

Proposed Changes to the Rules of the Legislative Council

Discussed at the Administration Committee meeting on April 20, 2011

(proposed changes in red; note that A1-15 is a new section)

§ A1-1. Officers.

A. The Chair and Vice Chair shall be elected by a majority of the Council. The Chair and Vice Chair shall be from separate political affiliations; they shall not have the same political affiliation. The Chair, or, in his/her absence, the Vice Chair, shall preside at all meetings of the Council. He/She shall call the meeting to order promptly at the noticed time by requesting those present to pledge allegiance to the Flag of the United States of America.

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B. Upon the death, resignation, removal or incapacitation of the Chair or Vice Chair, there will be a new election for the vacated position within 30 days.

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C. The Chair or Vice Chair may be removed by a two-thirds vote of the full Council.

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§ A1-2. Clerk.

A. The Clerk shall: maintain an accurate record of attendance, including the time of arrival and departure of members; record all votes and other actions of the Council; produce accurate minutes of each meeting; prepare the agenda and notices of all regular and special meetings or cancellations at the direction of the Chair; and perform any other administrative duty as the Council from time to time directs.

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B. The Clerk shall distribute minutes to each Council member prior to the next meeting. The minutes shall be typewritten, and shall be filed and open for public inspection.

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C. The Clerk shall issue the agenda for the next meeting no later than the Friday before the next meeting date of the Council.

D. The Clerk shall also be responsible for the preparation and maintenance of a permanently bound set of Council records, which shall be kept in the Town Clerk's office.

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§ A1-3. Committees.

A. There shall be the following standing committees:

(1) Finance & Administration.

(2) Ordinance.

(3) Education.

(4) Municipal Operations (includes Public Safety/Public Works/Recreation/Land Use/Environment/Sustainable Energy).

B. Each standing committee shall consist of six Council members appointed by the Chair at his/her sole discretion. The Chair shall consider the personal preferences of committee members in making appointments. The Chair of the Council serves as an ex-officio member of each standing committee of which he is not a regular member.

C. All members shall serve on either the Finance or Ordinance Committee and either the Education or Municipal Services Committee. Exceptions are at the discretion of the Chair.

D. Each committee established herein shall choose its own Chair and Vice Chair, who will be from separate political affiliations. The Chair or, in his/her absence, the Vice Chair, shall preside at all meetings. A committee Chair and Vice Chair may be removed by a two-thirds vote of the committee.

E. The Chair and Vice Chair of the Council shall, as part of the budget preparation process, prepare a proposed budget for Council operations for approval by the Council.

F. Nothing herein shall prevent the Chair from appointing ad hoc committees for specific purposes, to serve at the pleasure of the Council.

G. At the request of the Council Chair, committee Chairs or, in his/her absence, the Vice Chair, shall report at Council meetings on any agenda item that has been referred to their committees.

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Chairman are of the same political party,
one member of the political party having
the next highest representation on the
Council shall assist the Chairman and
Vice Chairman in preparing the proposed
budget. [6]

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H. Once receiving its instructions from the Council, the committees shall gather information and advise the Council only. No committee has the authority to spend money or to make decisions on behalf of the Council, nor is it intended that any committee have the power or authority to act on behalf of or as representatives of the Council unless specifically authorized by the Council.

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§ A1-4. Meetings.

The Council will meet twice a month at regular dates decided upon by the Legislative Council at its first meeting following election unless canceled by Chair due to lack of agenda items. The Chair may schedule special meetings as needed.

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§ A1-5. Order of business.

A. The order of business shall be:

- (1) Call to Order, Pledge of Allegiance, Roll Call.
- (2) Consideration and possible action on Minutes.
- (3) Communications (if not previously distributed).
- (4) Voter Participation.
- (5) Committee Reports.
- (6) First Selectman's Report.
- (7) Unfinished Business.
- (8) New Business.
- (9) Voter Participation.
- (10) Possible executive session and possible action on legal matters.
- (11) Announcements.
- (12) Adjournment.

B. The order of business may be changed at the discretion of the Chair.

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§ A1-6. Voter participation.

The Council desires to allow as much voter participation as is possible, consistent with the Council carrying out its own responsibilities to deliberate and act, believing that voter participation should generate information and opinions, while arguments and debates shall be presented for Council deliberation. The rules set forth below are intentionally broad in the hope that the voters' sense of responsibility, rather than the rules, will be the limiting factor in allowing the Council to achieve a balance between the voters' contribution and its own responsibilities.

A. Within the limits established herein and by the Newtown Charter, any person eligible to vote at a Town Meeting of the Town of Newtown may speak at any regular or special meeting during the Voter Participation periods on any matter, whether on the Agenda or not, that is under the jurisdiction of the Council. Participants will limit their comments to three minutes in length, unless, at the discretion of the Chair, allowed to speak longer. The length of time of the Voter Participation periods may extend to 30 minutes where voters shall desire to speak for the first time. The Chair, at his/her discretion, may extend the voter participation period beyond 30 minutes.

