

Intro. Res. No. 1372-2011
Introduced by Legislators Muratore, Cilmi and Anker

Laid on Table 4/26/2011

**RESOLUTION NO. 557 -2011, ADOPTING LOCAL LAW
NO. 31-2011, A LOCAL LAW TO PROHIBIT COUNTY ELECTED
OFFICIALS FROM COLLECTING TWO PUBLIC SALARIES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 26, 2011, a proposed local law entitled, "**A LOCAL LAW TO PROHIBIT COUNTY ELECTED OFFICIALS FROM COLLECTING TWO PUBLIC SALARIES;**" now, therefore be it

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

LOCAL LAW NO. 31 -2011, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO PROHIBIT COUNTY ELECTED OFFICIALS
FROM COLLECTING TWO PUBLIC SALARIES**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that virtually all polling shows that trust in public institutions and public officials has eroded to historically low levels.

This Legislature also finds that the public's cynicism and distrust is heightened when the conduct of a public official is compromised by a conflict of interest.

This Legislature also finds that public confidence in government suffers when officials collect two public salaries simultaneously.

This Legislature further finds that the County of Suffolk must take all reasonable actions to restore and rebuild public confidence in County government.

This Legislature further determines that prohibiting County elected officials from holding paid employment with any other level of government constitutes a good first step in restoring public confidence as it would reduce the incidence of real and/or perceived conflicts of interest and the perception that elected officials are prospering by receiving paychecks from multiple government jobs in a time of national economic crisis.

Therefore, the purpose of this law is to bar any County elected official from holding another paid position of employment with this County or any other level of government.

Section 2. Amendments.

Article 30 of the SUFFOLK COUNTY CODE is hereby amended as follows:

ARTICLE XXX, Ethics Commission

* * * *

§ A30-8. Prohibited activities.

* * * *

E. No County-wide elected official or member of the County Legislature shall hold another paid position with the County or Suffolk or a paid position of employment with any department, office, commission, board or agency of the United States of America, New York State, any town or village government, or any public benefit corporation created under the provisions of New York State Law.

* * * *

Section 3. Exceptions.

This law shall not apply to a County-wide elected official or County Legislator who also holds a position as a teacher in a public school district or a professor at a public university or college.

Section 4. Applicability.

This law shall apply to actions occurring on or after the effective date of this law.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

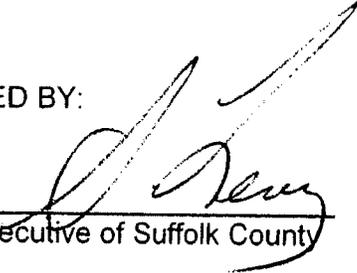
Section 7. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: June 21, 2011

APPROVED BY:



County Executive of Suffolk County

Date: **JUL 19 2011**

After a public hearing duly held on July 6, 2011
Filed with the Secretary of State on September 13, 2011

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 June 21, 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.

1372

Res. No.

557

June 21, 2011

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore, Anke
Eddington, Montano, Cilmi, Lindsay, Vilorio-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	18				

MOTION
<input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
___ NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote