



# *Monroe County Legislature*

**VINCENT ESPOSITO**

LEGISLATOR - DISTRICT 16

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To The Honorable  
Monroe County Legislature  
39 West Main Street  
Rochester, New York 14614

**Re: Reforming Matters of Urgency**

Honorable Legislators:

Within the rules of this Honorable Body exists a mechanism that allows important or timely proposals to bypass the standard legislative process. Currently, the ability to designate 'matters of urgency' lies solely with the President or presiding officer. Unfortunately this rule has been abused time and again, shielding the business of the Legislature from the public.

Manipulation of the Legislature's rules and procedures impedes the free flow of information, and compromises the ability of legislators to carefully consider proposals put before them. On the evening of September 26, 2007, Legislature President Wayne Zyra called a special meeting of the Legislature in which, less than 90 minutes after receiving meeting notification, legislators were required to vote on an expansive piece of legislation, the County Executive's F.A.I.R. Plan, that we now know contained huge, long-term financial implications for the taxpayers of Monroe County. Constituents and municipal partners, along with the Minority Caucus of this Honorable Body, were given no opportunity to review or provide input on a proposal which, in effect, raised taxes and fees and cut \$29 million dollars from our community's schools.

It is essential that all members of this Honorable Body have an equal opportunity to review legislation and that the public and impacted community partners not be blindsided by detailed, expansive legislation that has long-term financial and other policy impacts. We must protect the integrity of the rules under which this Honorable Body operates, as abuse of the rules inevitably leads to incivility, government dysfunction, and an abdication of authority to the Executive branch undermining the separation of powers that is fundamental to our democracy. The citizens of this county deserve representation by



legislators who have full access to information in a timely manner to provide the careful and responsible governance.

Therefore, we request that this Honorable Body amend the Rules of the Legislature to require that any referral or resolution deemed to be a 'matter of urgency' shall be subject to a three-fifths vote of approval before consideration, except when a State of Emergency has been called into effect.

**Specific legislative action required:**

Amend Section 545-24 of the Rules of the Legislature of the County of Monroe, to read as follows:

**“Section 545-24 All Matters to be Referred to Committees**

A. All resolutions and local laws shall be referred to a standing or special committee of the Legislature for consideration before being considered by the Legislature, except the following:

1. A resolution approving a bond issue of another municipality or special district;
2. A resolution confirming an appointment made by the President;
3. ~~A resolution or local law with a statement of urgency endorsed thereon by the President or Presiding Officer (as to which a motion to commit under Section 545-17C lies); or~~
- 4-3. A resolution or local law excused from this rule by a vote of ~~two-thirds (2/3)~~ three-fifths (3/5) of all Legislators (i.e., ~~twenty~~ eighteen).

B. All matters referred to committee shall be referred by the President or Presiding Officer.

C. Normally, referrals to committee shall be made at a preceding meeting of the Legislature, but referrals need not be made at a meeting of the Legislature if, at the discretion of the President or Presiding Officer, the matter is of sufficient importance to warrant its referral to committee between Legislative meetings.”

This proposal will have no impact on the revenues or expenditures of the 2008 Monroe County Budget.

Respectfully submitted,

  
Vincent Esposito

Legislator – District 16