

WITHDRAWN AS OF 1/17/2013

Intro. Res. No. 1704-2012

Laid on Table 8/7/2012

Introduced by Legislators Cilmi, Barraga and Muratore

**RESOLUTION NO. -2013, ADOPTING LOCAL LAW
NO. -2013, A CHARTER LAW TO REQUIRE OPEN
DELIBERATIONS IN BUDGET AMENDMENT PROCESS
("TAXPAYER AWARENESS ACT PART 2")**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2012 a proposed local law entitled, "**A CHARTER LAW TO REQUIRE OPEN DELIBERATIONS IN BUDGET AMENDMENT PROCESS ("TAXPAYER AWARENESS ACT PART 2")**"; now, therefore be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO REQUIRE OPEN DELIBERATIONS IN
BUDGET AMENDMENT PROCESS ("TAXPAYER AWARENESS
ACT PART 2")**

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 Legislature amends the County Executive's recommended operating budget each year by adopting budget amendment resolutions.

This Legislature also finds and determines that a practice has evolved whereby the County Legislature amends the operating budget through the use of an omnibus budget resolution, which bundles hundreds of line item changes in one resolution.

This Legislature finds that omnibus budget amendment resolutions are generally prepared by a group of legislators who meet in private sessions that are closed to the public.

This Legislature also determines that the debate and discussions that shape the preparation of the County operating budget should be open to the full legislature and the public at large.

Therefore, the purpose of this law is to require that all meetings of special committees or working groups established to create an omnibus budget amendment be open and accessible to the public.

Section 2. Amendment.

Section C4-10 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§ C4-10. Action by County Legislature on proposed budget.

B. The County Legislature may amend the proposed county budget by submitting a budget amendment resolution which will add or increase an item of appropriation or strike or reduce an item of appropriation except for appropriations for debt service and any other appropriations required by law.

(4) Meetings of any committee or working group charged with the responsibility of preparing an omnibus budget amending resolution shall be held during regular business hours and be open to the public. Each meeting of such a committee or group shall begin with a one hour public portion.

Section 3. Applicability.

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

Section 4. 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 5. 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 6. Effective Date.

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

___ Underlining denotes addition of new language.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: