Legislation Details (With Text)

File #:	Int 0042-2022 **Version:** *	**Name:**	Establishing a charter revision commission to draft a new or revised city charter.
Type:	Introduction	**Status:**	Filed (End of Session)
		In control:	Committee on Governmental Operations
On agenda:	2/24/2022		
Enactment date:		**Enactment #:**	
Title:	A Local Law in relation to establishing a charter revision commission to draft a new or revised city charter		
Sponsors:	Joseph C. Borelli, David M. Carr, Kalman Yeger		
Indexes:	Council Appointment Required, Other Appointment Required		
Attachments:	1. Summary of Int. No. 42, 2. Int. No. 42, 3. February 24, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 2-24-22, 5. Minutes of the Stated Meeting - February 24, 2022		

Date	Ver.	Action By	Action	Result
2/24/2022	*	City Council	Introduced by Council	
2/24/2022	*	City Council	Referred to Comm by Council	
12/31/2023	*	City Council	Filed (End of Session)	

Int. No. 42

By Council Members Borelli, Carr and Yeger

A Local Law in relation to establishing a charter revision commission to draft a new or revised city charter

Be it enacted by the Council as follows:

Section 1. There is hereby established a commission to draft a new or revised charter for the city of New York aimed at restoring power to county governments in the five boroughs.

§ 2. Composition of the commission. a. The commission shall consist of 15 members to be appointed as follows:

1. Two members appointed by the mayor;

2. Two members appointed by each borough president;

3. One member appointed by the speaker of the council;

4. One member appointed by the comptroller; and

5. One member appointed by the public advocate.

powered by Legistar™

b. The commission members shall elect from among the membership a chairperson and vice chairperson.

c. All appointments to the commission shall be made within 60 days of the enactment of this local law, after which time any unused appointment authority granted by subdivision a of this section is forfeited. Any vacancy in the membership of the commission occurring after such date shall be filled in the same manner as the original appointment. A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission, and any number of commissioners greater than half the number of appointments made within 60 days of the enactment of this local law shall constitute a quorum.

d. No member of the commission may be removed except for cause and by the official who appointed that member.

e. No commission member shall be a registered lobbyist as that term is defined in subdivision (a) of section 3-211 of the administrative code of the city of New York. Any person who has business dealings with the city, as that term is defined in subdivision 18 of section 3-702, may serve as a commission member only after approval by the conflicts of interest board and only subject to such restrictions or limitations on their duties and responsibilities for the commission as the conflicts of interest board may require.

f. No person is disqualified to serve as a commission member by reason of holding any other public office or employment, nor shall they forfeit any such office or employment by reason of their appointment hereunder, notwithstanding the provisions of any law.

g. Commission members shall receive no compensation for their services, but shall be reimbursed for the actual and necessary expenses incurred by them in the performance of their duties.

h. The terms of office of the commission members expire on the day of the election at which the proposed new or revised charter prepared by the commission is submitted to the qualified electors of the city, or on the day of the second general election following the date of the enactment of this local law if no such questions have been submitted by that time.

§ 3. Commission mandate and powers. a. The commission shall review the entire charter and prepare a draft of a new or revised charter. In preparing such new or revised charter, the commission shall undertake the following functions: (i) identify any provisions, duties, responsibilities, or obligations mandated under the charter that are inconsistently or inequitably applied among the five boroughs; (ii) assess and identify any disproportionate disparities in resource allocation to, and service provision by, each borough; and (iii) recommend amendments to the charter that empower each borough to address the disparities identified, together with such other amendments as the commission recommends.

b. The commission shall conduct not less than one public hearing in each borough and shall conduct an extensive outreach campaign that solicits ideas and recommendations from a wide variety of civic and community leaders, and which encourages the public to participate in such hearings. The commission shall maintain a website that includes its public hearing agendas and transcripts, as well as webcasts of its public hearings.

c. The commission may conduct private hearings, take testimony, subpoena witnesses and require the production of books, papers and records.

d. The city shall make appropriations for the support of the commission and the commission may accept any services, facilities, or funds and use or expend the same for its purposes. In addition, the city may, on the request of the commission, appropriate to such commission such sums as are necessary to defray its expenses.

e. On request of the commission, the mayor may direct any board, body, officer or employee of the city to cooperate with, assist, advise, provide facilities, materials or data to, and render services to the commission.

f. The commission shall appoint and may at pleasure remove such employees and consultants as it shall require and fix their compensation.

g. No commission employee or consultant may be a registered lobbyist as that term is defined in subdivision (a) of section 3-211 of the administrative code of the city of New York. Any person other than a such a lobbyist who is a person doing business with the city, as that term is defined in subdivision 18 of section

3-702 of the administrative code of the city of New York, may serve as a commission employee or consultant only after approval by the conflicts of interest board and only subject to such restrictions on their duties and responsibilities for the commission as the conflicts of interest board may require.

h. No person is disqualified to serve as a commission employee or consultant by reason of holding any other public office or employment nor shall any such person forfeit such office or employment by reason of appointment pursuant to this local law, notwithstanding any contrary provision of law.

i. The commission shall be considered an agency for the purposes of article 6 of the public officers law.

§ 4. Submission of recommendation for voter approval. a. The commission may require that its proposed new or revised charter be submitted in two or more parts arranged so that corresponding parts of the existing charter shall remain in effect if one or more of such parts are not adopted, or in lieu of a new charter may submit a revision of the existing charter in one or more amendments and may also submit alternative charters or amendments or alternative provisions to supersede designated portions of a proposed charter or amendment if adopted.

b. The commission may submit its proposed new or revised charter in time for submission to the electors of the city at a general or special election, and shall complete and file in the office of the city clerk its proposed new or revised charter in time for submission to the electors not later than the second general election after the date of the enactment of this local law.

§ 5. Severability. If any provision of this local law, or any amendments thereto, are held invalid or ineffective in whole or in part, or inapplicable to any person or situation, such holding shall not affect, impair, or invalidate any portion of or the remainder of this local law, and all such provisions thereof shall nevertheless be separately and fully effective and the application of any such provision to other persons or situation shall not be affected.

§ 6. This local law takes effect immediately.

powered by Legistar™

Session 12
NAB
LS #3516
1/14/22

Session 11
EB
LS #12867