolutions related solely to the internal function of the Legislature, budget resolutions, tax levy and tax warrant resolutions, and resolutions accepting grants, are not subject to this seven (7) day maturation period.

1.) An amended copy of proposed legislation may not deviate from the copy being amended as to subject matter, purpose, and intent.

2.) On the same date that an amended version of proposed legislation is filed with the Clerk of the Suffolk County Legislature, the Clerk shall deliver a copy of such amendment to each Legislator's box in the William H. Rogers Legislature Building in Hauppauge with a copy of the cover letter which accompanies and explains the changes in the amended version, and, on the same date, shall deliver the same to each Legislator's electronic mailbox. Any Legislator may waive his or her right to receive hard copies of amended legislation for the purposes of complying with the seven (7) day rule, where applicable, as set forth in Section C2-12(A) of the SUFFOLK COUNTY CHARTER, by issuing such a waiver in writing to the Clerk of the County Legislature.

3.) Any legislation, or amended copy of proposed legislation filed with the Clerk of the County Legislature including, but not limited to legislation filed by the County Executive, shall be accompanied simultaneously by an electronic mail transmission of same or such other electronic filing as may be acceptable to the Clerk in order to be eligible for consideration by the County Legislature. In the event that the electronically filed legislation is not identical to the filed paper copy, the legislation shall be deemed a nullity.

4.) The Clerk of the Suffolk County Legislature shall include the phrase "amended copy as of [insert date]" on all amended copies of proposed legislation which do not contain said designation at the time of filing, prior to distribution.

G.) Any other vote on legislation, in committee, which vote is not for the purpose of discharging the pertinent bill from the assigned committee, shall require the affirmative vote of at least a majority of the members of the committee present and voting, as long as a quorum is present at such committee meeting.

H.) In addition, any Resolution that does not legally require a roll call vote, may be recommended to the Presiding Officer by a unanimous vote of the membership of the assigned committee present and voting for placement on a "Consent Calendar".

1.) If the Presiding Officer agrees to place such Resolution on the Consent Calendar, then the Clerk of the County Legislature shall provide the list of such Resolutions, so placed on said calendar to each Legislator no later than the business day immediately preceding the Legislative meeting at which such Resolutions are eligible for consideration. If the Presiding Officer does not place a Resolution so recommended on such Consent Calendar, then such Resolution shall be acted upon in accordance with the provisions of all other Rules as a separate Resolution.

2.) Unless at least one (1) Legislator objects, prior to the vote of the entire County Legislature, to the placement of such Resolution on said Consent Calendar, then all such Resolutions placed on such calendar may be acted upon by the entire County Legislature in a single vote. If

an objection is raised by at least one (1) Legislator to the placement of a specific Resolution on such Consent Calendar for a vote on said calendar, then each such Resolution so objected to shall be subjected to an individual separate vote by the entire County Legislature at the same Legislative meeting as if the Resolution had been discharged from the pertinent assigned committee as part of the regular agenda and in its regular order.

3.) The Clerk of the Legislature shall maintain a separate agenda sheet for any Resolutions placed on said calendar entitled "Consent Calendar". Legislation on the Consent Calendar shall be considered in a single vote, subject to the objection of a Legislator to any such legislation, without intervening motion, amendment, or debate, and before other legislation is considered.

I.) Any legislation placed on the agenda for consideration by the full Legislature and eligible to be voted upon by the Legislature, may be returned to the Legislative committee to which it was assigned or such other committee of the Legislature by an affirmative vote of at least a majority of the entire membership of the Legislature in order to obtain additional information, or to reconsider such legislation. If such legislation is so returned to committee, then the Clerk of the Legislature shall remove it from the Legislative agenda for the next regularly scheduled meeting, subject to the provisions of this Rule. The six month time period for committee action as set forth in Rule 6(D) shall begin to run again from the date the legislation is recommitted to committee.

J.) If proposed legislation has remained on the table subject to call for six (6) months, it shall be deemed withdrawn as of the expiration of the six- (6)-month period.

K.) All legislation deemed ineligible for a vote by the full Legislature shall automatically remain on the table and be carried over to the next regularly scheduled Legislative meeting at which such legislation is eligible for a vote under the above provisions.

RULE 7. ACTION ON LEGISLATION

A.) Each Local Law, Charter Law, or Resolution to be considered by the full Legislature shall be either:

1.) Approved;

2.) Defeated;

3.) Deemed defeated for lack of motion or second;

4.) Tabled;

5.) Tabled to a date certain;

6.) Tabled subject to call. Legislation that is placed on the agenda for consideration by the full Legislature and which remains tabled for six (6) months shall be deemed tabled subject to call;

7.) Recommitted or referred to committee; or

8.) Ineligible for a vote by the full Legislature.

B.) If legislation is defeated, it shall not be reintroduced at the meeting at which it was defeated. Such legislation may only be reintroduced at a subsequent date by filing it with the Clerk of the Legislature. Any legislation that is before the Legislature at the conclusion of a Legislative even-numbered year, shall carry over to the next year subject to the six- (6)-month limitation described above. However, at the end of the term of the Legislature, any legislation that is before the Legislature at the end of a Legislative term, shall be deemed stricken from the calendar as of midnight of the last day of the second year of such Legislative term; legislation adopted by the County Legislature prior to the end of the term which is awaiting County Executive action, or legislation which has been vetoed by the County Executive and is eligible for an override vote, shall not be stricken at the end of such Legislative term.

C.) If the County Executive disapproves a Local Law, Charter Law, or Resolution, the County Legislature may, within thirty (30) days after said legislation and statement of reasons for non-approval are presented to it by the Clerk pursuant to Section C2-15 of the SUFFOLK COUNTY CHARTER, reconsider and re-pass (by veto override) such legislation by an affirmative vote of at least two-thirds (2/3) of the entire membership of the Legislature. It shall then be deemed adopted notwithstanding the objections of the County Executive. Only one (1) vote shall be had upon such reconsideration.

D.) A full roll-call vote shall be taken on any question whenever requested by a member and on any Resolution which authorizes the issuance of obligations against the County of Suffolk pledging the full faith and credit thereof for the repayment of such obligations.

E.) Such roll-call shall commence with the First (1st) Legislative District and proceed in numerical order through all the Legislative Districts in all odd-numbered months, (i.e., January, March, etc.). During the even-numbered months, such roll-call votes shall commence with the Eighteenth (18th) Legislative District and work backward in inverse order. Notwithstanding the above, the last vote in any roll-call shall be cast by the Presiding Officer and the next to last vote shall be cast by the Deputy Presiding Officer.

F.) If the Legislature shall be equally divided on any question, the question shall be deemed defeated.

G.) The adoption of all legislation and all other questions shall be by a voice vote which shall be duly recorded and shall be by affirmative vote of at least a majority of the entire membership of the Legislature, except where otherwise required by law or stated in these Rules.

H.) In cases where a motion, order, or Resolution shall be entered in the minutes, the name of the Member introducing, moving and seconding shall be entered in the minutes.

I.) Any member of the County Legislature shall be entitled to speak on any question that is before the Legislature for five (5) minutes, except that no Legislator shall discuss, debate or explain his or her vote during the actual roll call vote. At the discretion of the Presiding Officer, a Legislator's speaking time shall be extended. A motion to table any legislation shall not automatically cut off debate on a question that is before the Legislature, and said motion to table may be debated. Said motion to table may be made and/or entertained during any roll-call vote.

J.) The following rules shall apply to Certificates of Necessity:

1.) In the event that a Certificate of Necessity is issued by the County Executive for a proposed Resolution, Charter Law, or Local Law, and such proposed Resolution, Charter Law, or Local Law receives at least twelve (12) votes of the entire membership of the County Legislature, then such Resolution, Charter Law, or Local Law shall be deemed approved.

2.) In the event that a Certificate of Necessity is issued by the County Executive for a proposed Resolution, Charter Law, or Local Law, and such proposed Resolution, Charter Law, or Local Law receives at least ten (10), but less than twelve (12) votes, of the entire membership of the County Legislature, then such Resolution, Charter Law, or Local Law shall be referred to such committee or committees of the County Legislature as may be designated by the Presiding Officer of the County Legislature.

3.) In the event that a Certificate of Necessity is issued by the County Executive for a proposed Resolution, Charter Law, or Local Law, and such proposed Resolution, Charter Law, or Local Law receives less than ten (10) votes of the entire membership of the County Legislature, then such Resolution, Charter Law, or Local Law shall be deemed defeated and shall not be assigned to any committee of the County Legislature.

4.) In the event that a Certificate of Necessity is issued by the County Executive for a proposed Resolution, Charter Law, or Local Law, a motion to refer such Resolution, Charter Law, or Local Law to committee may be made. If such motion is approved by at least ten (10) votes of the entire membership of the County Legislature, then such Resolution, Charter Law, or Local Law shall be referred to such committee as may be designated by the Presiding Officer. This motion shall take priority over a motion to approve or a motion to table such Resolution, Charter Law, or Local Law for which a Certificate of Necessity has been issued, anything in Rule 11(F) to the contrary notwithstanding.

K.) Omnibus Budget Amendments. A resolution which seeks to amend the proposed operating budget or proposed capital budget in an omnibus fashion must be sponsored by at least five (5) Legislators before it may be considered by the full Legislature.

RULE 8. PUBLIC PARTICIPATION

A.) At the public portion of all regularly scheduled Legislative meetings all persons who have filled out the appropriate speaker's card shall be entitled to speak to the full Legislature for a period not to exceed three (3) minutes.

B.) At any Special Legislative meeting held pursuant to Section A2-6(B) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, the Presiding Officer shall schedule a public portion not to exceed one (1) hour in duration during which period of time individuals who have filled out an appropriate speaker's card shall be entitled to speak to the full Legislature for a period not to exceed three (3) minutes in the order in which the cards have been signed up to the expiration of the one (1) hour period regardless of whether or not all speakers who have signed a card are able to speak. This one (1) hour limitation for the public portion at a Special Meeting may be extended by a vote of at least a majority of the entire membership of the County Legislature. This one (1) hour period for the public portion at a Special Legislative Meeting may be shortened or terminated by a vote of at least a majority of the entire membership of the County Legislature if no more speakers from the public are in attendance.

C.) At any meeting of the Legislature the Presiding Officer shall follow the speaker cards in numerical order regardless of the status as a regular speaker or public official. A State, federal, or local official may speak at any time, if requested by a member of the County Legislature to do so in accordance with Rule 11(C) and Rule 2 (A)(11), except during the public portion.

D.) At any meeting of the full Legislature, no Legislator shall engage in commentary, discussion, or debate with any speaker during any period of the public portion. The three (3) minutes allocated to individuals who wish to speak during the public portion under Rule 8(A) and (B) and Section 24-11 of the SUFFOLK COUNTY CHARTER shall be devoted exclusively to commentary, testimony, or advocacy by the individual member of the public so addressing the County Legislature. This subparagraph may not be waived at any meeting of the County Legislature by any vote.

E.) The public portion shall be suspended at any time that there is less than a majority of the members of the County Legislature present until such time as a quorum has been reconstituted.

F.) At meetings of legislative standing committees, persons who have filled out the appropriate speaker’s card are entitled to speak to the committee for three (3) minutes.

RULE 9. PUBLIC HEARINGS

A.) Any individual, other than a member of the Legislature, who wishes to speak at a public hearing conducted before the full Legislature, for the purpose of ultimately acting upon legislation which is the subject matter of said public hearing may speak at such public hearing for a period of time not to exceed three (3) minutes in total. This three (3) minute limit shall not include time expended in answering questions posed by members of the Legislature. Persons speaking at a public hearing may submit a copy of their testimony to the Clerk of the Legislature for inclusion in the public record.

B.) Any Local Law, Charter Law, or Resolution which is the subject matter of a public hearing shall not be placed on the agenda for consideration by the full Legislature, shall not be eligible for approval by the full Legislature or by any Legislative committees, and no action shall be taken by the assigned committee pursuant to this Rule unless the underlying public hearing has first been closed. A public hearing on a proposed Charter Law or Local Law may not be closed if the subject law is amended, in a substantial way, two or less business days prior to the scheduled public hearing.

C.) In the case of public hearings for the purpose of taking and receiving testimony and evidence, testimony may be taken and evidence received at any such public hearing at which there are not less than two (2) members of the Legislature.

D.) No public hearing conducted before the full Legislature for the purpose of ultimately acting upon legislation, which is the subject matter of said public hearing, shall exceed a total of three (3) hours during a Legislative meeting, unless extended by an affirmative vote of at least a majority of the entire membership of the Legislature, upon a motion directed solely and explicitly to such an extension of time for said public hearing. If a public hearing has not been closed at the conclusion of the subscribed period, then the Legislature shall recess said public hearing to the next regularly scheduled Legislative meeting, or such other date as may be determined, and the subscribed period will commence anew under the same procedure. This procedure shall be repeated until the public hearing for the legislation is closed.

E.) If legislation requiring a public hearing is withdrawn or stricken, and the legislation is reintroduced, a new public hearing shall be required.

F.) If a motion to close a public hearing fails, the public hearing will automatically be recessed until the next regularly scheduled meeting of the Legislature.

RULE 10. QUORUM

A.) A majority of the entire membership of the Legislature shall constitute a quorum for the purpose of conducting any business. In the event that less than a majority of the members are present during a public hearing or public portion, of a General or Special Legislature Meeting, then such public hearing or public portion shall be suspended pending reconstitution of said quorum.

B.) In the absence of a quorum during a session of the Legislature, the members present may take such measures as they deem necessary to secure the presence of a quorum by an affirmative vote of at least a majority of those present, and may direct the Sheriff of the County to compel the attendance of any absent member and may impose such censure or pecuniary penalty, not exceeding Fifty ($50.00) Dollars, as they deem just, on a member, who, on being called for that purpose shall render no sufficient excuse for his or her absence.

RULE 11. RULES OF ORDER

A.) The Presiding Officer shall decide all questions of order. The Presiding Officer's determination shall be final unless an appeal is taken to the full Legislature and sustained by an affirmative vote of at least a majority of the entire membership of the Legislature. Legislators shall have the right to appeal rulings of the Chair and assign their reasons for the challenge. The Presiding Officer on every appeal shall have the right to assign his or her reason for the ruling. In the event of a tie vote, the ruling of the Chair shall be deemed sustained.

B.) Except as otherwise provided herein, no person shall be entitled to the privileges of the floor during the session of the Legislature unless consent is given by the Presiding Officer.

C.) Any State, Federal, or municipal officer may be heard before the Legislature on official business at the request of any member of the Legislature upon being recognized by the Presiding Officer or with majority approval of the entire membership of the Legislature, for the purposes of making a statement and answering questions.

D.) The County Executive, the County Attorney, any elected County official or department head, or their representatives, may address the Legislature upon matters which concern their respective offices and answer questions from Legislators upon being recognized by the Presiding Officer, or upon majority approval of the entire membership of the Legislature.

E.) If the Presiding Officer directs that a vote shall be taken by the Legislature, the Presiding Officer or the Clerk of the Legislature shall read the Introductory Resolution number and may read synopsis of the subject matter of the Resolution and may request the report of the committee and such other committees as he or she shall deem necessary; and shall call the affirmative and negative votes and abstentions.

F.) If a question shall be under consideration, no motion shall be received except as herein specified, which motion, termed a subsidiary motion, shall have precedence, in the order named, to wit:

1.) For a recess of the Legislature;

2.) For an adjournment of the Legislature;

3.) To cut off debate;

4.) For reconsideration of the previous question;

5.) To appeal a ruling of the Chair;

6.) To waive a Rule of the Legislature;

7.) To postpone someone else's motion;

8.) To table a pending motion;

9.) To amend a pending motion;

10.) To amend a provision of a Budget Amendment Resolution;

11.) To refer a Certificate of Necessity to Committee***;***

12.) To table subject to call;

13.) To table to a date certain;

14.) To table to a later time on the same day of the meeting;

15.) To commit, refer, or return to a standing committee;

16.) To commit, refer, or return to a special committee;

17.) To lay on the table;

18.) To change committee assignment of legislation; and

19.) To approve***.***

G.) No legislation, other than a Budget Amendment Resolution, may be modified, changed, or amended without the consent of the primary sponsor defined for the purposes of this paragraph as the initial sponsor. Legislation may be withdrawn by a primary sponsor, and upon such action shall be deemed withdrawn irrespective of any co-sponsors.

H.) A motion may be withdrawn by the member presenting it prior to a vote thereon. Such withdrawal shall preclude all amendments and further debate on such motion. If the Legislature shall order that the previous question and amendments are pending, the question shall first be taken on such amendments in reverse order and then upon the main question without further debate or amendment.

