

**RESOLUTION NO. 855-2011, AMENDING THE
2012 RECOMMENDED OPERATING BUDGET**

WHEREAS, Section C4-37 of the SUFFOLK COUNTY CHARTER requires that in the event that the state or federal government eliminates, abolishes, terminates or defunds, in whole or in part, any program, contract, project, grant, aid or funding, the County of Suffolk shall not reinstate such program, contract, project, grant, aid or funding through local funding unless such funding is approved by at least 3/4 of the entire membership of the County Legislature via a resolution directed solely and explicitly to the specific purpose of so reinstating such funding. In the event that the County Executive returns such resolution with his or her disapproval, then such veto may be overridden only by an affirmative vote of at least 3/4 of the entire membership of the County Legislature; and

WHEREAS, The 2011-2012 adopted budget of the State of New York eliminated aid eligibility for certain optional services previously reimbursed pursuant to Article Six of the New York State Public Health Law, and to the New York State Code of Rules and Regulations, Title 10 Part 40, State Aid for Public Health Services; and

WHEREAS, Medical Examiner services were among the services deemed no longer eligible for reimbursement; and

WHEREAS, it is the desire of the County Legislature that the Division of Medical Legal Investigations and Forensic Sciences of the Department of Health Services be funded despite the failure of New York State to include funding in its budget for the Division's services, which are critical to the public health and safety of Suffolk County, and required by the New York State Public Health Law, and the SUFFOLK COUNTY CHARTER; and

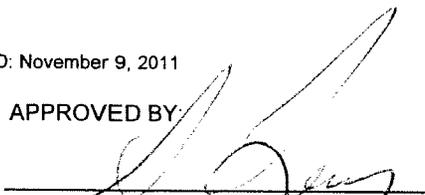
WHEREAS, the functions of the Division of Medical Legal Investigations and Forensic Sciences are required by the New York State Public Health Law, and the SUFFOLK COUNTY CHARTER; now, therefore, be it

RESOLVED, that pursuant to Section C4-37 of the SUFFOLK COUNTY CHARTER, the Suffolk County Legislature authorizes the use of local funding to replace state government funds as needed to adequately fund appropriations in the Division of Medical Legal Investigations and Forensic Sciences within the Department of Health Services; and be it further

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©(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: November 9, 2011

APPROVED BY:


County Executive of Suffolk County

Date: 11-21-11

This resolution authorizes the use of local funding to replace state government funds as needed to adequately fund appropriations in the Division of Medical Legal Investigations and Forensic Sciences in the Department of Health Services.

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on November 9, 2011 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res. BA 12

Res. No. 855

November 9, 2011

Motion:
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Sarah S. ANKER					
7	Jack EDDINGTON					
9	Ricardo MONTANO				/	
10	Thomas CILMI	/				
11	Thomas F. BARRAGA		/			
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	16	1	-	-	-

MOTION

Approve
 Table: _____
 Send To Committee
 Table Subject To Call
 Lay On The Table
 Discharge
 Take Out of Order
 Reconsider
 Waive Rule _____
 Override Veto
 Close
 Recess

APPROVED FAILED _____
 No Motion _____ No Second _____

RESOLUTION DECLARED

ADOPTED
 NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote