1646

Intro. Res. No. -2008 Laid on Table 6/24/08
Introduced by Legislator Lindsay

RESOLUTION NO. –2008, AUTHORIZING TRANSFER OF TWO (2) SURPLUS COUNTY LASERJET PRINTERS TO EVERY CHILD'S DREAM

WHEREAS, the Suffolk County Department of Public Works has submitted a list of surplus computer systems and hardware which have been declared surplus; and

WHEREAS, this equipment has been taken out of service because of obsolescent technology; and

WHEREAS, Every Child's Dream has requested the donation of two Laserjet printers; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered and directed, to transfer the following surplus equipment to the following organization for use within its facilities for nominal consideration:

TO:	**MANUFACTURE SERIAL NO.:**
Every Child's Dream 400 Townline Road Hauppauge, NY 11788	USLND19761 USNC115269

Contact: Charles Russo
Telephone No.: 631-265-7000

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (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, and 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 resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-surplus-computer-every-childs-dream

1647

Intro. Res. No. -2008 Laid on Table 6/24/2008

Introduced by Legislator Schneiderman

RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH HISTORIC RESTORATION AND PRESERVATION AT THIRD HOUSE, THEODORE ROOSEVELT COUNTY PARK, MONTAUK (CP 7510)

WHEREAS, funds are required for the restoration and improvements to buildings at the Third House, Theodore Roosevelt County Park, Montauk; and

WHEREAS, the Suffolk County Parks Board of Trustees has passed a resolution requesting funding to correct safety issues in the flooring of the building; and

WHEREAS, sufficient funds are not included within the 2008 Capital Budget and Program to cover the cost of said request under Capital Project 7510 and pursuant to Suffolk County Charter, Section C4-3, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system implemented in the Adopted 2008 Capital Budget as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $300,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution Number 675-1996 determined that the Improvements to Historic Sites and Buildings at Third House, Theodore Roosevelt County Park, Montauk constitute a Type II action because they involve replacement, rehabilitation or reconstruction of a structure or facility in-kind, on the same site; and

RESOLVED, that it is hereby determined that this project, with a priority ranking of forty (40), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, and reaffirmed by Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1755
Project Title: Infrastructure Improvements for Traffic & Public Safety & Public Health

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$2,065,000	$2,575,000B	$2,065,000B
TOTAL	$2,065,000	$2,575,000	$2,065,000

Project No.: 7510
Project Title: Historic Restoration and Preservation Fund

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$13,634,700	$1,600,000B	$1,900,000B
TOTAL	$14,461,200	$1,770,000	$2,070,000

RESOLVED, that the proceeds of $300,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	JC	Project Title	Amount
525-CAP-7510.338	26	Improvements to Historic Sites and Buildings at Third House, Montauk	$300,000

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date:

T:\BRO\IR CP7510 Thrid House Montauk.doc

1648

Intro. Res. No. -2008
Introduced by Legislator D'Amaro

Laid on Table 6/24/08

RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF ONE (1) SURPLUS COUNTY COMPUTER, TWO (2) SURPLUS COUNTY MONITORS AND TWO (2) SURPLUS COUNTY PRINTERS TO SPLASHES OF HOPE

WHEREAS, the Suffolk County Department of Public Works has submitted a list of surplus computer systems and hardware which have been declared surplus; and

WHEREAS, this equipment has been taken out of service because of obsolescent technology; and

WHEREAS, Splashes of Hope has requested the donation of these computer systems and hardware from the County; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

TO:
Splashes of Hope
PO Box 537
Huntington, NY 11743

Contact: Heather Buggee
Telephone: 631-424-8230

MANUF. SERIAL NO:
Computer - 85Z0T01

Monitor – 205MX22735
Monitor – 205MX22741

Printer – JPBDM60232
Printer – 41-ZY749

and be it further

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (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, and 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 resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-computer-splashes-of-hope

1649

Intro. Res. No. -2008 Laid on Table 6/24/08
Introduced by Legislator Montano

RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF TWO (2) SURPLUS COUNTY LAPTOPS TO NASSAU\SUFFOLK HISPANIC TASK FORCE, INC.

WHEREAS, the Suffolk County Department of Public Works has submitted a list of surplus computer systems and hardware which have been declared surplus; and

WHEREAS, this equipment has been taken out of service because of obsolescent technology; and

WHEREAS, Nassau\Suffolk Hispanic Task force, Inc. has requested the donation of two (2) Laptops from the County; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

TO:	**MANUF. SERIAL NO:**
Nassau\Suffolk Hispanic Task Force, Inc. 10 First Street Brentwood, NY 11717	7G680A00H1 8T4R501
Contact: Ruth Gaines Telephone: 631-348-0409	

and be it further

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (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, and 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 resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-computer-nassau-suffolk-hispanic-task-force

1651

Intro. Res. No. -2008 Laid on the Table 6 /24/2008

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ESTABLISHING A TRUTH AND ACCURACY POLICY TO REFLECT THE IMPACT OF NEW YORK STATE EQUALIZATION ON SUFFOLK COUNTY REAL PROPERTY TAX BILLING

WHEREAS, Resolution No. 256-1998, *Establishing A Truth And Accuracy In Property Tax Billing Policy,* provided for reformatting of the tax bill to separately state and set forth the tax due for the County General Fund and the Police District Fund; and

WHEREAS, Resolution No. 862-1990, *Directing The Receiver Of Taxes Of The Towns Of Suffolk County To Prepare Tax Bills Which Itemize Certain Taxes Collected By The Towns,* provided for reformatting of the tax bill to separately state and set forth the tax due the County and the amount actually attributable to tax certiorari awards and settlements; and

WHEREAS, Article 12 of the New York State Real Property Tax Law requires the New York State Office of Real Property Services (ORPS) to establish a State Equalization Rate (Equalization Rate) for each County to determine the full valuation of taxable real property therein; and

WHEREAS, the Equalization Rate set by ORPS inflates the tax warrant for the County's General Fund; and

WHEREAS, the existing format of the tax bills sent out by the Towns in the County does not separately set forth the warrant for the General Fund before adjustment by the Equalization Rate, and the amount of the warrant for the General Fund after adjustment by the Equalization Rate and

WHEREAS, the result of not separately itemizing the difference renders the taxpayer incapable of discerning the actual County tax warrant; and

WHEREAS, it would be in the taxpayer's best interest if the tax bill sent to real property owners by the Receivers of Taxes of the ten (10) Suffolk County towns set forth on separate lines the County tax warrant for the General Fund before adjustment by the Equalization Rate, and the amount of the warrant for the General Fund after adjustment by the Equalization Rate; now, therefore, be it

