

Intro. Res. No. 1268-2020
Introduced by Legislators Piccirillo, Sunderman and Donnelly

Laid on Table 3/17/2020

**RESOLUTION NO. 647 -2020, ADOPTING LOCAL LAW
NO. 39-2020, A LOCAL LAW TO ENSURE THE APPROPRIATE
TRANSITION OF POWER BETWEEN COUNTY LEGISLATORS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 17, 2020, a proposed local law entitled, "**A LOCAL LAW TO ENSURE THE APPROPRIATE TRANSITION OF POWER BETWEEN COUNTY LEGISLATORS**"; now, therefore be it

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

LOCAL LAW NO. 39-2020, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO ENSURE THE APPROPRIATE TRANSITION
OF POWER BETWEEN COUNTY LEGISLATORS**

**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 Suffolk County Legislature was established 50 years ago to establish policies which protect the health, safety and welfare of its now 1.5 million residents.

This Legislature also finds and determines that over the last 50 years, dozens of legislators have left the Legislature based on the choices made by voters on Election Day and with the advent of term limits.

This Legislature determines that in 2018, the Legislature added specific requirements for transitioning legislators into its Rules, which govern the actions of the Legislature and its members, to address these problems.

Therefore, the purpose of this law is to amend Article II of the SUFFOLK COUNTY ADMINISTRATIVE CODE to provide specific requirements for the transition of power between legislators.

Section 2. Amendments.

Article II of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to include a new Section A2-18 as follows:

§ A2-18. Transitioning Legislators; Rights and Duties.

A member of the Legislature who is leaving office shall take reasonable steps between Election Day and the end of his or her term ("the transition period") to ensure an efficient and effective transition with his or her successor.

1. An outgoing member or the Legislature shall allow his or her successor access to their district office at least once during normal business hours (Monday through Friday, 9:00 A.M. to 5:00 P.M.) by no later than December 1st, so that the incoming legislator and his or her staff can evaluate the space and their needs for furniture, equipment and supplies.
2. An outgoing member will maintain and deliver to his or her successor all documents and records relating to constituents who have requested assistance from the member's office, which matters remain open and unresolved at the end of his or her term.
3. An outgoing member shall deliver a copy of the keys to his or her District Office to the Presiding Officer no later than five (5) business days before the end of the transition period.

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)(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. 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: September 9, 2020

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: September 24, 2020

After a public hearing duly held on September 21, 2020
Filed with the Secretary of State on October 7, 2020