

RESOLUTION NO. 442 -2020, ADOPTING LOCAL LAW NO. -2020, A CHARTER LAW TO CHANGE THE LEGISLATIVE TERM OF OFFICE FROM TWO (2) YEARS TO FOUR (4) YEARS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on January 2, 2020 a proposed local law entitled, "**A CHARTER LAW TO CHANGE THE LEGISLATIVE TERM OF OFFICE FROM TWO (2) YEARS TO FOUR (4) YEARS**"; now, therefore be it

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

LOCAL LAW NO. -2020, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO CHANGE THE LEGISLATIVE TERM OF OFFICE FROM TWO (2) YEARS TO FOUR (4) YEARS

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 Suffolk County's elected officials, with the exceptions of County Legislators, all serve a four (4) year term of office. County Legislators are elected to only a two (2) year term of office.

This Legislature also finds and determines that the issues facing the County have grown exponentially, both in difficulty and complexity, over the past 26 years since the term limits were last changed by Local Law No. 27-1993.

This Legislature further finds and determines that a two-year Legislative term impedes a legislator's ability to adequately represent his or her constituents, especially when campaigning for re-election requires several months out of his or her second year in office.

This Legislature finds that a two-year election cycle forces legislators to spend a majority of their terms in office planning and fundraising for the next political campaign. A four-year term would sharply reduce the pressures of campaigning and allow legislators to focus more time on representing their constituents.

This Legislature determines that creating a four-year term of office will better help legislators to be more productive and will give them the time to focus more efficiently and effectively on solving the complex issues that our County faces and the needs of their districts.

This Legislature also finds that the twelve (12) year term limit for legislators should remain intact notwithstanding any change in the legislative term of office.

Therefore, the purpose of this law is to amend Section C2-5 of the SUFFOLK COUNTY CHARTER to change the term of a County Legislator from two (2) years to four (4) years.

Section 2. Amendment.

Section C2-5 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

**ARTICLE II
The County Legislature**

* * * *

§C2-5. Term of office for Legislators.

A.) The term of office of a County Legislator shall be [~~two~~] four years, which shall begin on the first day of January following the general election at which the County Legislators are elected.

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Section 3. Applicability.

This law shall apply to all Legislators commencing their term of office on January 1, 2022, for which the general election will be held in 2021, and then to all subsequent terms of office for County Legislator. This law shall extend the time a County Legislator may serve beyond the twelve consecutive years following their election at a general election that is presently authorized in Section C2-5 of the SUFFOLK COUNTY CHARTER solely for current County Legislators whose 12 consecutive year limitations arises during the 4-year term of office created by this law. Current County Legislators who are in this category shall be allowed to complete the remaining 2 years of the final term which they are duly elected to, when applicable. No other exceptions to the term limits previously established pursuant to Local Law No. 27-1993 shall be authorized.

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)(26) 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 routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. 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. Form of Proposition.

The question to be submitted to the electorate pursuant to Section 7 of this law shall read as follows:

Shall Resolution No. -2020, Adopting A Charter Law to Change the Legislative Term of Office for County Legislators from Two (2) Years to Four (4) Years Be Approved?

Section 7. Effective Date.

This law shall not take effect until the first day of the first fiscal year after its approval by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting upon a proposition for its approval in conformity with the provisions of Sections 23 and 34 of the NEW YORK MUNICIPAL HOME RULE LAW. After approval by the electorate, this law, as well as any other law converted into a mandatory referendum pursuant to Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW, by a vote of the County Legislature, may only be amended, modified, repealed, or altered by enactment of an appropriate Charter law subject to mandatory referendum in accordance with prevailing law.

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

DATED: June 9, 2020

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: June 23, 2020