1st **RESOLVED,** that pursuant to Sections 11 and 21 of the Suffolk County Tax Act, the Real Property Tax bills to be prepared by the Receivers of Taxes of the ten (10) towns of Suffolk County shall be reformatted as follows: commencing with the tax bill for the tax year 2008-2009 and in all tax years thereafter, the tax bill shall set forth on separate lines the County tax warrant for the General Fund before adjustment by the Equalization Rate, and the amount of the warrant for the General Fund after adjustment by the Equalization Rate; and be it further

2nd **RESOLVED,** that

A.) in the event that the Legislative Office of Budget Review, in consultation with the Legislature's Counsel, certifies that tax bills are printed, and/or mailed by any of the Receivers of Taxes of the ten (10) towns of Suffolk County in a format that does not comply with this Resolution, then the County Department of Audit and Control and the County Department of Finance and Taxation are hereby respectively authorized, empowered, and directed, under Sections 5-2(I) and 15-2(G) of the SUFFOLK COUNTY CHARTER, to decline to process for payment or actually pay any form of County financial assistance or County compensation that is 100 per cent County-funded (including Sewer Tax Stabilization monies authorized by Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection, and County Taxpayers") to a Town within the County of Suffolk including, but not limited to, payments under Section 4-6(J) of the SUFFOLK COUNTY CHARTER; or

B.) in the event that any Receiver of Taxes of the ten (10) towns of Suffolk County willfully violates the provisions of this resolution by knowingly refusing to provide these separate tax bill lines, then the Town in which such Receiver of Taxes is so employed shall be ineligible for receipt of any form of financial aid or assistance from the County of Suffolk, including Sewer Tax Stabilization monies authorized by Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection, and County Taxpayers"; any program of County assistance or compensation for the printing of such tax bills, and transfers of real property or personal property to a Town within the County of Suffolk, for as long as such Town is out of compliance with this Resolution. Funding for the printing of real property tax bills shall not be paid unless the County Department of Law has first approved the actual formatting of tax bills by the pertinent Town taxing jurisdiction as being in compliance with this Resolution and only if the Legislative Office of Budget Review, in consultation with the Legislature's Counsel, certifies that tax bills are printed, and/or mailed by the Receivers of Taxes in a format that is in compliance with this Resolution;

and be it further

3rd **RESOLVED,** that this Resolution shall apply to all payments, assistance, or transfers occurring on or after the effective date of this Resolution; and be it further

4th **RESOLVED**, that failure of a public official to comply with the 1st or 2nd RESOLVED Clause of this Resolution shall be deemed malfeasance in office; and be it further

5th **RESOLVED,** 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.

6th **RESOLVED,** that this resolution shall take effect immediately.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK

OFFICE OF THE COUNTY EXECUTIVE
H. Lee Dennison Building
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788-0099
(631) 853-4000

Steve Levy
SUFFOLK COUNTY EXECUTIVE

MEMORANDUM

TO: Mr. Timothy Laube
Clerk of the Legislature

FROM: Ben Zwirn
Deputy County Executive

DATE: **June 24, 2008**

RE: **Resolution to be Laid on the Table at the June 24, 2008 General Meeting**

Late Starters:

1. Establishing a Truth and Accuracy Policy to Reflect the Impact of the New York State Equalization on Suffolk County Real Property Tax Billing (08-452)

RECEIVED BY_____DATE_____TIME_____

BZ:gg
Attachment

Intro. Res. No. 1652-2008 Laid on Table 6/24/2008
Introduced by Legislators Schneiderman, Browning, Losquadro and Romaine

RESOLUTION NO. -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH PLANNING FOR THE BAY TO SOUND INTEGRATED TRAILS INITIATIVE – LAND STEWARDSHIP PROJECT (CP 8713)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection and Restoration Program and Land Stewardship Initiatives; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to, Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Parks, Recreation and Conservation has requested funding for planning for a project that implements the Bay to Sound Integrated Trails Initiative in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the project proposes to create a trail network linking 325-plus acres of Suffolk County, Southold Town and Greenport Village already preserved but largely unconnected land. The project proposes creation of just over two miles of trails, including approximately 1,250 linear feet of elevated boardwalk. Comprehensive assessment, detailed management plans, public education, volunteer labor, matching funds and inter-municipal cooperation will be combined to ensure the long-term protection of the resource; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2008 Capital Budget and Program; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this project constitutes a Type II action, pursuant to Section 617.5 (c) (20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the New York Environmental conservation Law as promulgation of regulations, rules, policies, procedures, and Legislative decisions in connection with continuing agency administration, management and information collection, and 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 resolution; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th **RESOLVED**, that the Adopted 2008 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$35,000

and be it further

5th **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	$35,000

and be it further

6th **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8713
Project Title: Land Stewardship Project

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning	$35,000	$0	$35,000W
TOTAL	$35,000	$0	$35,000

and be it further

7th **RESOLVED**, that the transfer in the amount of $35,000 be and hereby is appropriated as follows:

Project Number	Project Title	Amount
525-CAP-8713.110	Planning for the Bay to Sound Integrated Trails Initiative - Land Stewardship Project	$35,000

and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

Intro. Res. No. 1653-2008 Laid on Table 6/24/2008
Introduced by Legislators Viloria-Fisher, Browning, Losquadro, Schneiderman and Romaine

RESOLUTION NO. -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH A LONG ISLAND NATIVE GRASS INITIATIVE-LAND STEWARDSHIP PROJECT(CP 8713)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Soil and Water Conservation District has requested funding for a project that creates a source of Long Island native genotyped warm season grass seed in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, this project is expected to result in a species protection best management practices plan to identify criteria and actions needed to maintain stable, well distributed populations of Suffolk County's native species of plant, animal and natural communities; and

WHEREAS, funding is requested for this project through the Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiatives; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2008 Capital Budget and Program; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II Action, pursuant to Section 617.5 (c) (20), and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as promulgation of regulations, rules, administration, management and information collection, and 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 resolution; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th **RESOLVED**, that the Adopted 2008 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$ 22,700

and be it further

5th **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Water Quality Protection	$22,700
(Ref. 525-CAP-IFTR-R477)					

and be it further

6th **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8713
Project Title: Land Stewardship Project

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning	$22,700	$0	$22,700W
TOTAL	$22,700	$0	$22,700

and be it further

7th **RESOLVED**, that the transfer in the amount of $22,700 be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8713.111	Long Island Native Grass Initiative – Land Stewardship Project	$22,700

and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

Intro. Res. No. 1654-2008 Laid on Table 6/24/2008
Introduced by Legislators Viloria-Fisher, Browning, Losquadro, Schneiderman and Romaine

RESOLUTION NO. -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH REMOVAL AND DISPOSAL OF OBSOLETE UNDERGROUND PETROLEUM STORAGE TANKS IN SUFFOLK COUNTY (CP 8710)

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program component of Local Law No. 35 of 1999 required that 11.25% of the total revenues generated be used for Water Quality Protection Programs; and

WHEREAS, Suffolk County Water Quality Protection and Restoration Program component Local Law No. 35 of 1999 expired on November 30, 2007 and has been replaced by Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, effective December 1, 2007; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program component of Local Law No. 35 of 1999 still has sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection and Restoration, required to meet the 11.25% criteria established for this program; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, the Suffolk County Department of Public Works has requested funding for a project that provides for the removal and disposal of five (5) obsolete underground storage tanks, four (4) high-priority single wall fiberglass and steel tanks DOH Ref# 02712 located at Firematics Training Center, Yaphank and one (1) #2 fuel oil tank located at the Vanderbilt Museum, Centerport in Suffolk County in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, this project is expected to result in the decreased probability of petroleum contamination in Suffolk County groundwater; and

WHEREAS, funding is requested for this project through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality and Land Stewardship related projects to support the appropriation of this project; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II Action, pursuant to Section 617.5 (c) (1),(2), (20) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the new York Environmental Conservation Law as promulgation of regulations, rules, administration, management and information collection, and 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 resolution; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-six (76) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th **RESOLVED**, that the Adopted 2008 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$111,000

and be it further

5th **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Water Quality Protection	$111,000

and be it further

6th **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710
Project Title: Suffolk County Water Quality Protection

	Total Est'd Cost	Current 2008 Capital Program and Budget	Revised 2008 Capital Program and Budget
3. Construction	$831,000	$0	$111,000
TOTAL	$7,550,892	$0	$111,000

and be it further

7th **RESOLVED**, that the interfund revenues in the amount of $111,000 be and hereby is appropriated as follows:

Project No.	JC	Project Title	Amount
525-CAP- 8710.318	20	Removal and Disposal of Obsolete Underground Storage Tanks in Suffolk County	$111,000

and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

Intro. Res. No. 1655-2008 Laid on Table 6/24/2008
Introduced by Legislators Schneiderman, Viloria-Fisher, Browning, Losquadro and Romaine

RESOLUTION NO. -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH SURVEY OF SHELLFISH AQUACULTURE LEASES IN PECONIC BAY AND GARDINERS BAY (CP 7180)

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program component of Local Law No. 35 of 1999 required that 11.25% of the total revenues generated be used for Water Quality Protection Programs; and

WHEREAS, Suffolk County Water Quality Protection and Restoration Program component Local Law No. 35 of 1999 expired on November 30, 2007 and has been replaced by Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, effective December 1, 2007; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program component of Local Law No. 35 of 1999 still has sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection and Restoration, required to meet the 11.25% criteria established for this program; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds; and

WHEREAS, the Suffolk County Department of Planning has requested funding for a project that will contribute to aquatic habitat restoration and management of underwater lands in Peconic Bay and Gardiners Bay subject to Suffolk County Shellfish Aquaculture Leasing Authority in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the project will undertake activities that are required to implement the Suffolk County Shellfish Aquaculture Lease Program, which include use of professional land survey expertise to locate shellfish cultivation lease boundaries on the water, install appropriate marker buoys and prepare survey maps showing the boundaries of such leases; and

WHEREAS, the conduct of lease boundary surveys by licensed professionals has been recommended by the Suffolk County Department of Law, and will enable the County to effectively administer the lease program using current technology, and ease the transition of shellfish farmers into the program; and

WHEREAS, this project will contribute to the establishment of shellfish farms, which will increase shellfish populations in the bays, that will in turn exert a positive influence on water quality and augment the spawning potential of native shellfish populations; and

WHEREAS, funding is requested for this project through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action pursuant to Part 617.5 (c) (18),(20),(21) and (27) of Title 6 of the 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, and 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 resolution; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-eight (68) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th **RESOLVED**, that the Adopted 2008 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$181,400

and be it further

5th **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Water Quality Protection	$181,400
(Ref.525-CAP-IFTR-R477)					

and be it further

6th **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7180
Project Title: Aquaculture Leasing Program

	Total Est'd Cost	Current 2008 Capital Program and Budget	Revised 2008 Capital Program and Budget
1. Planning/Engineering	$181,400	$0	$ 181,400 W
TOTAL	$181,400	$0	$ 181,400

and be it further

7th **RESOLVED**, that the interfund revenues in the amount of $181,400 be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-7180.111	Survey of Shellfish Aquaculture Leases in Peconic Bay and Gardiners Bay	$181,400

and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

Introduced by Presiding Officer Lindsay LOT 6/24/08

PROCEDURAL MOTION NO. 19 - 2008, PROCEDURAL RESOLUTON AUTHORIZING RATE SCHEDULE AMENDMENT IN CONNECTION WITH ENFORCEMENT OF LIPA SETTLEMENT AGREEMENT AGAINST LIPA OVERCHARGE OF SUFFOLK RATEPAYERS

WHEREAS, Procedural Motion No. 8-2002, authorized the retention of Reilly, Like & Tenety, 179 Little East Neck Road, North Babylon, NY 11702, to represent the County of Suffolk to seek full recovery of any and all overpayments by Suffolk County consumers of the LIPA Bill Credit Rate Differential for the period from on or about July 1, 1998 to the date on which such overpayments terminated; and

WHEREAS, under the terms of the original agreement with Reilly, Like & Tenety, dated September 4, 2002, Irving Like, Esq. was to be paid an hourly rate not to exceed $200 per hour; and

WHEREAS, the firm of Reilly, Like & Tenety had requested that Mr. Like's hourly rate be increased to bring it in line with the prevailing hourly rates in the New York area; now, therefore be it

1st **RESOLVED**, that the hourly rate for Irving Like, Esq. be increased to $325 an hour for his services in connection with the action against the LIPA Overcharge of Suffolk Ratepayers; and be it further

2nd **RESOLVED**, this increased hourly rate shall be effective retroactively to March 1, 2008; and be it further

3rd **RESOLVED**, that the Presiding Officer is hereby authorized and empowered to execute the necessary agreements to carry out the terms of this Procedural Motion.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

s:\procedural motions\rate-schedule-amendment-like

Introduced by Presiding Officer Lindsay Laid on Table 6/24/08

MOTION NO. 20 – 2008, PROCEDURAL RESOLUTION AUTHORIZING FUNDING FOR COMMUNITY SUPPORT INITIATIVES (PHASE IV)

WHEREAS, funds are included in the 2008 Operating Budget (001-LEG-1012-4981) to supplement county services via non-profit organizations; and

WHEREAS, pursuant to Resolution No. 1054-2007, this Legislature is administering these "Community Support Initiatives"; now, therefore be it

1st **RESOLVED**, that the Presiding Officer is hereby authorized to enter into agreements with the following contract agencies for the amounts indicated:

AGENCY		SPONSOR		AMOUNT
Bellport Youth Football League, Inc.		Browning		$1,000
Central Bellport Civic Association		Browning		$2,000
Developmental Disabilities Institute		Nowick		$3,000
East Hampton Chamber of Commerce		Schneiderman		$2,000
Elwood Council of Parents and Teachers		Stern		$3,000
James V. Kavanaugh Knights of Columbus Council 5293		Browning		$5,000
Kiwanis Foundation of Lindenhurst		Horsley		$1,000
Knights of Columbus, Council 794		Horsley		$1,000
LI Citizens for Community Values		Horsley		$1,000
Lindenhurst Youth Services Board, Inc.		Horsley		$2,000
North Lindenhurst Civic Association		Horsley		$1,500
Northport Historical Society		Nowick		$1,000
Pilot Club International		Horsley		$1,500
Right Start Foundation		Horsley		$2,000
Save A Pet		Viloria-Fisher		$1,000
South Country Community Land Trust, Inc.		Browning		$1,200
St. Frances Cabrini RCC Seniors		Losquadro		$1,500
Training Orchestra, Inc. D/B/A Gemini Youth Orchestras		Stern		$1,500
West Babylon Conference League		Horsley		$1,500
West Babylon Little League		Horsley		$1,500

and be it further

2nd **RESOLVED**, that funding for this purpose shall be expended from Fund 001-LEG-1012-4981.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER

20

Home Rule Message -2008 Laid on Table 6/24/08

Introduced by the Presiding Officer on Request of the County Executive

HOME RULE MESSAGE REQUESTING THE NEW YORK STATE LEGISLATURE TO IMPLEMENT A BUDGET REDUCTION PLAN VIA A MODIFIED APPLICATION FEE FOR RECORDING DOCUMENTS IN THE OFFICE OF THE COUNTY CLERK

WHEREAS, section 8021 of the New York Civil Practice Law and Rules allows a county clerk who renders a service other than in his capacity as clerk of the supreme or a county court, or other than in an action pending in a court of which he is clerk, to collect recording fees, payable in advance; and

WHEREAS, subparagraph (a) of paragraph four of subdivision (a) of section eight thousand twenty-one of the civil practice law and rules currently provides for a recording fee to be paid to the county clerk in the sum of five dollars, and, in addition thereto, three dollars for each side of each page or portion of a page, and fifty cents for each additional town, city, block or other indices for mortgages and mortgage related instruments to be indexed; and

WHEREAS, a modified recording fee paid to the county clerk will serve as a critical source of revenue to fund important county programs and aid to balance the County's budget; now, therefore, be it

1st RESOLVED, that this Legislature, in accordance with the provisions of Section 40 of the NEW YORK MUNICIPAL HOME RULE LAW, hereby requests the State of New York to adopt New York State Assembly Bill No. A11694-B and Senate Bill No. S8635-A, *Authorizes The County Of Suffolk To Increase The Fee Imposed By The County Clerk For Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument*, and joins with the County Executive in declaring that the facts recited in the above WHEREAS clauses establish the necessity for the amendments of subparagraph (a) paragraph four of subdivision (a) of section eight thousand twenty-one of the civil practice law and rules which will authorize the Clerk of Suffolk County to collect in advance a fee of twenty dollars on documents presented for recording and increasing the per page fee to five dollars; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to the Governor of the State of New York; to the Majority Leader of the New York State Senate; to the Speaker of the New York State Assembly; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

A11694-B Rules (Sweeney) Same as S 8635-A JOHNSON O
Civil Practice Law and Rules
TITLE....Authorizes Suffolk county to increase fee for recording, entering, indexing and endorsing a certificate on an instrument
Currently on Assembly Committee Agenda
Judiciary (WEINSTEIN)
OFF THE FLOOR, Monday, June 23, 2008

ADDENDUM
Currently on Assembly Committee Agenda
Ways and Means (FARRELL)
OFF THE FLOOR, Monday, June 23, 2008

06/18/08 referred to judiciary
06/19/08 amend and recommit to judiciary
06/19/08 print number 11694a
06/20/08 amend and recommit to judiciary
06/20/08 print number 11694b

RULES COM (Request of Sweeney)
Amd S8021, CPLR
Authorizes the county of Suffolk to increase the fee imposed by the county clerk for recording, entering, indexing and endorsing a certificate on any instrument.

STATE OF NEW YORK

11694--B

IN ASSEMBLY

June 18, 2008

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Sweeney) -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil practice law and rules, in relation to authorizing the county of Suffolk to increase the fees imposed by the county clerk for the recording, entering, indexing and endorsing a certificate on any instrument

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subparagraph a of paragraph 4 of subdivision (a) of section 8021 of the civil practice law and rules, as amended by chapter 78 of the laws of 1989, is amended to read as follows:

a. (1) For recording, entering, indexing and endorsing a certificate on any instrument, five dollars, and, in addition thereto, three dollars for each page or portion of a page, and fifty cents for each additional town, city, block or other indices in which such instrument is to be indexed as directed by the endorsement thereon. On the assignment of a mortgage which assigns more than one mortgage or on a release of lease which releases more than one lease, then there shall be an additional fee of three dollars for every mortgage assigned or lease released in excess of one.

(2) Notwithstanding clause one of this subparagraph, Suffolk county may opt by county law to increase the fee for recording, entering, indexing and endorsing a certificate on any instrument from five dollars to twenty dollars and, in addition thereto, increase from three dollars to five dollars for each page or portion of a page. Such increase shall take effect thirty days after the county enacts such fees. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent a county clerk has placed an image of such cover page online, such county clerk shall make a good faith effort to redact such information.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD17312-09-8

NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)

BILL NUMBER: A11694B

SPONSOR: Rules (Sweeney)

TITLE OF BILL: An act to amend the civil practice law and rules, in relation to authorizing the county of Suffolk to increase the fees imposed by the county clerk for the recording, entering, indexing and endorsing a certificate on any instrument

PURPOSE: To allow the Suffolk County clerk, at local option, to increase the fees charged for certain documents recorded with the county clerk's office.

SUMMARY OF PROVISIONS: Section 1 of the bill would amend section 8021 of the Civil Practice Law and Rules to allow Suffolk County, at local option, to increase the fee for recording, entering, indexing and endorsing a certificate on any instrument from $5 to $20 and to increase the per-page fee from $3 per-page to $5 per-page.

Section 2 of the bill makes the effective date immediately.

JUSTIFICATION: This legislation, introduced at the request of Suffolk County, would allow the Suffolk County clerk to increase, through the adoption of local law, the mortgage recording fee from $5 to $15 and to increase the per page fee from $3 to $5. It also prohibits a cover page from including a social security number or date of birth and allows the county clerk to redact that information.

LEGISLATIVE HISTORY: New bill.

FISCAL IMPLICATIONS: Should Suffolk County opt to pass local legislation to increase the filing fees, the bill would generate additional revenue. The quantity of such revenue would vary with the volume of filings.

EFFECTIVE DATE: This act shall take effect immediately.

S8635-A JOHNSON O Same as A 11694-B Rules (Sweeney)
ON FILE: 06/20/08 Civil Practice Law and Rules
TITLE....Authorizes Suffolk county to increase fee for recording, entering, indexing and endorsing a certificate on an instrument
06/19/08 REFERRED TO RULES
06/20/08 AMEND AND RECOMMIT TO RULES
06/20/08 PRINT NUMBER 8635A

O. JOHNSON
Amd S8021, CPLR
Authorizes the county of Suffolk to increase the fee imposed by the county clerk for recording, entering, indexing and endorsing a certificate on any instrument.

STATE OF NEW YORK

8635--A

IN SENATE

June 19, 2008

Introduced by Sen. O. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil practice law and rules, in relation to authorizing the county of Suffolk to increase the fees imposed by the county clerk for the recording, entering, indexing and endorsing a certificate on any instrument

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subparagraph a of paragraph 4 of subdivision (a) of section 8021 of the civil practice law and rules, as amended by chapter 78 of the laws of 1989, is amended to read as follows:

a. (1) For recording, entering, indexing and endorsing a certificate on any instrument, five dollars, and, in addition thereto, three dollars for each page or portion of a page, and fifty cents for each additional town, city, block or other indices in which such instrument is to be indexed as directed by the endorsement thereon. On the assignment of a mortgage which assigns more than one mortgage or on a release of lease which releases more than one lease, then there shall be an additional fee of three dollars for every mortgage assigned or lease released in excess of one.

(2) Notwithstanding clause one of this subparagraph, Suffolk county may opt by county law to increase the fee for recording, entering, indexing and endorsing a certificate on any instrument from five dollars to twenty dollars and, in addition thereto, increase from three dollars to five dollars for each page or portion of a page. Such increase shall take effect thirty days after the county enacts such fees. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent a county clerk has placed an image of such cover page online, such county clerk shall make a good faith effort to redact such information.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD17312-10-8

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S8635A

SPONSOR: JOHNSON O

TITLE OF BILL: An act to amend the civil practice law and rules, in relation to authorizing the county of Suffolk to increase the fees imposed by the county clerk for the recording, entering, indexing and endorsing a certificate on any instrument

PURPOSE: To allow the Suffolk County clerk, at local option, to increase the fees charged for certain documents recorded with the county clerk's office.

SUMMARY OF PROVISIONS: Section 1 of the bill would amend section 8021 of the Civil Practice Law and Rules to allow Suffolk County, at local option, to increase the fee for recording, entering, indexing and endorsing a certificate on any instrument from $5 to $20 and to increase the per-page fee from $3 per-page to $5 per-page.

Section 2 of the bill makes the effective date immediately.

JUSTIFICATION: This legislation, introduced at the request of Suffolk County, would allow the Suffolk County clerk to increase, through the adoption of local law, the mortgage recording fee from $5 to $15 and to increase the per page fee from $3 to $5. It also prohibits a cover page from including a social security number or date of birth and allows the county clerk to redact that information.

LEGISLATIVE HISTORY: New bill.

FISCAL IMPLICATIONS: Should Suffolk County opt to pass local legislation to increase the filing fees, the bill would generate additional revenue. The quantity of such revenue would vary with the volume of filings.

EFFECTIVE DATE: This act shall take effect immediately.

21

Home Rule Message No. -2008 LOT 6/24/2008

Introduced by Presiding Officer on request of the County Executive

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND THE GENERAL MUNICIPAL LAW, THE VEHICLE AND TRAFFIC LAW, THE STATE FINANCE LAW AND THE CRIMINAL PROCEDURE LAW, IN RELATION TO ESTABLISHING A TRAFFIC AND PARKING VIOLATIONS AGENCY IN THE COUNTY OF SUFFOLK (ASSEMBLY BILL A.9593-A AND SENATE BILL S.4174-A)

WHEREAS, the growing number of traffic and parking infractions in Suffolk County has led to a backlog of such cases in the County's district courts; and

WHEREAS, the strain on the district courts due to such a tremendous number of cases often means that many of these traffic and parking summonses go unanswered and unpaid; and

WHEREAS, villages, cities and towns throughout the State are authorized to establish a separate traffic violations bureau to assist in the disposition of infractions related to traffic and parking violations, and such a traffic violations agency has been established in Nassau County; and

WHEREAS, establishing a traffic violations agency in Suffolk County will ease the burden on the district courts and speed the disposition of traffic and parking violations; and

WHEREAS, there is legislation pending in the New York State Legislature that would permit the County of Suffolk to establish, by local law, a traffic and parking violations bureau to assist the district court in the disposition of traffic and parking infractions; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the State of New York to enact Assembly Bill No. A.9593-A and Senate Bill No. S.4174-A for the purpose of establishing a traffic and parking violations agency in Suffolk County; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. Paterson; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: , 2008

:4174-A TRUNZO No Same as
JOT ON FILE General Municipal Law
'ITLE....Provides for the establishment of a traffic and parking violations agency in the county of Suffolk and ppointment of traffic prosecutors
)3/29/07 REFERRED TO LOCAL GOVERNMENT
)1/09/08 REFERRED TO LOCAL GOVERNMENT
)6/11/08 COMMITTEE DISCHARGED AND COMMITTED TO RULES
)6/11/08 ORDERED TO THIRD READING CAL.1684
)6/12/08 HOME RULE REQUEST
)6/12/08 PASSED SENATE
)6/12/08 DELIVERED TO ASSEMBLY
)6/12/08 referred to transportation
)6/23/08 RECALLED FROM ASSEMBLY
)6/23/08 returned to senate
)6/23/08 VOTE RECONSIDERED - RESTORED TO THIRD READING
)6/23/08 AMENDED ON THIRD READING (T) 4174A

TRUNZO
Amd SS370, 370-a, 371, 374 & 99-l, Gen Muni L; amd 44-A Heading, SS1690 & 225, V & T L; amd S350.20, CP L; Amd S99-a, St Fin L
Provides for the establishment of a traffic and parking violations agency in the county of Suffolk and appointment of raffic prosecutors.

STATE OF NEW YORK

4174--A

Cal. No. 1684

2007-2008 Regular Sessions

IN SENATE

March 29, 2007

Introduced by Sen. TRUNZO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the general municipal law, the vehicle and traffic law, the state finance law and the criminal procedure law, in relation to establishing a traffic and parking violations agency in the county of Suffolk

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 370 of the general municipal law is amended by adding a new subdivision 3 to read as follows:

3. The board of supervisors of the county of Suffolk may by local law establish a traffic and parking violations agency to assist the Suffolk county district court to administer and dispose of traffic and parking infractions.

§ 2. Section 370-a of the general municipal law, as added by chapter 496 of the laws of 1990, subdivision 1 as amended by chapter 527 of the laws of 2002, is amended to read as follows:

§ 370-a. Definitions. For the purpose of this article:

1. "Traffic and parking violations agency" shall mean a department of the Nassau county government established pursuant to subdivision two of section three hundred seventy of this article or a department in the Suffolk county government established pursuant to subdivision three of such section to administer and dispose of traffic and parking infractions.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD10530-03-8

2. "Traffic prosecutor" shall mean an attorney duly admitted to practice law in the state of New York who, having been appointed and either hired or retained pursuant to section three hundred seventy-four of this article, has the responsibility of prosecuting any traffic and parking infractions returnable before the Nassau county district court or the Suffolk county district court pursuant to the jurisdictional limitations of section three hundred seventy-one of this article.

§ 3. Subdivisions 2, 3 and 4 of section 371 of the general municipal law, subdivision 2 as added and subdivision 3 as amended by chapter 496 of the laws of 1990 and subdivision 4 as amended by chapter 465 of the laws of 1998, are amended to read as follows:

2. The Nassau county traffic and parking violations agency, as established, may be authorized to assist the Nassau county district court, and the Suffolk county traffic and parking violations agency, as established, may be authorized to assist the Suffolk county district court, in the disposition and administration of infractions of traffic and parking laws, ordinances, rules and regulations, except that such [~~agency~~] agencies shall not have jurisdiction over (a) the traffic infraction defined under subdivision one of section eleven hundred ninety-two of the vehicle and traffic law; (b) the traffic infraction defined under subdivision five of section eleven hundred ninety-two of the vehicle and traffic law; (c) the violation defined under paragraph (b) of subdivision four of section fourteen-f of the transportation law and the violation defined under clause (b) of subparagraph (iii) of paragraph (d) of subdivision two of section one hundred forty of the transportation law; (d) the traffic infraction defined under section three hundred ninety-seven-a of the vehicle and traffic law and the traffic infraction defined under subdivision (g) of section eleven hundred eighty of the vehicle and traffic law; (e) any misdemeanor or felony; or (f) any offense that is part of the same criminal transaction, as that term is defined in subdivision two of section 40.10 of the criminal procedure law, as a violation of subdivision one of section eleven hundred ninety-two of the vehicle and traffic law, a violation of subdivision five of section eleven hundred ninety-two of the vehicle and traffic law, a violation of paragraph (b) of subdivision four of section fourteen-f of the transportation law, a violation of clause (b) of subparagraph (iii) of paragraph (d) of subdivision two of section one hundred forty of the transportation law, a violation of section three hundred ninety-seven-a of the vehicle and traffic law, a violation of subdivision (g) of section eleven hundred eighty of the vehicle and traffic law or any misdemeanor or felony.

3. A person charged with an infraction which shall be disposed of by either a traffic violations bureau [~~or~~], the Nassau county traffic and parking violations agency, or the Suffolk county traffic and parking violations agency may be permitted to answer, within a specified time, at the traffic violations bureau, [~~and~~] in Nassau county at the traffic and parking violations agency and in Suffolk county at the traffic and parking violations agency, either in person or by written power of attorney in such form as may be prescribed in the ordinance or local law creating the bureau or agency, by paying a prescribed fine and, in writing, waiving a hearing in court, pleading guilty to the charge or admitting liability as an owner for the violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law, as the case may be, and authorizing the person in charge of the bureau or agency to enter such a plea or admission and accept payment of said fine. Acceptance of the prescribed fine and power of attorney by the bureau or

agency shall be deemed complete satisfaction for the violation or of the liability, and the violator or owner liable for a violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law shall be given a receipt which so states. If a person charged with a traffic violation does not answer as hereinbefore prescribed, within a designated time, the bureau or agency may cause a complaint to be entered against him forthwith and a warrant to be issued for his arrest and appearance before the court, such summons to be predicated upon the personal service of said summons upon the person charged with the infraction. Any person who shall have been, within the preceding twelve months, guilty of a number of parking violations in excess of such maximum number as may be designated by the court, or of three or more violations other than parking violations, shall not be permitted to appear and answer to a subsequent violation at the traffic violations bureau or agency, but must appear in court at a time specified by the bureau or agency. Such bureau or agency shall not be authorized to deprive a person of his right to counsel or to prevent him from exercising his right to appear in court to answer to, explain, or defend any charge of a violation of any traffic law, ordinance, rule or regulation.

4. Notwithstanding any inconsistent provision of law, fines, penalties and forfeitures collected by the Nassau county or Suffolk county traffic and parking violations agency shall be distributed as provided in section eighteen hundred three of the vehicle and traffic law. All fines, penalties and forfeitures for violations adjudicated by the Nassau county or Suffolk county traffic and parking violations agency pursuant to subdivision two of this section, with the exception of parking violations, and except as provided in subdivision three of section ninety-nine-a of the state finance law, shall be paid by such [~~agency~~] agencies to the state comptroller within the first ten days of the month following collection. Each such payment shall be accompanied by a true and complete report in such form and detail as the comptroller shall prescribe.

