

**RESOLUTION NO. 808 -2020, ADOPTING LOCAL LAW
NO. -2020, A CHARTER LAW TO DIVERT FUNDING
FROM THE FAIR ELECTIONS MATCHING FUND TO THE
COUNTY GENERAL FUND FOR TWO YEARS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on June 23,2020 a proposed local law entitled, "**A CHARTER LAW TO DIVERT FUNDING FROM THE FAIR ELECTIONS MATCHING FUND TO THE COUNTY GENERAL FUND FOR TWO 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 DIVERT FUNDING FROM THE FAIR
ELECTIONS MATCHING FUND TO THE COUNTY GENERAL
FUND FOR TWO 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 the COVID-19 pandemic has resulted in unprecedented threats to public health, requiring the government to enact severe restrictions on commerce across the nation while simultaneously providing significant emergency responses and public health services to the people of Suffolk County.

This Legislature also finds and determines that the restrictions on commerce enacted through various New York State Executive Orders resulted in a near shutdown of the regional economy for several months, with the resulting loss of revenues creating a significant threat to the financial stability of the County.

This Legislature further finds and determines that in order for the County to provide necessary services, action is required to address the revenue shortfalls that have resulted from the abovementioned government-directed restrictions on commercial activity.

This Legislature finds that the County's Fair Elections Matching Fund receives revenues from the Suffolk County Regional Off-Track Betting Video Lottery Terminal Program.

This Legislature determines that the Suffolk County Regional Off-Track Betting Video Lottery Terminal Program took a large economic hit during this health crisis.

This Legislature also finds that in order to help aid the Suffolk County government in its fiscal recovery, the funds that were to be distributed to the Fair Elections Matching Fund should be diverted to the County's General Fund for two fiscal years.

Therefore, the purpose of this law is to amend section C42-13 of the SUFFOLK COUNTY CHARTER to divert the funds received by the Suffolk County Fair Elections Matching Fund from the Suffolk County Regional Off-Track Betting Video Lottery Terminal Program to the Suffolk County General Fund for the years 2020 and 2021.

Section 2. Amendment.

Section C42-13 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

Article VIII. Fair Elections Matching Fund

* * * *

§C42-13. Suffolk County Fair Elections Matchable Fund.

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B. Each year, beginning in Fiscal Year 2019, except for the fiscal years of 2020 and 2021, a share of the proceeds received by the County of Suffolk as a result of the operation of video lottery terminals by the Suffolk County Regional Off-Track Betting Corporation shall be deposited in the Fund. The amount deposited in the fund for fiscal year [2020] 2022 will be \$1,000,000 and all subsequent fiscal years will be 15% of the County's annual share of the proceeds or \$1,000,000, whichever amount is greater. Annual contributions to the fund shall not exceed \$2.5 million in total.

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), (27) and (33) 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 in that the action constitutes 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 filing in the Office of the Secretary of State.

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

DATED: November 16, 2020

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 2, 2020