

By Legislators Taylor and Delehanty

Intro. No. ____

MOTION NO. ____ OF 2020

PROVIDING THAT LOCAL LAW (INTRO. NO. 368 OF 2020), ENTITLED "AMENDING MONROE COUNTY CHARTER RELATING TO TERM OF OFFICE OF MEMBERS OF COUNTY LEGISLATURE," BE LIFTED FROM THE TABLE

BE IT MOVED, that Local Law (Intro. No. 368 of 2020), entitled, "AMENDING MONROE COUNTY CHARTER RELATING TO TERM OF OFFICE OF MEMBERS OF COUNTY LEGISLATURE," be lifted from the table.

File No. 20-0285.LL

ADOPTION: Date: _____ Vote: _____



Monroe County Legislature

STEVE BREW
MAJORITY LEADER
LEGISLATOR – DISTRICT 12

September 4, 2020

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

OFFICIAL FILE COPY
No. <u>200285</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
AGENDA/CHARTER } L

RE: Enact a Local Law Entitled, "Amending Monroe County Charter Relating to Term of Office of Members of County Legislature"

Honorable Legislators:

This Honorable Body last revised legislative district boundaries and defined the length of terms of office for the Monroe County Legislature in 2011. The terms of office set as part of Local Law No. 7 of 2011 expire on December 31, 2021. Under normal circumstances, newly defined terms of office and revised legislative district boundaries would be presented jointly following the work on the Legislative District Revision Committee. As many in this Honorable Body are aware, the appointment of the Legislative District Revision Committee is legally tied to the publication of the results of the regular federal census.

Although the U.S. Census Bureau recently stated it is taking steps to meet the statutory deadline of December 31, 2020, reapportionment data may not be available until the second quarter of 2021. The timeline for the release of reapportionment data coupled with the New York State Political Calendar, which likely will call for the circulation of designating petitions to begin sometime in February 2021, makes it impossible for new legislative district boundaries to be viable for the general election to be held in the year 2021.

Despite this Honorable Body's inability to revise legislative district boundaries, we must adjust the length of terms of office for the Monroe County Legislature as defined in Section C2-2(D) of the Monroe County Charter. The Majority believes the most practical approach is to amend the existing term of office structure so all Legislators shall be elected to a term of two years at the general election to be held in the year 2021. An additional two-year term will allow for revision of legislative district boundaries to take place once the reapportionment data becomes available, and for the newly defined legislative district boundaries to be in effect for the general election to be held in the year 2023.

Additionally, adding a new two-year term of office will allow this Honorable Body to later set new terms of office for the traditional ten-year cycle. This will avoid the perpetual timing issue that will exist into the future. Although the COVID-19 pandemic contributed to the expected delay

in the availability of reapportionment data, it likely still would have been impossible for this Honorable Body to revise legislative district boundaries in time for the circulation of designating petitions even if the data was not delayed.

By looking at the timeline for past Legislative District Revision Commissions, it's clear there would not be sufficient time to revise legislative district boundaries even if apportionment data was made available at the December 31st statutory deadline. The 2011 Legislative District Revision Commission was appointed on February 1, 2011. However, the local law defining the terms of office and revising the legislative district boundaries became effective on May 26, 2011. Although the nearly four-month timeline was suitable based on the 2011 New York State Political Calendar, it would not be viable under the new Political Calendar that is predicated on consolidated Federal and State Primary Election dates.

Therefore, I recommend this Honorable Body enact the attached local law, thereby amending Section C2-2(D) of the Monroe County Charter to add that all Legislators shall be elected to a term of two years at the general election to be held in the year 2021.

The specific legislative actions required are:

1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law to amend the Monroe County Charter relating to the term of office of members of the County Legislature.

This action is a Type II Action pursuant to 6 NYCRR 617.5(c) and is not subject to review under the State Environmental Quality Review Act.

This proposal will require no additional net County support in the current Monroe County budget.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steve Brew", with a stylized flourish at the end.

Steve Brew
Republican Majority Leader
Monroe County Legislature

By Legislators _____ and _____

Intro No. _____

LOCAL LAW NO. ____ OF 2020

LOCAL LAW ENTITLED, "AMENDING MONROE COUNTY CHARTER RELATING TO TERM OF OFFICE OF MEMBERS OF COUNTY LEGISLATURE"

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Section C2-2D of the Monroe County Charter is hereby amended to read as follows:

- D. The term of office of the members of the County Legislature shall begin on the first day of January next following their election. All Legislators shall be elected for a term of four years at the general election to be held in the year 2011. Subject to the conditions set forth in § C2-2A(3)(b) and (c), all Legislators shall be elected for a term of four years at the general election to be held in the year 2015, ~~and all Legislators shall be elected for a term of two years at the general election to be held in the year 2019, and all Legislators shall be elected for a term of two years at the general election to be held in the year 2021.~~ The term of office for all members of the County Legislature set forth in this § C2-2D shall terminate on the 31st day of December in the year ~~2024~~ 2023, and thereafter the term of office for all members of the County Legislature, beginning with the general election to be held in the year ~~2024~~ 2023, shall be in accordance with the plan set forth in § C2-2D.

Section 2. This local law is subject to permissive referendum and shall take effect in accordance with the applicable provisions of the Municipal Home Rule Law and the Monroe County Charter.

File No. _____

ENACTED: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

Added language is underlined

Deleted language is ~~stricken~~