§ 4. Section 374 of the general municipal law, as amended by chapter 527 of the laws of 2002, is amended to read as follows:

§ 374. Traffic prosecutor selection and oversight. (a) The executive director of the Nassau county traffic and parking violations agency, and the executive director of the Suffolk county traffic and parking violations agency, appointed pursuant to subdivision (b) of this section, shall select and may contract with or hire one or more persons who are attorneys, duly admitted to the practice of law in New York state for the prosecution of any traffic and parking infraction, except those described in paragraphs (a), (b), (c), (d), (e) and (f) of subdivision two of section three hundred seventy-one of this article, to be heard, tried or otherwise disposed of by the district court of Nassau county in the case of an attorney selected by the Nassau county executive director, or by the district court of Suffolk county, in the case of an attorney selected by the Suffolk county executive director. Such persons shall be known as "traffic prosecutors", as that term is defined in section three hundred seventy-a of this article. Traffic prosecutors shall have the same power as a district attorney would otherwise have in the prosecution of any traffic or parking infraction which may, pursuant to the jurisdictional provisions of section three hundred seventy-one of this article, be prosecuted before the district court of Nassau county or the district court of Suffolk county, as the case may be. The executive director shall give active consideration to requiring that such traffic prosecutors serve on a full-time basis. Traffic prosecutors are

prohibited from appearing in any capacity other than as a traffic prosecutor in any part of the Nassau county district court or the Suffolk county district court, as the case may be on any matter relating to traffic or parking violations and are further prohibited from appearing in any capacity other than as a traffic prosecutor in any other court or administrative tribunal on any matter relating to traffic or parking violations.

(b) The county executive of the county of Nassau shall appoint a person to serve as the executive director of the Nassau county traffic and parking violations agency subject to the confirmation of the county legislature of the county of Nassau. The county executive of the county of Suffolk shall appoint a person to serve as the executive director of the Suffolk county traffic and parking violations agency subject to the confirmation of the county legislature of the county of Suffolk. The executive director shall be responsible for the oversight and administration of the agency. The executive director of Nassau county is prohibited from appearing in any capacity in any part of the Nassau county district court and the executive director of Suffolk county is prohibited from appearing in any capacity in any part of the Suffolk county district court on any matter relating to traffic or parking violations and is further prohibited from appearing in any capacity in any other court or administrative tribunal on any matter relating to traffic or parking violations.

(c) It shall be a misdemeanor for the executive director, any traffic prosecutor or any judicial hearing officer assigned to hear traffic or parking violations cases pursuant to section one thousand six hundred ninety of the vehicle and traffic law to establish any quota of traffic violation convictions which must be obtained by any traffic prosecutor or judicial hearing officer. Nothing contained herein shall prohibit the taking of any job action against a traffic prosecutor or judicial hearing officer for failure to satisfactorily perform such prosecutor's or officer's job assignment except that the employment productivity of such prosecutor or officer shall not be measured by the attainment or nonattainment of any conviction quota. For the purposes of this section a conviction quota shall mean a specific number of convictions which must be obtained within a specific time period.

(d) The legislature of the county of Nassau may appropriate those monies which, in the legislature's sole discretion, are necessary for the compensation of those persons selected to serve as executive director and traffic prosecutors and to cover all other expenses associated with the administration of the Nassau county traffic and parking violations agency.

(e) The legislature of the county of Suffolk may appropriate those monies which, in the legislature's sole discretion, are necessary for the compensation of those persons selected to serve as executive director and traffic prosecutors and to cover all other expenses associated with the administration of the Suffolk county traffic and parking violations agency.

§ 5. The article heading of article 44-A of the vehicle and traffic law, as added by chapter 496 of the laws of 1990, is amended to read as follows:

AUTHORITY OF THE NASSAU AND SUFFOLK
COUNTY DISTRICT COURT
JUDICIAL HEARING [~~OFFICER~~] OFFICERS

§ 6. The section heading, subdivision 1 and subdivision 4 of section 1690 of the vehicle and traffic law, the section heading and subdivision 4 as added by chapter 496 of the laws of 1990 and subdivision 1 as amended by chapter 420 of the laws of 2001, are amended to read as follows:

Authority of the Nassau county and Suffolk county district court judicial hearing [~~officer~~] officers. 1. Notwithstanding any other provision of law, where the trial of a traffic or parking infraction is authorized or required to be tried before the Nassau county district court or Suffolk county district court, and such traffic and parking infraction does not constitute a misdemeanor, felony, violation of subdivision one of section eleven hundred ninety-two, subdivision five of section eleven hundred ninety-two, section three hundred ninety-seven-a, or subdivision (g) of section eleven hundred eighty of this chapter, or a violation of paragraph (b) of subdivision four of section fourteen-f or clause (b) of subparagraph (iii) of paragraph d of subdivision two of section one hundred forty of the transportation law, or any offense that is part of the same criminal transaction, as that term is defined in subdivision two of section 40.10 of the criminal procedure law, as such a misdemeanor, felony, violation of subdivision one of section eleven hundred ninety-two, subdivision two of section eleven hundred ninety-two, section three hundred ninety-seven-a or subdivision (g) of section eleven hundred eighty of this chapter, or a violation of paragraph (b) of subdivision four of section fourteen-f or clause (b) of subparagraph (iii) of paragraph d of subdivision two of section one hundred forty of the transportation law, the administrative judge of the county in which the trial court is located, may assign judicial hearing officers to conduct such a trial. Such judicial hearing officers shall be village court justices or retired judges either of which shall have at least two years of experience conducting trials of traffic and parking violations cases and shall be admitted to practice law in this state. Where such assignment is made, the judicial hearing officer shall entertain the case in the same manner as a court and shall:

(a) determine all questions of law;
(b) act as the exclusive trier of all issues of fact;
(c) render a verdict;
(d) impose sentence; or
(e) dispose of the case in any manner provided by law.

4. Judicial hearing officers are prohibited from appearing in any capacity other than as a judicial hearing officer in any part of the Nassau county or Suffolk county district court on any matter relating to traffic or parking violations and are further prohibited from appearing in any capacity other than as a judicial hearing officer in any other court or administrative tribunal on any matter relating to traffic or parking violations.

§ 7. Subdivision 5 of section 350.20 of the criminal procedure law, as added by chapter 496 of the laws of 1990, is amended to read as follows:

5. Notwithstanding the provisions of subdivision one of this section, for all proceedings before the district court of Nassau county the administrative judge of Nassau county may, and for all proceedings before the district court of Suffolk county, the administrative judge of Suffolk county may, without the consent of the parties, assign matters involving traffic and parking infractions except those described in paragraphs (a), (b), (c), (d), (e) and (f) of subdivision two of section three hundred seventy-one of the general municipal law to a judicial hearing officer [~~for all proceedings before the district court of Nassau~~

~~county~~] in accordance with the provisions of section sixteen hundred ninety of the vehicle and traffic law.