I.) A motion for reconsideration shall not be in order unless made at the full meeting of the Legislative meeting (regular or special) on which the action proposed to be reconsidered took place.

1.) A motion to reconsider must be made by a member who voted with the

prevailing side on the action proposed to be reconsidered except that a member who was absent for the vote shall have a right to move for reconsideration of the same. Such a motion must be approved by an affirmative vote of at least a majority of the entire membership of the Legislature.

2.) If a motion to reconsider has been defeated, it shall not be again submitted to the Legislature without the approval of at least two-thirds (2/3) of the entire membership of the County Legislature.

3.) A motion for reconsideration at a committee meeting of the Legislature shall only take place at the same meeting in which the original action was taken.

RULE 12. DECORUM.

A.) No member speaking to debate, to give a notice, to make a motion or report, or to present a petition or other paper shall proceed until he or she has addressed the Presiding Officer and has been recognized by him or her.

B.) While a member is speaking, other members shall show courtesy and respect.

RULE 13. STANDARDS OF OFFICIAL CONDUCT.

A.) No action shall be taken on a motion to censure, admonish, or reprimand a Legislator until and unless the Legislator who is the subject of the allegations or complaint is personally served with a written copy of the complaint or allegation. The Presiding Officer shall refer a complaint concerning the alleged behavior or actions of a Legislator to an appropriate committee of the Legislature, whereupon said committee shall issue a factual report substantiating or refuting an allegation no later than sixty (60) days subsequent to the receipt of the complaint. It is only after such a report is filed with the Clerk of the Legislature and issued to all County Legislators that a censure, admonition, or reprimand may be considered by the full Legislature. Legislative action to censure, admonish, or reprimand a Legislator shall be limited to acts of proven misconduct such as criminal convictions, misuse of public funds, acceptance of illegal political contributions, a violation of the County Code of Ethics, filing a false County financial disclosure statement, abuse of the public trust; or acts of moral depravity.

B.) Any motion to censure, admonish, or reprimand a Legislator shall require an affirmative vote of at least two-thirds (2/3) of the entire membership of the County Legislature. The penalty for such censure, admonition, or reprimand shall be determined by an affirmative vote of at least two-thirds (2/3) of the entire membership of the County Legislature acting upon recommendations prepared by the committee to which it was assigned.

C.) The Presiding Officer shall rule out of order any Legislator who engages in a discourse that consists primarily and substantially of attacks on the character, personality, or integrity of another Legislator, or other Legislators.

RULE 14. COMMITTEES.

A.) The Presiding Officer of the County Legislature shall appoint Standing committees and the chairpersons thereof and establish a schedule of committee meetings for the calendar year within twenty (20) days after his or her election at the organizational meeting of the County Legislature.

B.) Legislation shall be assigned by the Presiding Officer to a standing or special committee, pursuant to Rule 6(A).

C.) The chairperson of a standing committee shall have the authority, subject to the approval of the Presiding Officer, to change the date and/or time of a scheduled committee meeting or to call a special meeting of the committee. The chairperson of a committee shall provide notice of a rescheduled or special meeting, in written or electronic form, to each member of the Legislature at least two days prior to the date of the rescheduled or special committee meeting. In the case of a special meeting, the notice shall also describe the purpose of such meeting.

D.) The Presiding Officer may establish special committees, to perform certain tasks or study particular issues as he or she deems necessary. The Presiding Officer shall appoint the members and chairpersons of such committees.

RULE 15. MEETINGS OF THE LEGISLATURE.

A.) With the exception of the organizational meeting required by Section A2-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE, the Suffolk County Legislature shall meet in accordance with a schedule adopted at the organizational meeting of each year and on such other days as the Legislature may adjourn to.

B.) Regularly scheduled meetings may be canceled by an affirmative vote of a majority of the membership of the entire County Legislature. Regularly scheduled meetings may only be changed or rescheduled by the adoption of a separate Procedural Resolution directed solely and explicitly to that purpose.

C.) Special meetings may be called upon the direction of the Presiding Officer, County Executive, or upon a written request signed by at least a majority of the entire membership of the County Legislature pursuant to the provisions of Section 2-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

D.) Each regular meeting of the County Legislature shall be called for 9:30 a.m., except that any night meeting shall be called by the Presiding Officer at 4:00 p.m. pursuant to the Resolution of the County Legislature fixing the time of regular meetings of the County Legislature.

RULE 16. OFFICERS AND EMPLOYEES.

A.) No individual who is not a member of the Suffolk County Legislature or an employee or member of the staff of the Suffolk County Legislature, or of an individual Legislator, shall stand in the entranceways to either the Riverhead or Hauppauge Legislative buildings immediately adjacent to and leading into the horseshoes (dais areas) or immediately behind Legislative seats at the horseshoes

(dais areas) during general and committee meetings of the Suffolk County Legislature. Any discussions by individuals who are not members of the County Legislature or an employee or member of the staff of the Suffolk County Legislature, or of an individual Legislator, shall take place in conference rooms or separate offices in the Legislative buildings away from the hallways and entrances immediately leading into the Legislative horseshoes. Nothing contained herein shall preclude members of the Legislature from engaging in discussions with any other member of the Legislature or any employee or member of the staff of the Suffolk County Legislature, or of an individual Legislator, in the entranceways to either the Riverhead or Hauppauge Legislative buildings immediately adjacent to and leading into the horseshoes or immediately behind Legislative seats at the horseshoes during a legislative meeting or committee meeting, as the case may be. Any Legislator at a general meeting, or at any committee meeting, may request all media or non-legislative personnel present in the entranceways to either the Riverhead or Hauppauge Legislative buildings immediately adjacent to and leading into the horseshoes or immediately behind Legislative seats at the horseshoes to leave such area. Such requests shall be honored by the chairperson; and media or other non-legislative personnel shall be required to leave such areas.

B.) A separate area, on the public side of the horseshoe (dais area) but within the auditorium, shall be reserved for use by the news media or news organizations, The Clerk of the Legislature shall provide a table and chairs for use by news personnel. All news media or news organization personnel shall identify themselves to the Clerk of the Legislature prior to any use of this reserved area.

C.) All members of the Suffolk County Legislature, employees of the Suffolk County Legislature, members of the staff of the Suffolk County Legislature or of an individual Legislator, and all members of the public shall turn off the ringer to their cell phones when entering the Riverhead or Hauppauge Legislative auditorium and shall keep such ringer turned off. At no time during any General Meeting, Special Meeting, or Committee meeting shall the use of a cell phone in the Riverhead or Hauppauge auditorium be permitted.

RULE 17. PAPERS.

The Legislature shall determine what communications, petitions, Resolutions, or other matters shall go into the official proceedings of record.

RULE 18. MINUTES AND PROCEEDINGS OF THE LEGISLATURE.

A.) A stenographic record shall be made at all regular and special meetings of the County Legislature which record shall be transcribed as the Presiding Officer may direct.

B.) The stenographic record shall be filed in the Office of the Clerk of the County Legislature and shall be available for transcription or reproduction.

C.) In addition, a voice recording of each session shall be made and maintained by the Office of the Clerk of the County Legislature in accordance with State law as adopted by the County Legislature.

RULE 19. PLACEMENT ON THE AGENDA.

The Clerk of the Legislature shall list Resolutions, Local Laws, and Charter Laws, in the sequential order in which they are reported out of the assigned committee or as otherwise directed by the Presiding Officer. Home Rule Messages shall be listed in numerical order.

RULE 20. LEGAL MEMORANDA.

Before any Local Law or Charter Law may be introduced by any member, it shall be presented to the Counsel to the County Legislature who shall deliver to the Clerk of the Legislature within sixty (60) days thereafter, a memorandum as to form and legal significance of the proposed Local Law or Charter Law. This memorandum shall be deemed a Rule 28 Memorandum of Law for the purposes of this Resolution.

RULE 21. ROBERT'S RULES OF ORDER.

Except as otherwise provided herein, the proceedings of the Legislature shall be governed by Robert's Rules of Order.

RULE 22. AMENDMENTS.

These Rules, other than Rule 1, Rule 6(C)(1), Rule 8(D) and this Rule, may be waived at any meeting of the County Legislature by an affirmative vote of at least a majority of the entire membership of the County Legislature. These Rules may be amended through Resolution in accordance with and pursuant to the provisions of Rules 5 and 6.

DATED: January 2, 2014

Effective pursuant to Section A2-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE and Sections C2-15(A) and C2-7 of the SUFFOLK COUNTY CHARTER.