

6-1-19

Introduced by: Presiding Officer Richard J. Nicoletto, Deputy Presiding Officer Howard J. Kopel, Alternate Deputy Presiding Officer Denise Ford, and Legislators C. William Gaylor III, Vincent T. Muscarella, James Kennedy, Thomas McKeivitt, Laura Schaefer, John R. Ferretti, Jr., Rose Marie Walker, and Steven Rhoads

LOCAL LAW __-2019

A LOCAL LAW TO AMEND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY IN RELATION TO THE ESTABLISHMENT OF AN INDEPENDENTLY ELECTED ASSESSOR

APPROVED AS TO FORM


Majority Counsel

2019 MAR 11 A 10:30

RECEIVED
NASSAU COUNTY
CLERK OF THE LEGISLATURE

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. §601 of the County Government Law of Nassau County is amended as follows:

§601. Department established. There shall be a Department of Assessment, the head of which shall be the County Assessor, who shall be [appointed by the County Executive, subject to confirmation by the County Legislature, for a term of three years. No individual shall serve as acting assessor for a period longer than six months without confirmation by the County Legislature and no individual shall serve as acting assessor for any period of time without meeting the minimum qualifications established by subdivisions one, two or three of subsection b of this section. However, upon approval of the County Legislature, this six month period may be extended by one additional six month period.] elected from the county at large for a term of four years. He shall be at all times a qualified elector of the County, and shall give his whole time to the duties of the office and shall receive therefore a compensation to be fixed by ordinance. The Assessor may appoint such officers and employees, within the appropriations therefor, as are necessary to effectuate the purposes of the department and may appoint such Deputy Assessors as he or she shall find necessary and appropriate, who may act on behalf and in place of the Assessor in the exercise of his or her duties.

b. Minimum qualification standards for [Assessor] Chief Deputy Assessors. The County Assessor shall employ one or more Chief Deputy Assessors who shall have the following qualifications:

1. (i) a degree from an accredited four-year college; and (ii) one year of satisfactory full-time paid experience in an occupation involving the valuation of real property, including but not limited to assessor, appraiser, valuation data manager, or real property appraisal aide, where such experience primarily involved collection and recording of property inventory data, preparation of comparable sales analysis reports, preparation of signed valuation, appraisal estimates or reports using cost, income or market data approaches to value; provided, however, that the listing of real property for potential sale or the preparation of asking prices of real estate for potential sale, using multiple listing reports or other published asking prices shall not be considered qualifying experience[.]; or
2. (i.) a degree from an accredited two-year college; and (ii) two years of satisfactory full-time paid experience described in subparagraph (ii) of paragraph one of this subdivision; or
3. designation by the International Institute of Assessing Officers as one of the following:
 - i. Certified Assessment Evaluator
 - ii. Assessment Administration Specialist
 - iii. Cadastral Mapping Specialist
 - iv. Personal Property Specialist
 - v. Residential Evaluation Specialist.
4. In addition, the County Assessor, shall attain certification as a New York State certified assessor within three years of beginning his or her initial term of office. Any County [a]Assessor who begins a new term of office without having attained certification during a prior term of office shall attain certification within twelve months of beginning such new term, but in no event shall any County [a]Assessor be required to attain certification in less than thirty-six months of time in office.

§2. §2302. Time of election and term of elective officers; vacancies. of the County Government Law of Nassau County is amended as follows:

§2302. Time of election and term of elective officers; vacancies. Commencing with the general election to be held in November, nineteen hundred eighty-five and every fourth year thereafter, the County Clerk shall be elected for a term of four years. Commencing with the general election to be held in November, nineteen hundred seventy-three and every fourth year thereafter, the County Executive and county Comptroller shall be elected for a term of four years. Commencing with the general election to be held in November, two thousand twenty-one, and every fourth year thereafter, the County Assessor shall be elected for a term of four years. The district

court judge in the first judicial district shall be elected for terms of six years at the general election next succeeding such adoption and in every sixth year thereafter. The remaining district court judges shall be elected for terms of six years. A vacancy occurring in any office mentioned in this section otherwise than by the expiration of the term shall be filled by appointment of a person resident in the area from which such office is required by this act to be filled by election. Vacancies in the office of the County Executive shall be filled by the County Legislature, and in any other such office by the County Executive, subject to confirmation by the County Legislature. Any such appointee shall hold office until and including the thirty-first day of December next succeeding the first annual election after the occurrence of such vacancy at which such vacancy can be lawfully filled by election; at such annual election a successor shall be elected to hold office for the unexpired balance of the term, if any.

§3. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person 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 hereof, 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 or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§4. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8.N.Y.E.C.L. section 0101 et. seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§5. Effective Date. This law shall take effect immediately upon certification by the Nassau County Board of Elections of an affirmative vote by referendum approving the instant local law in relation to the establishment of an independent elected assessor at a general election to be held on November 5, 2019.

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Executive, subject to confirmation by the County Legislature. Any such appointee shall hold office until and including the thirty-first day of December next succeeding the first annual election after the occurrence of such vacancy at which such vacancy can be lawfully filled by election; at such annual election a successor shall be elected to hold office for the unexpired balance of the term, if any.

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