§ 8. Subdivision 1 of section 225 of the vehicle and traffic law, as amended by chapter 173 of the laws of 1990, is amended to read as follows:

1. Notwithstanding any inconsistent provision of law, all violations of this chapter or of a law, ordinance, order, rule or regulation relating to traffic, except parking, standing, stopping or pedestrian offenses, which occur within a city having a population of two hundred thousand or more in which administrative tribunals have heretofore been established, [~~or within that portion of Suffolk county for which a district court has been established,~~] and which are classified as traffic infractions, may be heard and determined pursuant to the regulations of the commissioner as provided in this article. Whenever a crime and a traffic infraction arise out of the same transaction or occurrence, a charge alleging both offenses may be made returnable before the court having jurisdiction over the crime. Nothing herein provided shall be construed to prevent a court, having jurisdiction over a criminal charge relating to traffic or a traffic infraction, from lawfully entering a judgment of conviction, whether or not based on a plea of guilty, for any offense classified as a traffic infraction.

§ 9. Subdivision 3 of section 99-a of the state finance law, as amended by chapter 465 of the laws of 1998, is amended to read as follows:

3. The comptroller is hereby authorized to implement alternative procedures, including guidelines in conjunction therewith, relating to the remittance of fines, penalties, forfeitures and other moneys by town and village justice courts, and by the Nassau [~~county~~] and Suffolk counties traffic and parking violations [~~agency~~] agencies, to the justice court fund and for the distribution of such moneys by the justice court fund. Notwithstanding any law to the contrary, the alternative procedures utilized may include:

a. electronic funds transfer;

b. remittance of funds by the justice court to the chief fiscal office of the town or village, or, in the case of the Nassau [~~county~~] and Suffolk counties traffic and parking violations [~~agency~~] agencies, to the county treasurer, for distribution in accordance with instructions by the comptroller; and/or

c. monthly, rather than quarterly, distribution of funds.

The comptroller may require such reporting and record keeping as he or she deems necessary to ensure the proper distribution of moneys in accordance with applicable laws. A justice court or the Nassau [~~county~~] and Suffolk counties traffic and parking violations [~~bureau~~] agencies may utilize these procedures only when permitted by the comptroller, and such permission, once given, may subsequently be withdrawn by the comptroller on due notice.

§ 10. Subdivision 2 of section 99-l of the general municipal law, as amended by chapter 179 of the laws of 2000, is amended to read as follows:

2. The [~~county~~] counties of Nassau and Suffolk shall be entitled to receive the amounts set forth in subdivision one of this section for the services of [~~the Nassau~~] their respective county traffic and parking violations agency and for all services in each case of a parking violation, instituted and triable in such agency, wherein a fine is imposed, a surcharge of ten dollars.

§ 11. Subdivision 2 of section 99-l of the general municipal law, as added by chapter 261 of the laws of 1993, is amended to read as follows:

2. The [~~county~~] counties of Nassau and Suffolk shall be entitled to receive the amounts set forth in subdivision one of this section for the services of [~~the Nassau~~] their respective county traffic and parking violations agency.

§ 12. Notwithstanding any provision of law to the contrary no non-judicial employee of the Suffolk county district court shall suffer a diminution of salary, employment status or rights solely by operation of this act provided that nothing herein shall limit the legal authority of the chief administrator of the courts to supervise the administration and operation of the unified court system.

§ 13. The administrative judge of Suffolk county shall issue on an annual basis, beginning eighteen months following the creation of the Suffolk county traffic and parking violations agency pursuant to Suffolk county local law, a report detailing the progress, development and operations of the traffic and parking violations agency. The report shall be provided to the governor, the temporary president of the senate, the speaker of the assembly, the Suffolk county executive, the Suffolk county board of supervisors, the presiding judge of the Suffolk county district court and the Suffolk county district attorney.

§ 14. This act shall take effect immediately; provided, however, the amendments to sections 370-a, subdivisions 2, 3 and 4 of section 371 and section 374 of the general municipal law, the article heading of article 44-A and the section heading and subdivisions 1 and 4 of section 1690 of the vehicle and traffic law and subdivision 5 of section 350.20 of the criminal procedure law, as made by sections two, three, four, five, six and seven of this act, respectively, shall take effect only in the event that the county of Suffolk shall have by local law established a traffic and parking violations agency; provided that the board of supervisors of the county of Suffolk shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in sections two, three, four, five, six and seven of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law; provided, however, that the amendments to section 371 of the general municipal law made by section three of this act shall not affect the expiration of such section and shall be deemed to expire therewith; and provided that the amendments to subdivision 2 of section 99-l of the general municipal law made by section ten of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 6 of chapter 179 of the laws of 2000, as amended, when upon such date the provisions of section eleven of this act shall take effect.

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1

:ILL NUMBER: S4174A

:PONSOR: TRUNZO

'ITLE OF BILL:

:n act to amend the general municipal law, the vehicle and traffic law, :he state finance law and the criminal procedure law, in relation to :stablishing a traffic and parking violations agency in the county of :uffolk

'URPOSE:

'o allow for the establishment of a traffic and parking violations agen-:y in the County of Suffolk and for the appointment of traffic prosecu-:ors.

:UMMARY OF PROVISIONS:

'his legislation amends the general municipal law, the vehicle and traf-:ic law, the state finance law, and the criminal procedure law to allow :uffolk County, by local law, to establish a traffic and parking 'iolations agency to assist the Suffolk County district court in admin-.stering and disposing of traffic and parking infractions. The Suffolk :ounty Executive shall appoint a person to serve as the executive direc-:or of the Suffolk County traffic and parking violations agency subject :o the confirmation of the Suffolk County Legislature. An annual report)y the administrative judge of Suffolk County detailing the progress, levelopment and operations of the traffic violations agency would be :equired under the provisions of this legislation.

'USTIFICATION:

:urrent law allows the legislative body of a city, village or town, by .ocal law, to authorize the court having jurisdiction of traffic cases :o establish a traffic violations bureau to assist in the disposition of .nfractions in relation to traffic violations. Such a traffic and park-.ng violations agency has also been established in Nassau County. This .egislation, introduced at the request of the Suffolk County Legisla-:ure, would provide for the establishment of a traffic and parking 'iolations agency in the County of Suffolk to assist the district court in the administration and disposition of traffic and parking infrac-:ions.

:his agency would be established to assist the district court in the idministration and disposition of traffic and parking infractions to Lessen any backlog of unanswered and unpaid traffic and parking summons-:s issued in Suffolk County. This would ease the burden on the district :ourt in disposing of the tremendous number cases that these types of infractions tend to generate. Speedy and equitable disposition of :harges alleging traffic and parking violations will preserve the quali-:y of life in Suffolk County. Residents would be assured that traffic and parking laws will be enforced and appropriate the penalties will be

mposed on those persons who have been found guilty of violating them.

EGISLATIVE HISTORY:

007: S.4174 -- Remained in Senate Local Government Committee

ISCAL IMPLICATIONS:

one.

FFECTIVE DATE:
his act shall take effect immediately.