

Proposed Local Law Number 6 Of 2024

County Of Ulster

A Local Law Amending Article XXX Of The Ulster County Charter, (Local Law No. 2 Of 2006), And Amending Article XXX Of The Administrative Code For The County Of Ulster, (Local Law No. 10 Of 2008), And Section 216 Of The Code Of The County Of Ulster, Commission of Human Rights, To Modify Various Provisions

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT.

The Ulster County Human Rights Protection Act of 2018, adopted by the Legislature in August 2018, was enacted to "... empower its citizens and to provide local assurances for the safeguarding of basic rights and freedoms and the prevention of unlawful acts of discrimination." In furtherance of that mission, the Ulster County Legislature finds it necessary to embolden and enable the Human Rights Commission by clarifying positions and structure within the Department of Human Rights and the Human Rights Commission, providing greater equity in appointing authority, and safeguarding autonomy by amending the Chair election process.

The Ulster County Legislature also finds that the amendments herein are in keeping with the recommendations made by the Ulster County Charter Revision Commission in their report submitted to the Legislature in September 2023.

SECTION 2. Article XXX Section C-100 of the Ulster County Charter is REPEALED and a new Section C-100 is added to the Ulster County Charter to read as follows:

Article XXX Commission of Human Rights

§ C-100. Director of Human Rights.

A. There shall be a Department of Human Rights headed by a Director of Human Rights who shall be appointed by the County Executive, subject to confirmation of the Legislature, and serve at the County Executive's pleasure. The Director shall have authority, dominion and control over the department, and have the power and authority to appoint and remove officers and employees therein. The Director shall serve as an ex officio non-voting member of the Human Rights Commission.

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B. Powers and Duties. The Director of Human Rights shall have managerial responsibility for the Department and administrative responsibility for the Commission of Human Rights. In consultation with the Commission, the Director shall recommend policies and programs to address discrimination in employment, housing, public accommodation, education, and credit; expand public education and awareness of human rights; and foster harmony between the diverse communities within Ulster County.

SECTION 3. Article XXX Section A30-1 of the Ulster County Administrative Code is REPEALED and a new Section A30-1 is added to the Ulster County Administrative Code to read as follows:

Article XXX Commission of Human Rights

§ A30-1. Director of Human Rights.

A. There shall be a Department of Human Rights headed by a Director of Human Rights who shall be appointed by the County Executive, subject to confirmation of the Legislature, and serve at the County Executive's pleasure. The Director shall have authority, dominion and control over the department, and have the power and authority to appoint and remove officers and employees therein. The Director shall serve as an ex officio non-voting member of the Human Rights Commission.

B. Powers and Duties. The Director of Human Rights shall have managerial responsibility for the Department and administrative responsibility for the Commission of Human Rights. In consultation with the Commission, the Director shall recommend policies and programs to address discrimination in employment, housing, public accommodation, education, and credit; expand public education and awareness of human rights; and foster harmony between the diverse communities within Ulster County.

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C. Reports. On or before March 1 of each year, the Director of Human Rights shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Human Rights shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

SECTION 4. Article XXX Section C-101 of the Ulster County Charter is REPEALED and a new Section C-101 is added to the Ulster County Charter to read as follows:

§ C-101. The Commission of Human Rights.

A. There shall be a Commission of Human Rights that shall be constituted in accordance with and exercise the powers and duties specified in Article 12-D of the General Municipal Law and other related duties required by the County Executive and/or the County Legislature.

B. The Commission of Human Rights shall have 11 members appointed to terms of three years, three members of which shall be appointed by the legislative Chairperson, three members by the legislative minority leader, and three members by the County Executive, with the remaining two members chosen by the appointed members of the Commission. The Commissioners shall select a Chairperson from among their members at the first meeting of each calendar year. Appointments shall be representative of the diversity in Ulster County's communities. Consideration shall be given but not be limited to representation of gender, gender identity, race, ethnicity, socioeconomics, age, culture, religion, geography, and disability. No member of the Commission of Human Rights shall serve more than four consecutive terms of three years.

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SECTION 5. Article XXX Section A30-2 of the Ulster County Administrative Code is REPEALED and a new Section A30-2 is added to the Ulster County Administrative Code to read as follows:

§ A30-2. The Commission of Human Rights.

A. There shall be a Commission of Human Rights that shall be constituted in accordance with and exercise the powers and duties specified in Article 12-D of the General Municipal Law and other related duties required by the County Executive and/or the County Legislature.

B. The Commission of Human Rights shall have 11 members appointed to terms of three years, three members of which shall be appointed by the legislative Chairperson, three members by the legislative minority leader, and three members by the County Executive, with the remaining two members chosen by the appointed members of the Commission. The Commissioners shall select a Chairperson from among their members at the first meeting of each calendar year. Appointments shall be representative of the diversity in Ulster County's communities. Consideration shall be given but not be limited to representation of gender, gender identity, race, ethnicity, socioeconomics, age, culture, religion, geography, and disability. No member of the Commission of Human Rights shall serve more than four consecutive terms of three years.

C. The Commission of Human Rights shall keep minutes of all meetings, including the date and time of meeting and members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Commission meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Commission's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each member on each item.

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SECTION 6. Chapter 216 Section 216-5 of the of the Code of the County of Ulster is amended to read as follows:

§ 216-5 Amendment to § C-101 B.

The Commission of Human Rights shall have 11 members appointed to terms of three years, three members of which shall be appointed by the legislative Chairperson, three members by the legislative minority leader, and three members by the County Executive, with the remaining two members chosen by the appointed members of the Commission. The Commissioners shall select a Chairperson from among their members at the first meeting of each calendar year. Appointments shall be representative of the diversity in Ulster County's communities. Consideration shall be given but not be limited to representation of gender, gender identity, race, ethnicity, socioeconomics, age, culture, religion, geography, and disability. No member of the Commission of Human Rights shall serve more than four consecutive terms of three years.

SECTION 7. Article XXX Section C-102 of the Ulster County Charter is amended to add language to the section title to read as follows:

§ C-102. Authority of Commission.

SECTION 8. Article XXX Section A30-3 of the Ulster County Administrative Code is amended to add language to the section title to read as follows:

§ A30-3. Authority of Commission.

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SECTION 9. MANDATORY REFERENDUM QUESTION.

The question that shall be submitted to the voters is as follows:

“Shall the amendments to Article XXX of the Ulster County Charter and the Ulster County Administrative Code, and Section 216 of the Code of the County of Ulster approved as Proposed Local Law No. 6 of 2024 clarifying positions within the Department of Human Rights and the Human Rights Commission and providing equity and autonomy for appointments to the Human Rights Commission and the election of its Chair, be adopted and become part of the Ulster County Charter?”

SECTION 10. SEVERABILITY.

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, Ulster County Administrative Code and the Code of the County of Ulster, which shall remain in full force and effect.

SECTION 11. EFFECTIVE DATE.

Pursuant to Municipal Home Rule Law Section 23, this Local Law shall not become operative unless and until this Local Law is approved by the duly qualified voters of Ulster County in a manner prescribed by law at the general election on November 5, 2024, and thereafter filed with the Secretary of State.