

The Legislature of Rockland County



JAY HOOD, JR.
Legislator, District 3

Chair, Rules Committee

AGENDA
RULES COMMITTEE
Tuesday, November 24, 2015
5:30 PM

ROLL CALL

ADOPTION OF MINUTES: March 25, 2015

A. REFERRAL NO. 4065:

1. AMENDING RULE 149-11 (D) OF THE RULES OF THE LEGISLATURE TO CLARIFY THAT A MOTION TO WAIVE THE RULES TO CONSIDER NEW BUSINESS IS DEBATABLE (**HON. ILAN S. SCHOENBERGER, LEGISLATURE**)
2. AMENDING RULE 149-23 (B) OF THE RULES OF THE LEGISLATURE REGARDING LITIGATION IN THE NAME OF THE ROCKLAND COUNTY LEGISLATURE (**HON. ALDEN H. WOLFE, LEGISLATURE**)

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RULESAGENDA112415
MW

DRAFT

Introduced by:
Hon. Ilan S. Schoenberger, Sponsor

Referral No. _____, 2015

**RESOLUTION NO. _____ OF 2015
AMENDING RULE 149-11(D) OF THE RULES OF THE LEGISLATURE
TO CLARIFY THAT A MOTION TO WAIVE THE RULES TO CONSIDER
NEW BUSINESS IS DEBATABLE**

WHEREAS, §149-11(D) of the Rules of the Legislature currently reads as follows:

§ 149-11. Time requirements.

.....

- D. Any new business matter, in order to be considered at a regular or adjourned meeting of the Legislature, must be an emergency, and prior to a request for a waiver of the rules the mover must explain why the proposed new business item is an emergency and shall require a vote of at least 2/3 (12 votes) to waive the rules of the Legislature.

; and

WHEREAS; while it has been the historical practice that a motion to waive the rules to consider new business is debatable, it does not specifically state so in the section; and

WHEREAS, the _____ Committee has met, considered and by a _____ vote, approved this resolution; now therefore be it

RESOLVED, that Section 149-11(D) of the Rules of the Legislature shall read as follows:

§ 149-11. Time requirements.

.....

- D. Any new business matter, in order to be considered at a regular or adjourned meeting of the Legislature, must be an emergency, and prior to a request for a waiver of the rules the mover must explain why the proposed new business item is an emergency and shall require a vote of at least 2/3 (12 votes) to waive the rules of

the Legislature. A motion to waive the rules of the Legislature to consider new business is debatable.

Material to be deleted [bracketed] and struck through
Material to be added **bold and underlined**

LG-2015-59

ELY

5/11/15

8/4/15

DRAFT

Introduced by:
Hon. Alden H. Wolfe, Sponsor

Referral No.
, 2015

RESOLUTION NO. OF 2015
AMENDING RULE 149-23(B) OF THE RULES OF THE LEGISLATURE REGARDING
LITIGATION IN THE NAME OF THE ROCKLAND COUNTY LEGISLATURE

WHEREAS, §149-23(B) of the Rules of the Legislature currently reads as follows:

§ 149-23. Special committees and joint task forces.

B. The Special Committee on Rules shall consist of six members of the Legislature, membership being limited to the Vice Chairperson of the Legislature, who shall act as Chairperson of this Committee, the Majority Leader, the Minority Leader, the Deputy Minority Leader, the Deputy Majority Leader and the Chairperson of the Legislature. Except as to matters specifically assigned to a standing committee or any other special committee, this Committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to the Rules of the Legislature and revision, amendment, repeal or other modification to the Rockland County Charter Law and such other matters as are deemed appropriate by the Clerk to the Legislature;

and

WHEREAS, there may be circumstance where the Legislature may wish to commence litigation in the name of the Rockland County Legislature and not the County of Rockland; and

WHEREAS, if the Legislature wishes to commence litigation solely in the name of the Rockland County Legislature and not the County of Rockland, it is appropriate that the decision be made by the leadership of the Legislature; and

WHEREAS, the Legislature recognizes that the Rules committee consists of both the majority and minority leadership and is the appropriate body to make the decision to initiate litigation solely in the name of the Rockland County Legislature; and

WHEREAS, the Committee has met, considered and by a vote, approved this resolution; now therefore be it

RESOLVED, that Section 149-23(B) of the Rules of the Legislature shall read as follows:

B. Special Committee on Rules

1. The Special Committee on Rules shall consist of six members of the Legislature, membership being limited to the Vice Chairperson of the Legislature, who shall act as Chairperson of this Committee, the Majority Leader, the Minority Leader, the Deputy Minority Leader, the Deputy Majority Leader and the Chairperson of the Legislature. Except as to matters specifically assigned to a standing committee or any other special committee, this Committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to the Rules of the Legislature and revision, amendment, repeal or other modification to the Rockland County Charter Law and such other matters as are deemed appropriate by the Clerk to the Legislature.

2. **The Special Committee on Rules, as part of the matters assigned to it, is specifically authorized by majority vote to initiate litigation solely in the name of the Rockland County Legislature when there is a controversy arising out of an interpretation or application of the Rockland County Charter or the Laws of Rockland County.**

Material to be deleted [bracketed] and struck through
Material to be added **bold and underlined**

LG-2015-112

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11/17/15