

## Amending The Rules Of Order To Set Procedure For Memorializing Resolutions

Legislator Roberts offers the following:

WHEREAS, Rule 3 of the Rules of Order of the Ulster County Legislature, entitled “*RESOLUTIONS; RULES FOR PROCEDURE FOR PRESENTATION AND CONSIDERATION*”, is set forth as follows, in its entirety, as adopted (January 6, 2010) and/or updated by the Ulster County Legislature:

### **RULE 3. *RESOLUTIONS; RULES FOR PROCEDURE FOR PRESENTATION AND CONSIDERATION.***

- A. *Adoption, amendment and repeal. The County Legislature may adopt, amend and repeal resolutions by a majority vote of the total number of its members. Each resolution shall embrace only one subject and may relate to property or any other subject of County concern not required by the Charter or applicable law to be provided by local law. Resolutions shall not be subject to referenda.*
- B. *Procedure. Except as otherwise provided in the Charter, all procedural details relating to the adoption, amendment and repeal of resolutions shall be as provided in the Administrative Code or applicable law.*
- C. *Rules for Procedure. Time for presentation of resolutions to the Clerk is as follows:*
  - 1. All resolutions to be considered at a Regular Meeting of this County Legislature shall be filed with the Clerk of the Legislature by not later than 12:00 Noon of the Wednesday preceding the first scheduled committee meeting of the month. [*Amended pursuant to Resolution No. 2 dated March 2, 2010.*]
  - 2. Any exception to the requirement for filing of resolutions shall only be made by the affirmative majority of the Governmental Services, Environmental and Administrative Committee so long as any resolution which has a financial impact has been or is approved by the Budget and Finance Committee prior to presentation to the Legislature. [*Amended pursuant to Resolution No. 2 dated March 2, 2010.*]
  - 3. The Clerk of the Legislature shall furnish by mail to each County Legislator, as soon as reasonably possible after the deadline for the filing of resolutions, a complete listing of all filed resolutions, such listing to contain a brief description resume of the contents of each resolution.

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4. The rules as herein noted as 1, 2, and 3, above shall govern at all times except when the Rules of Procedure or sections thereof may be suspended, such as during the holding of Annual Session or when otherwise voted upon.
5. Notwithstanding any other rules herein contained for the period of time from the close of business on the day preceding the annual session of the County Legislature, all resolutions to be considered during the Annual Session shall be presented to the Clerk and time and date-stamped at least 48 hours prior to any meeting or adjourned meeting in annual session, and shall not be considered by the County Legislature unless the consideration thereof has been approved by a majority vote of the total membership of the Governmental Services, Environmental and Administrative Committee.  
[Amended pursuant to Resolution No. 2 dated March 2, 2010.]

WHEREAS, it is the desire of the Ulster County Legislature to amend Rule 3 of the Rules of Order of the Ulster County Legislature to set procedure for memorializing resolutions, adding C(6), and

WHEREAS, the Governmental Services, Environmental and Administrative Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that Rule 3 of the Rules of Order of the Ulster County Legislature shall be amended to read as follows:

**RULE 3. RESOLUTIONS; RULES FOR PROCEDURE FOR PRESENTATION AND CONSIDERATION.**

- A. *Adoption, amendment and repeal.* The County Legislature may adopt, amend and repeal resolutions by a majority vote of the total number of its members. Each resolution shall embrace only one subject and may relate to property or any other subject of County concern not required by the Charter or applicable law to be provided by local law. Resolutions shall not be subject to referenda.
- B. *Procedure.* Except as otherwise provided in the Charter, all procedural details relating to the adoption, amendment and repeal of resolutions shall be as provided in the Administrative Code or applicable law.

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C. Rules for Procedure. Time for presentation of resolutions to the Clerk is as follows:

1. All resolutions to be considered at a Regular Meeting of this County Legislature shall be filed with the Clerk of the Legislature by not later than 12:00 Noon of the Wednesday preceding the first scheduled committee meeting of the month. [*Amended pursuant to Resolution No. 2 dated March 2, 2010.*]
2. Any exception to the requirement for filing of resolutions shall only be made by the affirmative majority of the Governmental Services, Environmental and Administrative Committee so long as any resolution which has a financial impact has been or is approved by the Budget and Finance Committee prior to presentation to the Legislature. [*Amended pursuant to Resolution No. 2 dated March 2, 2010.*]
3. The Clerk of the Legislature shall furnish by mail to each County Legislator, as soon as reasonably possible after the deadline for the filing of resolutions, a complete listing of all filed resolutions, such listing to contain a brief description resume of the contents of each resolution.
4. The rules as herein noted as 1, 2, and 3, above shall govern at all times except when the Rules of Procedure or sections thereof may be suspended, such as during the holding of Annual Session or when otherwise voted upon.
5. Notwithstanding any other rules herein contained for the period of time from the close of business on the day preceding the annual session of the County Legislature, all resolutions to be considered during the Annual Session shall be presented to the Clerk and time and date-stamped at least 48 hours prior to any meeting or adjourned meeting in annual session, and shall not be considered by the County Legislature unless the consideration thereof has been approved by a majority vote of the total membership of the Governmental Services, Environmental and Administrative Committee. [*Amended pursuant to Resolution No. 2 dated March 2, 2010.*]

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6. Any resolution which memorializes the New York State Legislature, Congress of United States, or any other legislative body to take an action which will not require a home rule message, shall be referred to the Clerk of the Legislature for the purpose of reading as a communication. The resolution shall then be labeled a petition by County Legislators. Any member who desires to register their support or opposition to the petition may sign the same, indicating their support or opposition. Thirty days from the date of the reading of said communication, the Clerk shall forward the signed petition with the following language to the appropriate legislative body and public officials: "The enclosed petition represents the opinion of those members of the Ulster County Legislature signing the same regarding the contents of subject matter of the petition. Under the Rules of the Ulster County Legislature, a Legislator may sign said petition or may in the alternative elect not to sign the petition,

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 prior to its adoption, 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: APRIL 20, 2010**

**SECOND READING: MAY 18, 2010**

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

FINANCIAL IMPACT:  
NONE

0409

**WITHDRAWN BY SPONSOR**