Intro. Res. No. 1015-2012                                          Laid on Table 1/3/2012
Introduced by Legislators Cilmi and Barraga

**RESOLUTION NO.            -2012, ADOPTING LOCAL LAW NO.        -2012, A LOCAL LAW TO SUNSET LIVING WAGE SUBSIDIES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on January 3, 2012 a proposed local law entitled, "**A LOCAL LAW TO SUNSET LIVING WAGE SUBSIDIES**"; now, therefore  be it

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

**LOCAL LAW NO.     -2012, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO SUNSET LIVING WAGE SUBSIDIES**

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

## Section 1.  Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk enacted a Living Wage Law in 2001 to require businesses receiving grants, loans, tax incentives, contracts and other forms of compensation from the County to pay their employees a wage sufficient to support a family.

This Legislature determines that the Living Wage Contingency Fund was established to help contract agencies, on a temporary basis, transition to paying employees a living wage while continuing to deliver important services.

This Legislature finds that the "transitional financial assistance" first offered to contract agencies in 2002 is evolving into a permanent taxpayer financed subsidy.  More than $450,000 was paid out of the Living Wage Contingency Fund in 2009 and again in 2010.

This Legislature further finds that the Living Wage Law presently makes a special allowance for child-care providers allowing them to pay their employees a lower hourly wage than all other contract agencies.

This Legislature finds that the time has come to phase-out the Living Wage Contingency Fund.

Therefore, the purpose of this law is to bar the use of County funds for living wage compliance.

## Section 2.  Repeal.

Section 575-15 of the SUFFOLK COUNTY CODE is hereby repealed.

**Section 3. Prohibition.**

No County funds shall be used to provide financial assistance to any contract agency in order to meet increased payroll expenses associated with Living Wage Law requirements.

**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 upon its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:


_____
County Executive of Suffolk County

Date: