



Legislation Details (With Text)

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In control: Committee on Rules, Privileges and Elections

On agenda: 11/20/2002

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Title: Resolution amending various Rules of the Council.

Sponsors: Leroy G. Comrie, Jr.

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting - 11/20, 3. Hearing Transcript

| Date | Ver. | Action By | Action | Result |
|------------|------|--|-----------------------------|--------|
| 11/13/2002 | * | Committee on Rules, Privileges and Elections | Hearing on P-C Item by Comm | |
| 11/13/2002 | * | Committee on Rules, Privileges and Elections | P-C Item Approved by Comm | Pass |
| 11/20/2002 | * | City Council | Introduced by Council | |
| 11/20/2002 | * | City Council | Approved, by Council | Pass |

Preconsidered Res. No. 600

Resolution amending various Rules of the Council.

By Council Member Comrie:

Section one. Rules 2.00, 3.00 and 8.30 of the Rules of the Council are hereby amended to read as follows:

2.00. Speaker; [President Pro Tempore and] other Officers -The Council shall elect from among its members a Speaker, [a President Pro Tempore] and such other officers as it deems appropriate. During absences, the Speaker may designate, in writing, any member to perform the duties of the Speaker for that legislative day.

3.00. Who Presides - The [Public Advocate, or in the absence of said officer, the President Pro Tempore, or, in the absence of said officer, the designee of the] Speaker shall [preside over] be the presiding officer of the Council and may at his or her discretion designate an Acting President Pro Tempore who shall chair all stated, charter and special meetings. The [presiding officer] Speaker shall call the Council to order and the Acting President Pro Tempore, except in the absence of a quorum, shall proceed to business in the manner prescribed by these Rules.

8.30. Order of Calling the Roll - The roll call of the Council shall be in alphabetical order, then the Minority Leader, Majority Leader and the Speaker [and, in the event of a tie, the Public Advocate].

§2. Rules 1.00, 5.00, 5.10, 5.30, 5.40, 5.50, 5.90, 8.10, 8.20, 8.60, 9.00, 9.10, and 9.40 of the Rules of the Council are hereby amended to read as follows:

1.00. Stated, Special - The Council shall hold no less than two stated meetings a month, unless otherwise ordered, except during the months of July and August. Such meetings shall be called by the Speaker. The first meeting in each year shall be the Charter Meeting, and shall be held on the first Wednesday after the first Monday of January at noon.

The Council may adjourn to a day other than that of a stated meeting and notice thereof shall be given to each member and the public by the [Clerk of the Council] Legislative Document Division at least 24 hours before the set time.

Notice of such adjournment shall be given to the news media and shall be posted in a public location at City Hall.

A list of all items to be considered as a General Order by the Council at the stated or special meeting, together with copies of all such items, including memoranda in support or in opposition, if any, except for those items acted on by a committee convened on the day of or preceding a meeting of the Council, in which case copies of such items shall be made available as soon as practicable, and a list of titles of all proposed local laws and resolutions to be introduced at such meeting, where practicable, shall be provided to each member at least 36 hours prior to the call of all meetings.

5.00. Minutes - The [Clerk of the Council] Legislative Document Division shall prepare and cause to be printed minutes containing the proceedings of each meeting and accurate records of the members actually in attendance. All papers submitted shall constitute a part of the proceedings of each meeting.

5.10. Public Access - The Office of the Speaker shall keep accurate records of the meetings of the committees of the Council, including the members present, committee reports, a description of each matter considered, the memorandum of support and fiscal impact statement accompanying each proposed local law or resolution, the names of witnesses appearing before the committee and copies of their written testimony, when submitted. Such materials shall be open to public inspection free of charge and copying at reasonable fees at such times as is practicable. Proceedings and records of the Committee on Standards and Ethics shall be privileged and confidential.

Any person requesting copies of such materials shall set forth in writing a specific description of the material sought which shall be submitted to the Office of the Speaker. A complete transcript of each committee meeting shall be available for public inspection at the Office of the City Clerk, Clerk of the Council, free of charge within sixty days of such meeting. Copies of transcripts requested shall be provided to the public by the Clerk of the Council at a reasonable fee to cover the cost of copying and, if necessary, mailing.

5.30. Certification - The certificate of the Clerk of the Council shall be attached to every proposed local law or resolution to the effect that the same has been duly passed by a vote, as required by the provisions of the Charter of the City of New York [, and said Clerk]. The Legislative Document Division shall transmit the proposed local law or resolution to the Mayor.

5.40. Records - The [Clerk of the Council] Legislative Document Division shall keep index records convenient for reference of all local laws, resolutions, communications, petitions and other matters introduced in or presented by the Council, together with a complete chronological record of all action taken thereon by the Council or any of its committees. Such records shall be made available to the public during regular business hours.

5.50. Rules and Charter - The [Clerk of the Council] Legislative Document Division shall furnish to each member a copy of the Rules of the Council as prepared and printed under the direction and supervision of the Committee on Rules, Privileges and Elections and a copy of "Robert's Rules of Order, Newly Revised", and the City Charter.

5.90. Transmittal to Clerk - The Legislative Document Division shall furnish to the Clerk of the Council copies of all agendas, calendars, [proposed] adopted local laws and resolutions.

8.10. Home Rule Requests; How Presented - Any resolution presented to the Council calling upon the legislature of the State of New York to pass a specific bill pending before such legislature shall be filed with the [Clerk of the Council] Legislative Document Division together with fifty copies of the State bill.

8.20. Admission to Floor of Council Chamber - No person shall be admitted to the floor of the Council Chamber during the sessions except:

- a. The Mayor or the Deputy Mayors.
- b. The employees of the Council and [such employees of] the Clerk of the Council and his or her employees as are required by the Council to assist in the performance of its functions.
- c. Heads of City departments and agencies, when their presence is requested or required by the Council.
- d. Reporters of public newspapers in the section of the Chamber assigned for their use.
- e. Such other persons as may by resolution of the Council be authorized to be present, or may by regulations be granted the courtesy of admission to the floor.

8.60. Presence of Quorum; Member Silent on Roll Call - Whenever any member raises the question as to the presence of a quorum, the presiding officer shall forthwith direct the [Clerk of the Council] Legislative Document Division to call the roll, and shall announce the result, and such proceedings shall be without debate; but no member, while speaking, shall be interrupted by raising the question of absence of quorum, and such question shall not be raised more than once every hour, unless the absence of a quorum be disclosed upon a roll call. Whenever, upon a roll call, any member present refuses to make an affirmative response, it shall be the duty of the presiding officer, either upon said officer's own motion or upon the suggestion of any member of the Council, to request the member so remaining silent to respond as "present", and if such member fails to do so, the fact of such request and the refusal shall be entered in the minutes and such member shall be counted as present for the purpose of constituting a quorum.

A majority of all Council Members shall constitute a quorum.

9.00. Absent Members; Opportunity to Indicate Position on Roll Call - Any member may submit to the [Clerk of the Council] Legislative

Document Division a written explanation of his or her absence from a stated meeting which shall become part of the record of such meeting. Any member absent from a particular meeting or part thereof who wishes to have indicated in the record a position on a specific issue may do so by communicating the wish to the [Clerk of the Council] Legislative Document Division prior to the announcement of the result of such vote. Such indication in the record shall not be deemed a vote but shall become part of the proceedings.

9.10. Local Laws Disapproved by the Mayor - Proposed local laws returned with the disapproval of the Mayor shall be referred to committee by the Speaker. The [Clerk of the Council] Legislative Document Division shall enter the objections of the Mayor thereto in the minutes of the Council.

A majority vote of the committee is necessary to report the matter favorably to the Council, and the Council shall then proceed to consider the question, "Shall the bill pass, the objection of the Mayor notwithstanding?"

9.40. Motion to Amend to be in Writing - Before any motion to amend a proposed local law or resolution is debated, it shall be reduced to writing, delivered to the [Clerk of the Council] Legislative Document Division and read. All motions to amend the expense or capital budgets must be in writing.

§3. Section one of this resolution shall become effective upon the issuance by the New York City Board of Elections of a certification declaring that the referendum concerning mayoral succession was approved by the electors on November 5, 2002. §2 of this resolution shall take effect immediately.