



Legislation Details (With Text)

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| File #: | Res 0280-2004 | Version: | * | Name: | Amending and adding certain Rules of the Council. |
| Type: | Resolution | Status: | Adopted | In control: | Committee on Rules, Privileges and Elections |
| On agenda: | 4/1/2004 | | | | |
| Enactment date: | | Enactment #: | | | |
| Title: | Resolution amending and adding certain Rules of the Council. | | | | |
| Sponsors: | Leroy G. Comrie, Jr. | | | | |
| Indexes: | | | | | |
| Attachments: | 1. Committee Report, 2. Hearing Transcript, 3. Hearing Transcript - Stated Meeting 4/1, 4. Rules of the Council | | | | |

| Date | Ver. | Action By | Action | Result |
|----------|------|--|-----------------------------|--------|
| 4/1/2004 | * | Committee on Rules, Privileges and Elections | Hearing on P-C Item by Comm | |
| 4/1/2004 | * | Committee on Rules, Privileges and Elections | P-C Item Approved by Comm | Pass |
| 4/1/2004 | * | City Council | Introduced by Council | |
| 4/1/2004 | * | City Council | Approved, by Council | Pass |

Res. No. 280

Resolution amending and adding certain Rules of the Council.

By Council Member Comrie

Section One. Rule 3.00 of the Rules of the Council is amended to read as follows:

3.00. Who Presides - a. The Speaker shall 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 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.

b. Only in the event the Speaker is no longer a member of the Council, the City Clerk shall act as the presiding officer for the Charter meeting of a new session. The City Clerk shall call the meeting to order, read into the record communications, including the certification of newly elected members from the Board of Elections, call the roll, seek nominations for Speaker and manage any debate thereon, close nominations, call for a vote on such nominations and announce the new Speaker. Once elected, the new Speaker shall become the presiding officer.

§2. Rule 3.15 of the Rules of the Council shall read as follows:

3.15. Prohibition on the Use of Mobile Telephones - The Council prohibits the use of all mobile telephones during the course of Stated Meetings. The presiding officer shall enforce this Rule by directing that all mobile telephones be silenced or placed on vibrate at the start of the Stated Meeting and that they not be in use on the floor until the conclusion of the meeting.

§3. Rule 6.20 of the Rules of the Council shall be amended by adding a new paragraph c. to read as follows:

6.20 c. Certain legislative matters, as designated by the Speaker, may be introduced under the sponsor name, “by the Rules, Privileges and Elections Committee”. Legislative matters sponsored under such process shall continue to be assigned to the appropriate committee for its consideration.

§4. Rule 6.40. b. of the Rules of the Council is amended to read as follows:

b. The introduction of all proposed local laws [or resolutions] shall be accompanied by a memorandum in support which shall include a brief explanation of the intent of the proposed local law [or resolution].

§5. Rule 7.50 c. of the Rules of the Council shall be amended to read as follows:

c. Each standing committee, except for the Committees on State and Federal Legislation, Standards and Ethics, Oversight and Investigations, and Rules, Privileges and Elections shall meet no less than once a month except during the months of July and August. Subcommittees or special committees shall meet as needed to complete their work.

§6. Rule 7.65 of the Rules of the Council shall read as follows:

7.65. Prohibition on the Use of Mobile Telephones - The Council prohibits the use of all mobile telephones during the course of committee meetings. The committee chairperson shall enforce this Rule during the course of committee hearings by directing that all mobile telephones be silenced or placed on vibrate at the start of such committee meeting, and that they not be in use during the meeting until its conclusion.

§7. Rule 7.70 of the rules of the Council is hereby amended to read as follows:

7.70. Required Voting - a. All committee determinations, except as provided for in Rule 8.50 b., shall be on roll call vote of the majority of the entire committee, including determination on matters requiring a greater vote for final passage by the Council. All votes shall be cast in person and in open session, except that the Committee on Standards and Ethics shall be authorized to record its vote while in executive session to consider a disciplinary matter pursuant to the provisions of section 105 of the Public Officers Law. Except for a voice vote as authorized by Rule 8.50 b., the result of each roll call vote, taken during any meeting of a committee, the name of each member voting for and each member voting against the matter, and the names of those members present but not voting shall be made available by the Legislative Document Division for inspection by the public at reasonable times. Members may submit to the committee a written explanation of their absence from a committee meeting, which shall become part of the record of such meeting.

§8. Rule 7.80 of the Rules of the Council is hereby amended to read as follows:

7.80. Reports of the Council Committees - Each committee shall report, in writing, on all matters that receive a hearing before it, with a brief statement of facts and its opinion in relation thereto, proposing the necessary action by the Council, except that a report of the Committee on Standards and Ethics on a disciplinary matter regarding a particular person shall also contain the findings of fact reached after conducting a review or hearing and upon which the Committee bases its recommendations. The report itself shall not be subject to amendment.

Every report shall state the time when the subject matter of such report was referred to the committee by the Council, and the action, if any, taken by the committee pursuant to any instructions of the Council.

When a majority of a committee has reported to the Council its recommendation concerning a proposed local law, resolution or other matter, any member or members who have voted in the minority may present a minority report. All such majority and minority reports shall be in writing and signed by the members of the committee voting either in favor of or against the report as the case may be. The minority report shall not be deemed to reflect the legislative intention of the committee or the Council.

§9. Rule 7.100 of the Rules of the Council is hereby amended to read as follows:

7.100. Sponsor's Privilege - The first-named sponsor of a proposed local law or resolution referred to a standing committee may, at least [30] 60 days after introduction, petition the chairperson to schedule a committee meeting to consider such proposed local law or resolution. A meeting shall then be scheduled within 60 days of such petition for the purpose of determining future action. At such meeting, the sponsor shall be the first heard in support of such proposed local law or resolution. The committee shall either vote thereon or schedule a hearing to be held within 30 days, at which hearing a vote shall be taken if the sponsor so requests. If a proposed local law or resolution is reported favorably by a committee and the Council does not, within 45 calendar days of such report, vote on a motion to adopt, lay upon the table, postpone, refer or recommit such proposed local law or resolution, it shall be in order at any stated Council meeting occurring after the expiration of the 45-day period for the sponsor of such proposed local law or resolution to move for immediate consideration of such proposed local law or resolution.

§10. Rule 7.120 of the Rules of the Council is amended to read as follows:

7.120. Participation at Committee Meetings - Committee members may question witnesses, vote, make statements and otherwise participate in the work of a committee as a matter of right. Such Council staff as may be designated by the chairperson may also question witnesses. Non-committee members may question witnesses and make statements at committee meetings, except that, while in executive session considering a disciplinary matter, the Committee on Standards and Ethics shall limit attendance and participation to Committee members, the subject of such matter, witnesses, and certain designated Council staff only.

§11. Rule 8.40 of the Rules of the Council is amended to read as follows:

8.40. Voting - a. All votes cast at stated, charter and special meetings of the Council shall be in person. When hearing their names called, Members may pass their voting turn for up to two times, but must have their vote recorded when called a third time.