

Amending The Rules Of Order To Modify Resolution Deadline

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Donaldson and Legislators Heppner, Rodriguez, Roberts, and Ronk)

Legislator Lynn Archer offers the following:

WHEREAS, it is the obligation of each Legislator to review the content of every resolution submitted for consideration prior to a vote on the measure, and to have an opportunity to make inquires and receive information in order to make informed decisions; and

WHEREAS, in order to be effective legislation Sponsors, Chairs and Deputies of Standing Committees have a responsibility to become familiar with the specific content of each resolution under consideration in their committees; and

WHEREAS, the current policy utilized for submission of certain resolutions leaves little time for review of said resolutions prior to consideration and action in Standing Committees, making it difficult for Legislators to effectively fulfill their duties; and

WHEREAS, the Legislature believes it is possible to help alleviate these concerns by modifying resolution deadline to be one week sooner; now, therefore be it

RESOLVED, that Rule 3. Resolutions, Local Laws, Rules For Procedure for Presentation and Consideration, Section C. Procedure for the submission and consideration of Resolutions in Committee, subsection (a) Regular Resolutions paragraph one, is hereby amended to read as follows:

(a) Regular Resolutions. Resolutions shall be deemed Regular Resolutions if they are filed with the Clerk of the Legislature not later than 12:00 Noon ten days in advance of the first Regular meeting date of Committees for that Legislative Calendar Month. Regular Resolutions once filed shall be placed on the Committee Agenda of the next Regular meeting of the Committee of Original Jurisdiction unless all Sponsors of the Regular Resolution request it be referred to a later meeting of the Committee. As part of the Annual Legislative Calendar, the Clerk shall identify the Regular Meeting dates of each Committee of the Legislature. The Clerk of the Legislature shall provide to the Members of the Legislature the deadline for submission of Regular Resolutions as soon as practicable for the Calendar year;

and, be it further

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RESOLVED, that Rule 3. Resolutions, Local Laws, Rules For Procedure for Presentation and Consideration, Section C. Procedure for the submission and consideration of Resolutions in Committee, subsection (b) Late Filed Resolutions, is hereby amended to read as follows:

(b.) Late Filed Resolutions. A Resolution that is not a Regular Resolution shall be deemed a Late Filed Resolution if, when introduced, it is requested by the Sponsors to be deemed a Late Filed Resolution.

A Late Filed Resolution shall be referred to and may be placed on an agenda of the Committee of Original Jurisdiction provided that Committee has not yet had its regular monthly meeting, or on the agenda of the Laws and Rules, Governmental Services Committee if the Committee of Original Jurisdiction has already met, at the option of the Chairperson of the appropriate committee if any two of the following circumstances exist:

(i) The Resolution was introduced upon the request of the County Executive, Comptroller, Sheriff, District Attorney, or County Clerk, which shall be specifically identified as being introduced at their request. The Resolution, if meeting this criteria, shall contain an explanation, acceptable to the Chairperson of the Legislature from the County Executive, Comptroller, Sheriff, District Attorney, or County Clerk, explaining why the Resolution was sent for introduction to the Clerk of the Legislature on the date it was sent and why it is necessary that the Resolution must be acted upon at the next meeting of the County Legislature.

(ii) The Resolution is of financial consequence or potential financial consequence for the County, the timeliness of which requires or favors action by the full Legislature at its next meeting, as determined by the Chairperson of the Legislature or Chairperson of the Ways and Means Committee.

(iii) The Resolution relates to a matter of public safety and the failure to act would negatively impact the people of Ulster County as certified by the Sheriff, Legislature Chairperson, Chairperson of the Law Enforcement and Public Safety Committee or District Attorney;

(iv) That another governmental entity (Town/Village/City/School District/State/Federal government) or division or agency thereof requires or requests such Resolution be acted on in order for that entity or division or agency to act.

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(v) That the Chairperson of the Legislature deems it appropriate to act on the Resolution at such meeting and the matter should not be held until the next meeting of the County Legislature; and, be it further

RESOLVED, that pursuant to Rule 2, entitled "AMENDMENT OF RULES," of the Rules of Order of the Ulster County Legislature, this resolution and the amendment proposed herein shall be read at two consecutive meetings of the Ulster County Legislature; and, be it further

RESOLVED, that this rule change shall take effect upon an affirmative vote of this body subsequent to two consecutive readings,
and moves its adoption.

FIRST READING: August 20, 2019

SECOND READING: September 17, 2019

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(Absent: Legislators Collins, Delaune, and Fabiano)

Passed Committee: Laws and Rules, Governmental Services as amended on March 18, 2019

Referred back to Laws and Rules, Governmental Services Committee at Legislative Session on April 16, 2019

Postponed in Committee: Laws and Rules, Governmental Services on May 14, 2019 with consent

Postponed in Committee: Laws and Rules, Governmental Services on June 17, 2019 with consent

No Action Taken Committee: Laws and Rules, Governmental Services on July 15, 2019

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Passed Committee: Laws and Rules, Governmental Services as amended on August 19, 2019

FINANCIAL IMPACT:
NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 17th Day of September in the year Two Thousand and Nineteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 19th Day of September in the year Two Thousand and Nineteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature