

**MINUTES
CAYUGA COUNTY LEGISLATURE
REORGANIZATION MEETING
THURSDAY, JANUARY 2, 2020, 6:00 PM**

CALL TO ORDER: Sheila Smith, Clerk of the Legislature called the meeting to order at 6:00PM

WELCOME: In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note, the elevators will not function. If anyone is unable to use the stairway, please go to caucus room number 2 located behind the chambers and emergency personnel will be notified.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

SWEARING IN OF NEWLY ELECTED LEGISLATOR'S: BY HON. MARK H. FANDRICH
Hans Pecher, District 8 and Heidi Nightengale, District 10

SWEARING IN OF NEWLY ELECTED LEGISLATOR: BY HON THOMAS G. LEONE
Tricia Kerr, District 12

SWEARING IN OF RE-ELECTED LEGISLATOR'S: BY HON. MARK H. FANDRICH
Christopher K. Petrus, District 4 and Michael V. Didio, District 14

SWEARING IN OF RE-ELECTED LEGISLATOR: BY HON. THOMAS G. LEONE
Aileen M. McNabb-Coleman, District 6

SWEARING IN OF RE-ELECTED LEGISLATOR: BY HON. THOMAS G. LEONE AND HON. MARK FANDRICH
Andrew C. Dennison, District 2

ROLL CALL: Amanda Morgan, Deputy Clerk of the Legislature, all legislators present.

THE CLERK OF THE LEGISLATURE WILL CALL FOR NOMINATIONS FOR LEGISLATIVE CHAIRPERSON.

Motion by Vitale to nominate Aileen McNabb-Coleman as Chair, 2nd by Whitman, all in favor.

SWEARING IN OF LEGISLATIVE CHAIRPERSON, BY HON. MARK H. FANDRICH OR HON. THOMAS G. LEONE

THE CHAIRMAN WILL CALL FOR NOMINATIONS FOR LEGISLATIVE VICE CHAIRPERSON.

Motion by Daly to nominate Ben Vitale as Vice Chair, 2nd by Nightengale, passed by majority vote; Ayes – Dennison, Vitale, McNabb-Coleman, Batman, Nightengale, Daly, Kerr, Foley, and Whitman; Noes – Petrus, Pinckney, Pecher, Ripley, Lattimore, and Didio; 546/337.

SWEARING IN OF LEGISLATIVE VICE CHAIRPERSON: BY HON. MARK H. FANDRICH OR HON. THOMAS G. LEONE

McNabb-Coleman thanks her family for attending. She shares that our legislative roles clearly go way beyond this dynamic. We have family, friends, neighbors, and constituents and all are counting on us. She says as legislators we entered into a public service for a variety of reasons, but most of all to leave the county in a better place than we found it. While reflecting on her role as a legislator after completing her first term she recently asked herself if she was adding value to the residents of Cayuga County. She says considering our recent collective behaviors, discussions, and decisions – she asks if we as legislators are in concert with one another and are we adding value to the residents of Cayuga County. She says she does not have personal answers for everyone, but she can answer that she can do better and we as legislators can do better and must do better. This is a new decade and we are at a crossroads in Cayuga County and one thing she is sure of is that she refuses to maintain the status quo or simply go through the motions. We do not have the luxury of time for political lines being drawn in the sand and this county needs to move forward and we must be unified to ensure our plans and goals be prioritized and achieved. The residents

of this county deserve tangible and positive outcomes to quality and life improvements, such as providing the highest level of public safety, protecting our lakes, upgrading our parks, enhancing our economy through business retention and attraction, improving service delivery for our vulnerable population, and all the while protecting the pockets of our constituents. This task is immense and our time here needs to be intentional. She says as your leader you can count on me for effective communication. She will reach out, you will know exactly where we are and what's ahead. She expects and welcomes your feedback. Next, she will be here physically, she will be accountable to you, to the departments of this County, and to our residents. Looking ahead tomorrow she will be sending out a list of priorities to each of the legislators to discuss this month in committees. That list will include some of what was left on the table from 2019 including salary adjustments for our non-bargaining employees and our response to the recent legislation affecting Public Safety. Please send her your priorities and feedback. At the conclusion of 2020 when we reflect on our added value to this county we need to effectively articulate our contributions and demonstrate to our constituents not only did we do better, we did our best. I am eager to get to work and be a productive progressive legislature. Let's make this a year we can be proud of. Thank you again for this opportunity.

THE CHAIRMAN WILL ASK FOR A MOTION TO ADOPT THE CAYUGA COUNTY LEGISLATURE RULES OF ORDER. Attached

Motion by Ripley to adopt Rules of Order, 2nd by Whitman.

Motion by Daly to amend Rules of Order to remove reference to Long Term Care and Nursing Home from the Health and Human Services Standing Committee, 2nd by Foley, all in favor.

Motion by Rules of Order as amended, all in favor.

DESIGNATION OF MAJORITY AND MINORITY LEADERS FOR 2020.

County Clerk Susan Dwyer, Administered the Oath of Office.

Vote to designate the majority party

- **Vote to have the Democratic Party be the Majority; defeated by majority vote; Noes – Dennison, Petrus, Pinckney, Pecher, Ripley, Lattimore, Didio, and Whitman; Ayes – Vitale, McNabb-Coleman, Batman, Nightengale, Daly, Kerr, and Foley; 465/418.**
- **Vote to have the Republican Party be the Majority; defeated by majority vote; Ayes- Dennison, Petrus, Pinckney, Pecher, Ripley, Lattimore and Didio; Noes - Vitale, McNabb-Coleman, Batman, Nightengale, Daly, Kerr, Foley, and Whitman; 412/471.**

Palermo explains that in order to have a majority party and majority leader the party caucusing would need to exceed 442 and neither party represents that. Our rules also indicate that there can on be one minority party. He says given that Democrats carry the larger weighted vote by 6 votes they are the minority party and will designate their minority leader.

Nightengale announces Batman as the Minority Chair

RESOLUTION NO. 1-20 1/2/20 LEG AppointClkLeg

Re-appointing Clerk to the Cayuga County Legislative Board and setting salary (Majority Vote)

BY: Legislature

WHEREAS, this Legislature submits the name of Sheila Smith for the position of Clerk to the Cayuga County Legislative Board (position control no. 001650-sys); now, therefore be it

RESOLVED, that Sheila Smith is hereby re-appointed Clerk to the Cayuga County Legislative Board; and be it further

RESOLVED, that the salary for the position of Clerk to the Cayuga County Legislative Board for the fiscal year 2020 shall be \$ 61,000.00; and be it further

RESOLVED, that this resolution shall take effect immediately.

Motion by Whitman, 2nd by Foley, all in favor.

SWEARING IN OF COUNTY CLERK AND DISTRICT ATTORNEY, BY HON. MARK H. FANDRICH

Sue Dwyer, County Clerk, 4 year term, 1-1-20 to 12-31-23

Jon Budelmann, District Attorney, 4 year term, 1-1-20 to 12-31-23

Motion by Petrus to adjourn at 6:41PM, 2nd by Foley, all in favor.

RULES OF ORDER – CAYUGA COUNTY LEGISLATURE

Major Sections:

I – Definitions and Terms	1
II – Meetings of the Legislature	3
III – Committees	6
IV – Rules of Order	8
V – Ethics	11

I – DEFINITIONS AND TERMS

Chair¹: Unless otherwise stated, the term “Chair” shall, in the event of the Chair’s inability to act, death, resignation, or absence, be substituted with “Vice-Chair” in each instance until such time as the Chair’s disability is removed, a successor is elected, or the Chair returns, as the case may be.

Conflict of Interest: A real or perceived incompatibility between one’s private interests and one’s public or fiduciary duty.²

Vice-Chair: Unless otherwise stated, the term “Vice-Chair” shall, in the event of the Vice-Chair’s inability to act, death, resignation, or absence, be substituted with “Chair of the Judicial & Public Safety Committee” in each instance until such time as the Vice-Chair’s disability is removed, a successor is elected, or the Vice-Chair returns, as the case may be.

Emergency: Unless otherwise stated, the term “Emergency” shall be defined as a situation, which may result in harm to person or property, or cause the County significant operational difficulty, or significant potential expense if corrective action is postponed until a meeting of the Legislature may be assembled.

Majority: Unless otherwise stated, the term “majority” shall mean a majority of the weighted votes of the Legislature when used in Section II, Meetings of the Legislature.

Unless otherwise stated, the term “majority” shall mean a majority of the assigned members present when used in Section III, Committees.

Majority Caucus: Majority Caucus shall mean a subset of the Legislature predominantly comprised of the same political party who, when taken as a whole, constitute a weighted majority of the Legislative body. The weighted vote of any member of the Legislature not sharing the predominant political affiliation of the Majority Caucus shall be included in determining the size of the Majority Caucus upon agreement of those members sharing political affiliation and the member requesting inclusion in the Majority Caucus.

Majority Leader: The Majority Leader shall be a member of the Majority Caucus selected by the members thereof to fulfill the duties of such position as may be prescribed by law, resolution, or these Rules of Order. The selection of Majority Leader shall not be subject to a vote of the Legislature and shall be made at the Organizational Meeting and at other such times as the Majority Caucus may determine. The Majority Leader shall serve in such capacity until a successor is selected.

¹ Local Law 2 of 1994 established the position of Chair of the County Legislature and indicated that the position should be referred to as “Chair”

² General Municipal Law §800 et seq.

Minority Caucus: Minority Caucus shall mean a subset of members of the Legislature, predominantly comprised of the same political party who, when taken as a whole, constitute the largest weighted minority vote of Legislative body. The weighted vote any member of the Legislature not sharing the predominant political affiliation of the Minority Caucus shall be included in determining the size of the Minority Caucus upon agreement of those members sharing political affiliation and the member for inclusion in the Minority Caucus.

Minority Leader: The Minority Leader shall be a member of the Minority Caucus selected by the members thereof to fulfill the duties of such position as may be proscribed by law, resolution, or these Rules of Order. There may only be one (1) Minority Leader of the Legislature. The selection of Minority Leader shall not be subject to a vote of the Legislature and shall be made at the Organizational Meeting and at other such times as the Minority Caucus may determine. The Minority Leader shall serve in such capacity until a successor is selected.

Notice: Unless otherwise stated, the term “Notice” shall be defined to mean written notice personally delivered or sent by e-mail and by U.S. Postal Service to each member at each member’s last known Post Office address.

Quorum: Unless otherwise stated, the term “quorum” shall mean the number of Legislators carrying such weighted vote as to constitute more than one-half of the total weighted votes when in Section II, Meetings of the Legislature.

Unless otherwise stated, the term “quorum” shall mean one more than half of the total members assigned to a committee when used in Section III, Committees.

Recess: A break from the meeting’s agenda with the intention of re-convening and returning to the agenda at a time later in the same day.

Weighted Vote, Simple Majority: Each member of the Legislature shall carry the following number of votes when a simple majority is required, based on the Legislator’s district:

District 1:	53
District 2:	75
District 3:	65
District 4:	51
District 5:	62
District 6:	86
District 7:	68
District 8:	61
District 9:	67
District 10:	49
District 11:	52
District 12:	47
District 13:	48
District 14:	48
District 15:	51

Weighted Vote, 2/3 Majority: Each member of the Legislature shall carry the following number of votes when a 2/3 majority is required, based on the Legislator’s district:

District 1:	15
-------------	----

District 2:	21
District 3:	18
District 4:	15
District 5:	17
District 6:	22
District 7:	19
District 8:	17
District 9:	19
District 10:	14
District 11:	15
District 12:	14
District 13:	14
District 14:	14
District 15:	15

II - MEETINGS OF THE LEGISLATURE

The following shall apply to the County Legislature and shall supersede any previous rules to the contrary.

RULE NO. 1: REGULAR MEETING - There shall be only one (1) regular meeting per month of the County Legislature. The regular meeting shall be held on the fourth Tuesday of the month, except in such instances where the Chair shall otherwise order. The time of the regularly scheduled meeting shall be **6:00 PM**, excepting the May meeting (Senior Citizen Day) which shall begin at 1:00 PM unless otherwise ordered by the Chair, and the October meeting (Student Government Day) which shall begin at 10:00 AM, unless otherwise ordered by the Chair. In the event a majority of Legislators vote to hold such meeting at a time different from that ordered by the Chair, the decision of the Legislature shall be final.

RULE NO. 2: SPECIAL MEETINGS - Special meetings shall be held at the call of the Clerk of the Legislature upon the direction of the Chair, or upon request signed by a majority of the members of the Legislature. The Clerk of the Legislature shall serve Notice of the time, place, and purpose of the special meeting at least forty-eight (48) hours before the date fixed for holding the special meeting.

RULE NO. 3: EMERGENCY MEETINGS - In case of an emergency, or if the facts make less notice necessary to avoid serious consequence, the Legislature, by unanimous vote of all members, may waive notice entirely. Notice of less than forty-eight (48) hours may be ordered by a majority of the Legislature. The Chair may order the most reasonable method of notice possible, such as overnight service. Upon ordering such method of notice, prompt personal contact by the Clerk of the Legislature shall also be attempted by phone or in-person.

RULE NO. 4: HOLIDAYS - Whenever the day fixed for a meeting shall fall on a legal holiday, or a day celebrated as a legal holiday, the Legislature shall meet on a date set by the Chair of the Legislature. In the event a majority of Legislators vote to hold such meeting at a time different from that ordered by the Chair, the decision of the Legislature shall be final.

RULE NO. 5: ORGANIZATIONAL MEETING – 1. The organizational meeting of the County Legislature shall be held on or before January 8th of each year. The County Legislature shall, by resolution, duly adopted in the month of December, set forth the date, time, and place of the organizational meeting.³

3 County Law, Article 4, §151(1)

2. The Clerk of the Legislature shall serve upon each member a written notice stating the date, time, and place of such meeting to organize the Legislature and that a Chair will then be selected. Notice shall be sent at least forty-eight (48) hours before the date of the meeting. ⁴

3. The Clerk shall call the members to order and the members, by a majority vote, shall select the Chair and Vice-Chair immediately following the roll call. Subsequent to the selection of the Chair and Vice-Chair, the Rules of Procedure shall be adopted by a majority of the Legislature as the next item of business.

4. In the event that a Chair is not selected on or before February first, the County Clerk shall appoint a member of the board as Chair until the end of the calendar year in which he/she is appointed.⁵

RULE NO. 6: ORDER OF BUSINESS – The order of business shall be:

1. Roll Call
2. Approval of Minutes
3. Communications and Petitions
4. Reports of Standing Committees
5. Reports of Special Committees
6. Presentation of Claims
7. Motions, Resolutions and Notices
8. Unfinished Business
9. Special Orders

RULE NO. 7: AGENDA – An agenda of the order of business shall be available electronically not less than five (5) days prior to the regular meeting.

RULE NO. 8: MINUTES – minutes shall be taken and recorded for each meeting. Minutes shall cover all items listed on the agenda or considered by the committee. Original print minutes will be kept in the Clerk of the Legislature Office. Draft Electronic copies of the minutes will be available to the Legislature prior to the meeting. Legislators may report errors or omissions to the Clerk of the Legislature Office giving the Clerk the opportunity to do corrections before the minutes are considered at a meeting. Minutes will be approved at the next regularly scheduled committee meeting; once final approval is received they will be posted electronically for public access.

RULE NO. 9: CLAIMS – 1. All claims are to be itemized by name of claimant and total amount claimed⁶. Such shall be prepared and available for approval by the County Administrator “*or designee*” before 5:00 PM of the Second Tuesday of each month. All claims shall be presented to the Legislature by the County Administrator “*or designee*” for audit prior to the commencement of the regularly scheduled monthly meeting of the Ways and Means Committee.

2. The County Administrator “*or designee*” shall present such claims itemized by name of claimant, nature of claim, and total amount claimed. The County Administrator “*or designee*” shall indicate on the claim whether or not such claim is approved. Approved claims reported by the County Administrator or designee may be passed in the aggregate, but any claim objected to shall be acted upon separately, notwithstanding the recommendation of the County Administrator “*or designee*”.

⁴ County Law, Article 4, §151(1)

⁵ County Law, Article 4, §151(5)

⁶ County Law, Article 7, § 369(2)

3. Upon receipt of the warrant recommending the payment of bills or claims, any Legislator may move that any specific claim shall be withdrawn from the consideration of the Legislature, and shall be considered as a claim to be presented at the next Legislative meeting.

4. *“If the County Administrator “or designee” is unavailable, the Chair of the Legislature may act in place of the Administrator”.*

RULE NO. 10: RESOLUTIONS & MOTIONS – Notwithstanding emergency resolutions, all resolutions shall be submitted in writing to each member of the Legislature, and all resolutions shall require a second before being put to vote unless the resolution has been previously signed by more than one member of the legislature, in which case a second is presumed to have been made by all signed. Upon the request of any member, any amendment to a resolution shall be put forth in writing.

2. All motions shall require a second before being put to a vote. Any motion not having a second shall be presumed defeated.

RULE NO. 11: EMERGENCY RESOLUTIONS – An emergency requiring the passage of a resolution by the Legislature shall be deemed to be passed by the Legislature upon the consent of the Chair of the Legislature, the Chair of Ways & Means, The Oversight Committee Chair, and the Minority Leader.

RULE NO. 12: ROUTINE RESOLUTIONS – 1. Routine resolutions shall include any resolution of a recurring nature. Routine Resolutions may be grouped and acted upon by a single vote. Every Legislator has the right to request that any item so grouped be acted upon separately. Such request shall be granted without debate or vote.

2. Routine Resolutions shall be placed on the agenda with all other resolutions, except that Routine Resolutions shall be grouped together and be the first resolutions to be acted upon.

RULE NO. 13: SPECIAL ORDERS – Special orders shall consist of matters set down by a previous resolution of the Legislature to a certain day and shall be taken in order under Rule 6.

RULE NO. 14: UNFINISHED BUSINESS – All reports, resolutions, and other matters laid on the table may be brought and shall be taken in order under Rule 6.

RULE NO. 15: ADJOURNMENT – At evening meetings, when the hour of 11:00 PM arrives, the topic of discussion at the moment shall continue until completed and then before any new business is brought up, a vote will be taken and decided by a majority of those present whether to continue in session or adjourn until the following evening at 6:00 PM.

RULE NO. 16: RESOLUTIONS NOT GOING THROUGH COMMITTEE – Any member may present in accord with Section II, Rule 10, a resolution for consideration at the conclusion of Motions, Resolutions and Notices without committee consideration. When possible, such a resolution shall be provided to members in advance of the meeting but if not, it shall be presented in writing at the meeting to each Legislator and the public.

III – COMMITTEES

RULE NO. 1: STANDING COMMITTEES - Standing Committees aid and assist the Legislature in the transaction of business. Each Standing Committee shall provide general supervision through the County Administrator of the County Departments, Agencies,

Authorities, and activities set forth under each Standing Committee. The Standing Committees shall have the power to decide governmental matters relating to the several departments, subject to final approval of the Legislature.

The Standing Committees are:

- 1. Ways and Means**
 - a. Auditor
 - b. Budgets & Budget Officer
 - c. Central Purchasing
 - d. Finance
 - e. Insurance
 - f. Real Property
 - g. Salaries and Personnel
 - h. Taxes
 - i. Treasurer

- 2. Public Works Committee**
 - a. Department of Public Works
 - b. Water and Sewer Authority
 - c. Building & Fire Code Inspector

- 3. Planning and Economic Development**
 - a. Agriculture
 - b. Cayuga Economic Development Agency, Inc. (CEDA)
 - c. Cooperative Extension
 - d. Employment and Training
 - e. Energy
 - f. Environmental Management
 - g. Planning
 - h. Publicity
 - i. Soil and Water Conservation District
 - j. Tourism
 - k. Water Quality Management

- 4. Health and Human Services**
 - a. Animal Protection Organizations
 - b. Cayuga County Action Program
 - c. Health Department
 - d. Mental Health
 - e. Office for the Aging
 - f. Social Services
 - g. Youth Bureau

- 5. Government Operations**
 - a. Board of Elections
 - b. Cayuga Community College⁷
 - c. Clerk of the Legislature
 - d. County Administrator⁸
 - e. County Attorney

⁷ For Resolutions only. Monthly reports from the College are to be presented to the full Legislature at the regular monthly meeting.

⁸ For Resolutions only. Monthly reports from the County Administrator are to be presented to the full Legislature at the regular monthly meeting.

- f. County Clerk/DMV
- g. County Legislature and Rules
- h. Education
- i. Historian
- j. Information Technology
- k. Records Retention
- l. Veterans

6. Judicial and Public Safety

- a. Assigned Counsel
- b. Commissioner of Jurors
- c. Communications System (E-911)
- d. Coroner
- e. District Attorney
- f. Emergency Management Office
- g. Emergency Medical Services
- h. Fire
- i. Grand Jury
- j. Justices & Constables
- k. Probation
- l. Sheriff / Jail

RULE NO. 2: STANDING COMMITTEE STRUCTURE – The Standing Committees shall consist of seven (7) members. The Chair of the Legislature shall, as soon as practical after the Organizational Meeting, appoint a Chair for each Standing Committee and appoint each of its members from the members of the Legislature, except where the Legislature shall otherwise order by a majority weighted vote. The Chair of each Standing Committee, once appointed, shall select a Vice-Chair for that committee.

RULE NO. 3: STANDING COMMITTEE MEETINGS – 1. The Chair of a committee shall call the meeting to order upon appearance of a quorum, provided that the meeting is not called to order prior to the scheduled time of the meeting.

2. A majority of those present shall be sufficient to vote upon and pass any motion or resolution before the committee.

3. The County Rules of Order shall apply to all Committee Meetings.

RULE NO. 4: WAYS AND MEANS COMMITTEE-The Ways and Means Committee shall be comprised of the Chair of Ways and Means Committee, Chairs of the other Standing Committees and one at Large member of the Legislature, all to be appointed by the Chair of the Cayuga County Legislature. In the event that the Chair of one or more of the other Standing Committees is not present, then in that event the Vice-Chair of that Standing Committee may under certain conditions substitute for the absent Chair of a Standing Committee. In a situation wherein the Vice-Chair of a Standing Committee is in a position to participate and vote at the Ways and Means Committee meeting, as the result of being a Chair of another Standing Committee then in that event the Vice-Chair of a Standing committee may not so participate as a Vice-Chair of another Standing Committee. Then in that event the an individual may not participate at the Ways and Means Committee as a Vice-Chair of that Standing Committee then said Standing Committee shall be unrepresented. In the event of the absence of the Ways and Means Chair or the at large member, then said positions shall be unrepresented at the meeting. In the absence of the Chair of the Ways and Means Committee, the Vice-Chair of the Ways and Means Committee shall conduct the meeting and participate as Chair of their Standing

Committee. In no circumstance, may a Vice-Chair of a Standing Committee substitute for more than one Chair of a Standing Committee or participate as a member of the Ways and Means Committee meeting if he or she is already a participating member of the Ways and Means Committee. In any possible case no legislator can have more than one vote in a Ways and Means Committee meeting.

RULE NO. 5: COMMITTEE MINUTES – minutes shall be taken and recorded for each meeting. Minutes shall cover all items listed on the agenda or considered by the Legislature. Original print minutes will be kept in the Clerk of the Legislature Office. Draft Electronic copies of the minutes will be available to the Legislature prior to the meeting. Legislators may report errors or omissions to the Clerk of the Legislature Office giving the Clerk the opportunity to do corrections before the minutes are considered at a meeting. Minutes will be approved at the next regularly scheduled committee meeting; once final approval is received they will be posted electronically for public access. Committee minutes shall include a listing of the members present and the members absent, the subject matter for which the meeting was called, action taken and other pertinent information.

RULE NO. 6: SPECIAL COMMITTEES – The Legislature may, from time to time, create and abolish Special Committees. Any resolution creating a Special Committee shall specify the powers and duties of the committees and the number of its members. The Chair shall appoint the members of all Special Committees, except where the Legislature shall order by a weighted majority vote.

RULE NO. 7: TERM – Each committee member shall serve as a member of such committee until their successor is appointed.

RULE NO. 8: REFERRAL TO COMMITTEE – All positions, communications, reports, and motions requiring action of a committee shall be referred by the Chair, without motion, to the committee having charge of matters relating to the same.

RULE NO. 9: ATTENDANCE – 1. Every member of the Legislature shall have the right to attend the meetings of any committee, whether regular, special, or executive session, unless otherwise prohibited by the rules.

2. Every member of the Legislature shall inform the Clerk of the Legislature in the event that such member is unable to attend a meeting of a committee to which such member is assigned. Failure to do so shall cause such absence to be recorded as an unexcused absence.

IV – RULES OF ORDER

RULE NO. 1: RULE MODIFICATION – No standing rule or standing order of the Legislature shall be rescinded, suspended or changed, or any rule added thereto unless it is by Weighted Majority Vote.

RULE NO. 2: PRECEDENCE – When a question shall be under consideration, no action shall be received except as herein specified, which motion shall have the precedence in the order named, to wit:

1. For an adjournment of the Legislature.
2. To call a Caucus.
3. To call the question.
4. To lie on the table.

5. To postpone indefinitely.
6. To postpone to a certain day.
7. Executive session.
8. To go into a committee of the whole pending subject immediately.
9. To commit to a committee of the whole.
10. To commit to a Standing Committee
11. To commit to a special committee.
12. To amend.
13. To Reconsider.

RULE NO. 3: PRIORITY – 1. All questions relating to the priority of business, that is, the priority of one question or subject matter over another, under the same order of business, shall be decided without debate.

2. When a blank is to be filled or several sums or times are proposed the question shall first be put on the largest sum and the longest time.

RULE NO. 4: ORDER – The Chair shall preserve order and decorum and decide all questions of order, which decision shall be final unless an appeal is taken to the Legislature. On an appeal from the decision of the Chair, the Legislature shall have the right in their place to assign their reason for their decision. The Legislature shall also have the right to substitute any member to perform the duties of the Chair but such substitution shall not extend beyond the next adjournment.

RULE NO. 5: RECOGNITION – 1. A member rising to debate, to give a notice, to make a motion or report, or to present a petition or other paper shall address the Chair and shall not proceed further until recognized by the Chair.

2. When two or more members shall rise at once, the Chair shall name the member who is to speak first.

RULE NO. 6: PERMISSION OF THE FLOOR – 1. Persons not members of the Legislature may, with the permission of the Chair, be permitted to speak in regard to matters pending before the Legislature.

RULE NO. 7: PRIVILEGE OF THE FLOOR – 1. Each Legislator may request privilege of the floor on behalf of another during the portion of the meeting designated as such. Those addressing the Legislature during privilege of the floor need not be limited in subject to matters currently before the Legislature, and may speak to any topic.

2. The Chair shall have the authority to grant or deny such request, and may limit the time that a person having been granted privilege of the floor may be allowed to speak.

RULE NO. 8: ANNOUNCEMENT – 1. Every motion or resolution shall be first stated by the Chair or read by the Clerk before debate, and immediately after the question is put.

2. After a motion or resolution is stated it shall be in the possession of the Legislature and may be withdrawn at any time before decision or amendment.

RULE NO. 9: DEBATE – 1. If any member is speaking or otherwise transgresses the Rules of Order, the Chair may call the member to order, in which case the member so called to order shall immediately stop unless permitted to explain.

2. While a member is speaking, no other member shall entertain any private discourse, or pass between the member speaking and the Chair.

3. No member shall speak more than twice on the same general question, without leave of the Legislature.

4. No member shall speak more than once on any question until every member choosing to speak shall have had the opportunity to speak.

RULE NO. 10: OBLIGATION TO VOTE: 1. Every member who shall be present when any question is stated from the Chair shall vote thereon, unless excused by the Chair of the Legislature after presentation of a suitable excuse prior to the beginning of the roll call, or unless the member is directly interested in the question, in which case, the member shall not be allowed to vote.

2. While the Chair is putting the question, no member shall walk across or out of the room.

3. The Chair shall, in all cases, have the right to vote unless otherwise restricted under Section V, Ethics.

RULE NO. 11: TIE – When the Legislature is equally divided, including the Chair’s vote, the question shall be deemed to fail.

RULE NO. 12: SEPARATING THE QUESTION – If the question in debate contains several distinct propositions, the same shall be divided by the Chair at the request of any member, to the end that a vote may be taken on each proposition; but a motion to strike and insert shall be deemed indivisible.

RULE NO. 13: COMMITTEE OF THE WHOLE – In forming a committee of the whole, the Chair shall leave the chair and appoint a Chair to preside.

RULE NO. 14: RECORDING OF VOTES – When any proposition or question is submitted a member may ask for a yes or no vote and the same shall be recorded by the clerk, except that the Chair may ask the members how many wish to have their votes recorded so indicate.

RULE NO. 15: VOTES NECESSARY – 1. On the final passage of any resolution, having for its object the appropriation of any money, or the levying of any tax, the consent by Weighted Vote, Simple Majority, of the Legislators elected shall be necessary and shall be determined by recording a roll call vote.

RULE NO. 16: ACCEPTANCE OF REPORTS - The acceptance of a report by the Legislature shall not carry with it an appropriation without the accompaniment of a resolution to that effect.

RULE NO. 17: CALLING FOR A RECESS – 1. It shall be in the Chair’s sole discretion to call for a recess of the meeting. Upon calling a recess, the chair will indicate the time at which the meeting is expected to reconvene. However, the meeting will not reconvene until a majority of the legislature is present and the Chair, in his/her sole discretion; call the meeting back to order.

RULE NO. 18: CALLING A CAUCUS – Any member may request a caucus. Such request shall include a time to reconvene and will be granted without vote. The Chair shall reconvene the

meeting at the appointed time. The caucus may be extended at the request of the Majority or Minority Leader, but only after the meeting has been reconvened.

RULE NO. 19: RECONSIDERATION – A vote on any resolution or motion made during the meeting of the Legislature may be reconsidered during the same meeting by and only by a motion and a second by Legislators who voted with the majority on the initial vote. A motion to reconsider requires a vote and majority support of the full body.

V – ETHICS

RULE NO. 18: CONFLICT OF INTEREST – 1. It is the duty of each office holder, and each office holder is primarily responsible to disclose and resolve questions concerning a conflict of interest.

2. Advisory determinations from the Board of Ethics are available to help resolve conflict questions. Such determinations are particularly useful when a question is raised early and the Board of Ethics has sufficient time to investigate the matter.

3. In the event a conflict of interest question arises and the Board of Ethics is unable to make a timely determination, any Legislator may ask the County Attorney to render a non-binding opinion, or if any member so chooses, the full Legislature may vote to decide a question of conflict of interest.

4. Every Legislator has the right to call for and vote in such proceeding. Each vote is to be considered separately.

History:

December 20, 2011 Resolution 541-11

March 27, 2012 Resolution 118-12

March 27, 2012 Resolution 119-12

February 26, 2013 Resolution 73-13

October 22, 2013 Resolution 359-13

August 26, 2014 Resolution 309-14

January 4, 2016 Motion 1-16

January 3, 2017

August 27, 2019 Resolution 280-19