

Amending The Rules Of Order As They Relate To Decorum At Legislative Session And Legislative Committee Meetings

Referred to: The Laws, Rules and Government Services Committee (Chairman Kovacs and Legislators Gavaris, Hansut, Harmon, Kitchen, Levine, and Uchitelle)

Chair of the Legislature, Peter J. Criswell, and Chairman of the Laws, Rules and Government Services Committee, Jason Kovacs, offer the following:

WHEREAS, the Ulster County Legislature recognizes the essential role that respect, collaboration, and inclusivity play in the effective functioning of the Legislative body and hereby amends the Rules of Order as they relate to decorum at Legislative session and Legislative committee meetings to foster a more constructive and positive environment; and

WHEREAS, the purpose of these changes is to ensure that all legislators, staff, other elected officials, and members of the public who engage with our legislative process feel safe, heard, and valued; and

WHEREAS, the Legislature hereby finds that by establishing clear standards for conduct during Legislative sessions and committee meetings, we aim to enhance the quality of discourse encourage mutual respect, and promote a culture of professionalism and courtesy; and

WHEREAS, the Legislature further finds that maintaining a respectful and inclusive atmosphere is fundamental to achieving our collective goals and serving the needs of our community effectively; and

WHEREAS, these updated rules are designed to support a collaborative environment where every voice can contribute meaningfully to the Legislature's shared values; now, therefore be it

RESOLVED, that Rule 10 Monthly and Special Meetings, Notice; Rules of Order Section (G) Decorum, is hereby amended to read as follows:

“G. Decorum.

Intent: The purpose of these decorum rules is to foster respectful, orderly, and productive meetings that allow all members to participate without disruption. These rules are designed to support both the safety of the meeting environment and the rights of each legislator to voice their constituents' perspectives.

1. The Chair shall take the chair promptly at the hour specified for the convening of the Legislature and shall preserve order and decorum. In debate, they shall confine

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members' remarks to the questions under discussion. The Chair shall decide all questions of order, which decisions shall be final unless an appeal is taken to the Legislature and sustained.

2. The Chair, in the absence of the Vice Chair at a meeting, may call any other member to take their place in the chair. This presiding officer may call any other member to take their place in the chair. This substitution shall not extend beyond adjournment.

3. Respectful Conduct. All members must address one another with respect at all times, including but not limited to sessions and committee meetings, refraining from personal attacks and inflammatory language. Any Legislator who engages in personal attacks upon any other member of the Legislature, other elected officials, members of the public, etc. shall yield the floor at the Chair's order.

4. Relevance to Agenda Items. Members are required to keep their remarks relevant to the matter under discussion during both sessions and committee meetings. Deviating from the topic or using floor time for unrelated matters will not be tolerated.

5. Time Limits on Debate. A strict time limit shall be imposed for each speaker during debates in both session and committee meetings. The Chair will monitor the length of time each speaker utilizes, ensuring that no member exceeds the allotted time (e.g., 5 minutes per speaker).

6. Speaking Only When Recognized. Members must be recognized by the Chair before speaking.

7. Enforcement by the Chair. The Chair of the Legislature or Chair of a Legislative committee has the authority to maintain order and enforce these rules of decorum at all Legislative sessions and committee meetings. The following guidelines, adapted from Robert's Rules of Order, outline the Chair's authority to manage conduct:

(a) Warnings:

(i) The Chair can call a member to order if their conduct violates the rules of decorum.

(ii) The Chair may first issue a warning or a reminder of the rules.

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(iii) If a member persists after a warning, the Chair can take further action, such as naming the member in the minutes or seeking a formal reprimand.

(b) Taking Away the Privilege of Speaking:

(i) If a member repeatedly disrupts the meeting or engages in inappropriate conduct, the Chair can refuse to recognize them to speak again for the rest of the meeting.

(ii) This measure is to be used only if necessary to maintain order and only after issuing a warning, or if the disruption continues.

(iii) The assembly has the right to appeal the decision of the Chair if they believe it is unjust.

(c) Removal from Meetings*:

(i) For serious disruptions, a member can be removed from the meeting, typically requiring a motion by another member and a majority vote of the assembly.

(ii) A member may also be ordered to leave the room by the Chair if their behavior is particularly egregious, but this may be subject to a vote if challenged.

(iii) If physical safety or significant disruption is at stake, security may be engaged to remove the individual.

* Removal Clarification: Removal is considered only as a last resort, after all other efforts to maintain decorum have been exhausted. If a member is removed from a meeting, they retain the right to record their votes on resolutions and motions at the end of the meeting to ensure their constituents are represented in all decisions.

8. The Legislature hereby recognizes that Censure is a formal, group recognition that a given Member's conduct runs counter to the Legislature's accepted standards of behavior. Censure is to be utilized as a serious rebuke. In turn, notwithstanding any other Section of these Rules of Order, any Legislator may, at any time, submit a Resolution for consideration of the Legislature seeking to censure another member.

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Such resolution shall require two sponsors. Such resolution will clearly state the reason for the proposed censure. Such resolution will not be considered in any committee but will be considered by the full body at the next Regular meeting of the Legislature, or a Special Meeting called solely for the purpose of considering the Censure Resolution. A resolution seeking to censure a member requires a majority vote of the members of the Legislature. The resolution is debatable. The resolution is not amendable. The member in question can participate in the debate but cannot cast a vote. In the event that the Chair is the subject of the censure, the Vice Chair will conduct the meeting during that portion of the agenda. A resolution to censure cannot be postponed or referred and cannot be reconsidered. A member cannot be censured twice for the same offense.

9. When the conduct subject to censure occurs on the Floor and/or at a meeting, any Legislator may, at any time, make a motion to censure the offending member. Such motion shall be treated as a main motion requiring another member to second the motion. After the Chair states the question on the motion, the motion is debatable, and it shall require a simple majority to pass.” 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 move its adoption.

FIRST READING: November 19, 2024

SECOND READING:

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

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Postponed in Committee: Laws, Rules and Government Services on October 10, 2024
with consent

Passed Committee: Laws, Rules and Government Services as amended on November
14, 2024

FINANCIAL IMPACT:

\$300.00 – APPROXIMATE ADVERTISING COSTS