

STRICKEN AS OF 9/24/2022

Intro. Res. No. 1004-2022
Introduced by Legislator Fleming

Laid on Table 1/3/2022

**RESOLUTION NO. -2022, AMENDING THE RULES OF
THE LEGISLATURE TO ESTABLISH GUIDELINES FOR
INVOCATIONS**

WHEREAS, this Legislature adopts Rules of Procedure on an annual basis to govern the operation of the body for the upcoming session; and

WHEREAS, the 2022 Rules of the Suffolk County Legislature provide that at all regularly scheduled Legislative Meetings, the Order of Business shall include an Invocation; and

WHEREAS, the important purpose of the Legislative Invocation is to solemnize and lend gravity to the occasion and therefore should at all times be properly exercised in order to support and maintain the practice; and

WHEREAS, in addition to carrying out the Legislature's legislative function, the Legislative Meeting also functions as an opportunity for ordinary citizens to engage with and petition their government, often on highly individualized matters. Because of this second function, the Legislature has a high duty to maintain neutrality regarding personal beliefs unrelated to the body's legislative function; and

WHEREAS, the Establishment Clause of the First Amendment to the United States Constitution guarantees pluralism among religions in governmental speech and practice; and

WHEREAS, the Legislative Invocation constitutes governmental speech and practice, the purpose of which, as explained in the seminal United States Supreme Court case of *Marsh v. Chambers*, is to acknowledge widely held religious beliefs, not to advance one particular religious perspective, nor coerce or compel any particular religious doctrine; and

WHEREAS, if a Legislative Invocation goes beyond the acceptable limits set forth in *Marsh v. Chambers*, that Invocation violates the United States Constitution and is therefore impermissible; now, therefore be it

1st RESOLVED, that the 2022 Rules of the Suffolk County Legislature are hereby amended to read as follows:

RULE 2. ORDER OF BUSINESS

- A.) At all regularly scheduled Legislative meetings the following business shall be conducted, unless otherwise changed by the Presiding Officer or by an affirmative vote of at least a majority of the entire membership of the Legislature, in the following order:
- 1.) Roll call at 9:30 A.M. for day time Legislative meetings or 4:00 p.m. for night-time Legislative meetings;
 - 2.) Salute to the Flag;

- 3.) Invocation. In keeping with the important purpose of the Legislative invocation to solemnize and lend gravity to the Legislative Meeting, the Invocation shall be conducted in a manner consistent with the United States Constitution. shall maintain neutrality regarding personal beliefs unrelated to the body's legislative function and shall not reflect or advance one particular religious perspective, nor coerce or compel any particular religious doctrine.

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___ Underlining denotes addition of new language

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO § C2-15(A) OF THE SUFFOLK COUNTY CHARTER