

## RESOLUTION NO. 85

### ADOPTING VARIOUS AMENDMENTS TO THE LEGISLATIVE RULES OF ORDER

Introduced: 3/9/26  
By Cunningham:

WHEREAS, By Resolution No. 403 for 1996, as amended, this Honorable Body adopted the County Legislature's Rules of Order, governing the manner in which the business of the Legislature and its various committees shall be conducted, and

WHEREAS, Amendments to various Rules has become necessary in order to streamline the legislative process and revise language in light of amendments to the Albany County Charter, now, therefore, be it

RESOLVED, By the Albany County Legislature that the below listed rules of the Albany County Legislature are hereby amended as follows until otherwise ordered:

#### RULE 1 - ORGANIZATIONAL MEETING

The meeting of the County Legislature for the selection of a Chairman and the transaction of other business relative to organization, pursuant to Section 203 of the Albany County Charter, shall be held each even numbered year at [7:00] 6:30 p.m. in the Chambers of the County Legislature on the first Monday following the first day of January. The Clerk of the Legislature shall serve on each member a written notice, mailed to each member's last known post office address, at least five days before the date of the meeting, stating the time and date of said meeting and identifying the place and purpose as being the organization of the Legislature and the election of its Chairperson.

#### RULE 2 - REGULAR MEETINGS

ANNUAL -- The Annual Meeting of the County Legislature shall begin at the conclusion of the Public Forum on the [first] second Monday of the month of October [following the 10th day of October of each year], at which time the Legislature will designate such committees and public hearings necessary for the consideration of the proposed Budget and accept for consideration the Budget, Capital Program and the Budget Message of the County Executive for the ensuing fiscal year. If such October meeting shall occur prior to the delivery of the Budget, Capital Program and the Budget Message by the County Executive, then upon delivery of same by the County Executive the Clerk of the Legislature shall accept for consideration and distribute such documents to each member of the Legislature. This meeting shall continue by adjournment until after the confirmation and delivery of the tax rolls to the City Treasurer, Receiver of Taxes and Collectors of the several towns. No Annual meeting

of the Albany County Legislature shall be held on a civic holiday and consideration shall be given to avoid meeting on a religious holiday. If any such Annual meeting date shall fall on a civic holiday, then the meeting shall be held on the next day which is not a civic holiday. If upon due consideration, any such Annual meeting date shall fall on a day determined to be a religious holiday, then the meeting may be held on the next day which is not a religious holiday.

MONTHLY -- The Legislature of the County of Albany will meet on the second Monday of the Month, January through September (except in even numbered years requiring an Organizational Meeting in which the Monthly Meetings shall be from February through September), at the conclusion of the Public Forum in its Chambers. No Monthly meeting of the Albany County Legislature shall be held on a civic holiday and consideration shall be given to avoid meeting on a religious holiday. If any such Monthly meeting date shall fall on a civic holiday, then the meeting shall be held on the next day which is not a civic holiday. If upon due consideration, any such Monthly meeting date shall fall on a day determined to be a religious holiday, then the meeting may be held on the next day which is not a religious holiday.

PUBLIC FORUM -- From 6:30 p.m. until its conclusion, and in no event shall the Public Forum continue past 7:30 p.m., except that the Chairperson, in his/her discretion, may extend the time for the Public Forum, on the night of each monthly meeting, annual meeting and adjournment thereof, members of the public shall have the right to address the members of the Legislature on matters pertaining to the County of Albany. Each member of the public who desires to address the Legislature shall personally give their name, municipality of residence, whether they represent or speak on behalf of an entity, and the topic on which they wish to speak to the Clerk of the Legislature from 6:15 p.m. to 6:30 p.m. on such evening. The Clerk shall maintain such list as a public record from month-to-month in a continuous fashion. The Chairperson of the County Legislature shall allow each member of the public whose name is reached five (5) minutes, except that the Chairperson, in his/her discretion, may limit speakers to three (3) minutes to give as many speakers as possible an opportunity to address the issues on that evening's legislative agenda. If all speakers wishing to address the legislature on that evening's agenda have spoken, speakers wishing to speak on other matters pertaining to Albany County may address the legislature in the remaining time before the meeting and, if at the end of the hour there are still speakers who have not been heard, the Public Forum shall continue after the legislature has adjourned the meeting. No member of the Legislature shall question any speaker nor shall any speakers be allowed to question members of the Legislature. The Clerk shall take roll call and record the names of those members present and absent for the Public Forum. The Public Forum shall be livestreamed.

## RULE 6 - QUORUM

A majority of the whole number of the duly constituted membership of the County Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

#### RULE 10 - FISCAL IMPACT STATEMENT

[All petitions, local laws, resolutions, committee reports and amendments thereto shall be in writing, and amendments to any subject matter before the County Legislature shall likewise be in writing.] All resolutions and local laws with financial or budgetary implications to Albany County of \$5,000 annually or more shall contain a fiscal impact statement as indicated by Appendix A. Financial or budgetary implications shall mean having a financial or budgetary impact on the government of Albany County only, and shall not include impacts to other parties or entities located or operating within Albany County.

#### RULE 11 - LEGISLATION PROCEDURE

All petitions, local laws, resolutions, committee reports and amendments thereto shall be in writing, and amendments to any subject matter before the County Legislature shall likewise be in writing. Each resolution shall be consecutively numbered and the title of all resolutions and local laws shall state concisely the subject matter thereof. All resolutions and local laws which are to be presented by the members to the Legislature for its consideration shall be delivered to the offices of the Clerk of the Legislature, [County Attorney] and Majority and Minority Counsels, by 12:00 noon on the second [Wednesday] Thursday preceding the date of the organizational meeting, annual meeting or each regular monthly meeting of the Legislature, and by 12:00 noon two (2) business days prior to any special meeting that may be called. The [Clerk] Majority Counsel's Office shall include all such resolutions and proposed local laws in the agenda to be distributed as herein set forth and make available to each legislator such agenda [by 4:00 p.m.] on the Tuesday preceding such meetings, exclusive of special meetings. The [Clerk] Majority Counsel's Office shall make the agenda for special meetings available one business day prior to the special meeting.

Resolutions and local laws not contained in the printed agenda, but which require immediate attention, may be introduced with the consent of the majority of the Legislature with copies provided to members of the Legislature, the County Attorney, Majority and Minority Counsels and the Clerk of the Legislature prior to the start of the Legislative meeting at which the proposed Rule 11 is being offered. Legislation offered under Rule 11 should be of the type where timely passage is of the essence, and legislation offered under lesser circumstances may not be allowed. Resolutions and local laws not contained in the printed agenda may only be

introduced after all other printed agenda items have been addressed, and only with the consent of the majority of the Legislature, and only if complete copies thereof are provided to each member, the County Attorney, Majority and Minority Counsels and the Legislative Clerk prior to the introduction of said proposed Legislation.<sup>1</sup>

Each resolution shall be numbered in consecutive order beginning with number one each year. A resolution shall retain its number throughout the legislative process. However, if a resolution is amended, the letter A for the first time amended, the letter B for the second time amended, and so on shall be added to the resolution number to signify each amendment(s).

Each local law shall be assigned a letter for introduction purposes in consecutive order beginning with the letter A each year. Once duly adopted, a local law shall be assigned a number and numbered in consecutive order starting with the number one beginning with the first local law adopted each year.

[Each resolution or local law shall have a title which shall concisely state the subject matter thereof.]

[Resolutions and local laws not contained in the printed agenda may only be introduced after all other printed agenda items have been addressed, and only with the consent of the majority of the Legislature, and only if complete copies thereof are provided to each member, the County Attorney, Majority and Minority Counsels and the Legislative Clerk prior to the introduction of said proposed Legislation.]

## RULE 12 - SECOND REQUIREMENTS

Resolutions and local laws which are on the agenda may be put to a vote without being seconded. Resolutions and local laws introduced pursuant to Rule 11 and motions shall require seconds.

## RULE 15 - ROLL CALL VOTE

A long roll call vote shall be taken on any questions whenever so required by law, or upon request of any member, and, whenever so taken, shall be entered in the proceedings of the County Legislature, and the Clerk shall record the names of the members and the way in which they voted. Any vote on any question involving Local Laws, bond resolutions, or the amendment to or adoption of the tentative annual budget, [, amending the budget, or transferring funds within the budget] shall be by long roll call vote, with the Clerk recording the names of the members voting and the way in which they voted. [This requirement shall not be applicable to the receipt of

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<sup>1</sup> Moved from end of Rule 11.

federal, state, or grant funds and the appropriation thereof unless requested by a member.]

#### RULE 17 - SELECTION OF TEMPORARY CHAIR

In the absence of the Chairperson or Deputy Chairperson at any meeting of the County Legislature, the Clerk shall call the session to order and the members present and voting, by majority vote, shall select a member of the County Legislature to serve as Acting Chairperson at such meeting. The Acting Chairperson shall have and exercise all the powers and duties of the Chairperson at the meeting over which he or she is called to preside.

#### RULE 20 - PRIVILEGES OF THE FLOOR

In addition to the members of the County Legislature and Majority and Minority counsels, the Clerk of the Legislature [and the County Attorney are] is granted the privileges of the floor during the sessions of the Legislature.

#### RULE 23 - REFERRALS TO COMMITTEE

The Chairperson may at any time on his or her own motion refer any communication, petition, report, local law or resolution when offered or presented to such committee(s) as he or she deems proper. Said local law or resolution shall be returned to the floor of the Legislature for action of the whole body by the second regular monthly meeting of the body or within sixty (60) days whichever is longer, excluding any days which the Local Law or Resolution has been tabled at the request of the sponsor.

A committee may table a Local Law or Resolution at their own motion if (a) the committee has not tabled such item previously, or (b) such Local Law or Resolution does not comport with the legislative Rules of Order or applicable provisions of law.

#### RULE 26 - ORDER AND DECORUM

The Chairperson shall take the chair at the hour specified for the convening of the County Legislature and shall preserve order and decorum. In debate, he or she shall prevent personal reflections and confine members to the question under discussion. When two or more members arise at the same time, he or she shall name the one entitled to the floor. Members shall observe the commonly accepted rules of respect, courtesy, decorum, dignity and good taste, and refrain from disorderly speech

or action; name-calling or personal attacks; obscene or indecent remarks; and derogatory comments on personalities. All remarks shall be addressed to the Legislature as a body and not individual members or the public. The use of visual aids, including, but not limited to, signs, banners, flags, and other props are not allowed. Failure to obey these Rules may result in the forfeiture of a members' remaining speaking time on said question. Members who engage in egregious or repeated violations may be asked to leave the meeting. The Chair [He or she] shall decide all questions of order and decorum, which decisions shall be final unless reversed by a majority of the members present [County Legislature].

#### RULE 28 - WITHDRAWING LEGISLATION

Any motion, [or] resolution, or local law offered by any member may be withdrawn by the member presenting it at any time before a decision is announced by the Chair or an amendment to such resolution or motion has been adopted.

#### RULE 31 - ROBERT'S RULES

All questions or order arising in the County Legislature and not governed by the Rules of the County Legislature shall be subject to and interpreted by the [newly] most recently revised version of Robert's Rules of Order [so far as] where applicable. The most recently revised version of Robert's Rules of Order is hereby incorporated into these Rules, except to the extent that it directly conflicts with these Rules.