



Monroe County Legislature

VINCENT ESPOSITO
LEGISLATOR - DISTRICT 16

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No. <u>080275</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
AGENDA/CHARTER -L

September 8, 2008

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

Re: Amending the Rules of the Legislature to Ensure Proper Legislative Consideration

Honorable Legislators:

Perhaps the most fundamental action in a democratically-elected legislative body is the introduction, consideration and vigorous debate of proposed legislation. The legislative process is paramount to the County's representative system of government.

Since 2005, there have been 50 documented instances where the President of the Legislature has unilaterally and arbitrarily denied the introduction of a legislative proposal, preventing all public input, consideration and debate. One such proposal, calling for reform to the County's Freedom of Information practices, has been blocked on 6 separate occasions.

In each instance, the legislation denied was introduced by an independently-elected legislator representing more than 25,000 residents of Monroe County. And in each instance, that legislator was a member of the minority party. This abusive, partisan practice has allowed the President to take on the absolute authority of dictating what matters and issues come before the Legislature, flying in the face of the core principles of lawmaking and denying citizens' equal representation.

Article II, Section §C2-1 of the Monroe County Charter states that the "County Legislature shall constitute the legislative, appropriating, policy-determining and governing body of the County." Therefore, in order to ensure that all members are able to contribute as part of the "policy-determining and governing body of the County" and that this Honorable Body dutifully represent every tax-paying citizen of Monroe County, I move to amend the Rules of the Legislature to prohibit the President or Presiding Officer from single-handedly blocking matters from the Legislature and its Committees.



Specific legislative actions required:

- 1) Amend Article V, Section 545-24(B) of the Rules of the Legislature of the County of Monroe, to read as follows:

"All matters referred to committee shall be referred by the President or Presiding Officer in their original form. The merit of all resolutions and local laws shall be considered in accordance with Section 545-26(C)."

- 2) Insert a new Section 545-26(C) of Article VI of the Rules of the Legislature of the County of Monroe, to read as follows:

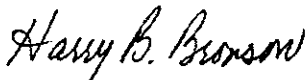
"The President or Presiding Officer shall refer all local laws, resolutions, communications and petitions submitted to the Legislature for consideration as they are presented to the Clerk of the Legislature. The lead committee shall determine whether each local law, resolution, communication or petition confines to the requirements in accordance with Section 545-26(A) and Section 545-26(B)."

This proposal will have no impact on the 2008 Monroe County Budget.

Respectfully Submitted,



Vincent Esposito
Legislator - District 16



Harry B. Bronson
Democratic Minority Leader



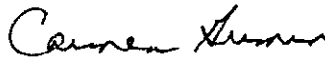
Carrie M. Andrews
Assistant Minority Leader



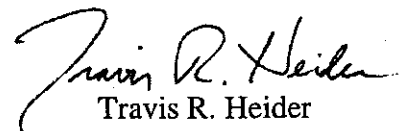
Calvin Lee, Jr.
Assistant Minority Leader



Richard A. Beebe
Legislator - District 6



Carmen F. Gumina
Legislator - District 8



Travis R. Heider
Legislator - District 14



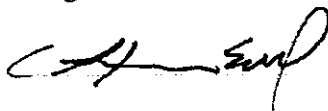
Ted O'Brien
Legislator - District 17



Glenn J. Gamble
Legislator - District 22



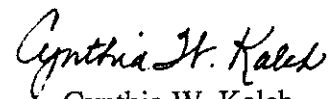
Paul E. Haney
Legislator - District 23



C. Stephen Eckel
Legislator - District 26



Willie Joe Lightfoot
Legislator - District 27



Cynthia W. Kaleh
Legislator - District 28



José A. Cruz
Legislator - District 29