

## RESOLUTION NO. 84

### AMENDING THE ALBANY COUNTY LEGISLATIVE RULES OF ORDER

Introduced: 2/9/16

By Messrs. Mendick, Burgdorf, Dawson, Higgins, Mauriello, Ms. Mclean Lane and Mr. Stevens:

WHEREAS, The Albany County Legislature has adopted "*The Legislative Rules of Order*" to delineate and maintain a methodical, coherent and transparent approach to the Legislative process that entitles all members to respect and equality, and

WHEREAS, the Chairman of the Legislature is elected from this membership, and it is one of his/her most important responsibilities to ensure that meetings are run efficiently and fairly by ruling on procedural questions, and

WHEREAS, it is a fundamental parliamentary principle that the Legislature as a whole, not the Chairman, is the final authority on judging parliamentary procedural questions and interrupting the *Rules of Order*, and

WHEREAS, Rule 27 of the *Rules of Order* reaffirms that principle by permitting any legislator the freedom to question a ruling or decision of the Chairman, and

WHEREAS, This amendment further clarifies that the final authority on any ruling or decision rests with the entire voting membership of this Honorable Body and cannot be superseded by other Rules or Resolutions, and

RESOLVED, By the Albany County Legislature that "Rule 27 - Challenging the Chair" of the Albany County Legislative Rules of Order is amended as follows:

#### RULE 27 - CHALLENGING THE CHAIR

Any decision or ruling of the Chair may be challenged by a member. On every challenge from a decision of the Chair, the Chairperson shall have the right to state his or her reasons for his or her decision. In case of such challenge, the Chairperson or member on motion shall put the question: "Shall the decision of the Chair be overruled?" which question shall be decided by a roll call vote of a majority of the members present. Such Legislative decision shall be binding on the Chair and the Members of the Legislature and may not be overturned or modified except by the Legislative Body itself.

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Referred to Law Committee. 2/9/16*