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B. Each voter wishing to speak shall ask the Chair to be recognized and upon being recognized shall state and spell his/her name and address and the item that he or she will address. No voter shall be allowed to speak for a second time until all the voters wishing to speak have been heard once.

C. The rules set forth under this § A1-6 shall apply to Council meetings only and not be a limitation upon the method of conducting public hearings.

§ A1-7. Motions and amendments.

A. All motions, resolutions and amendments on Agenda items shall be presented to the Clerk in writing if the Chairman or a majority of the Council so desires.

B. When there has been no committee report on a motion, and no representative of the affected department has been present during Council deliberations on the motion, a member may feel that the Council is not sufficiently informed. Under these circumstances, any member of the Council present may force postponement of the motion until a future meeting or date certain as a matter of right.

§ A1-8. Council debate.

A. No Council member shall speak more than once on a question until each member choosing to speak shall have had an opportunity to speak once. No individual shall hold private discourse during Council debate, when the Chair is speaking, or while a voter is speaking during Voter Participation.

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B. No motion having the effect of closing debate shall be in order until every member who wishes to speak on the motion under discussion has had at least one opportunity to do so.

C. Nothing in the above rules shall prevent elected/appointed Town officials or members of boards or commissions of the Town of Newtown having an interest in an Agenda item from participation after being recognized by the Chairman.

§ A1-9. Voting.

It shall be the duty of every Council member present to vote affirmatively or negatively on each question raised unless that member feels that he has an actual or possible conflict of interest that prevents him from acting. Unless the vote is unanimous, the "yeas" and "nays" of each member shall be recorded by the Clerk. An absent member may submit their written vote on an Agenda item by submitting it to the Chair in advance of the meeting.

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§ A1-10. Discussion of matters not on agenda.

After all agenda items of a regular meeting have been completed, matters not on the Agenda may be raised by members of the Council and discussed, but no action shall be taken by the Council on any such item except pursuant to the rules set forth in the Newtown Charter.

§ A1-11. Roberts Rules of Order.

Except as otherwise specifically provided by these rules, all meetings shall be conducted in conformity with the latest version of Roberts Rules of Order. It shall be the responsibility of the Chair to have a copy of Roberts Rules available for each meeting.

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§ A1-12. Amendments.

These rules may be amended at any meeting by majority of at least nine affirmative votes, provided that no proposed amendment may be acted upon at a meeting unless it has first appeared on the Agenda for discussion and is openly read by the Clerk, at a prior meeting of the Council, and unless it appears again on the Agenda for the meeting of the Council at which action is to be taken. All Council members shall receive a written copy of the proposed amendment prior to the vote.

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For the official version please contact the municipality.*

§ A1-13. Suspension of rules.

The rules shall not be suspended at any meeting of the Council except upon a two-thirds vote of those present, and the motion to do so shall state specifically what rule is proposed to be suspended and for what purpose, and the question shall be decided without debate or amendment.

§ A1-14. Recording, broadcasting or photographing meetings.

Pursuant to the Connecticut Freedom of Information Act, radio, recording, television, or photographic equipment may be so located within the meeting room so as to permit the recording, broadcasting, or photographing of the proceedings. The recorder, broadcaster, or photographer shall be required to handle the recording, broadcasting or photographing in as inconspicuous a manner as possible and in such a manner as not to disturb the proceedings. Therefore:

A. Microphones must be located in a single location prior to the meeting and may not be moved within the seating area of the Council without the permission of the Chairman. Cameras may be used outside of the seating area of the Council.

B. During meetings, reporters and other persons of the media and public must remain outside the seating area of the Council and may not converse in private with members of the Council during the meeting.

§ A1-15. Procedure when Communicating with Others and Identifying Oneself as a Member of the Council

Members of the Legislative Council have an obligation to make a clear distinction between work performed as elected public officials and all other activities in which they participate as private citizens. All business the council undertakes shall be done in noticed public meetings with a quorum of members present. When Council members communicate on local government issues outside of official council meetings; whether it be with members of the public, the press, other boards, commissions or public officials, it is incumbent on them to make it abundantly clear that they speak as individual members of the Council, unless otherwise charged by a quorum of the Council to speak on behalf of the Council. If their personal opinion will not reflect their actions as a Council member, they may identify themselves as speaking solely as a member of the public without mentioning their Council affiliation.

When communicating with others on local government matters and identifying oneself as a member of the Legislative Council, a member shall:

- Explicitly say or write: "I am a member of the Legislative Council and the opinions I may express are my own and should be treated as such. I do not speak for the full Council".
- If explicitly charged with Council business, provide a copy of the motion or resolution authorizing the action being performed if attending a meeting, or reference the motion or resolution when communicating with the press or making written comments on the Internet or social media sites. State to the parties the action being taken is pursuant to the charge. Copies of the official minutes containing the charge should be made available to the

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person or persons to whom you are communicating. If that is not possible, a link to the minutes on the town website should be made available.

- The Chair may communicate the official actions taken by the Council and may make reference to information in the minutes. He/she shall be careful to clearly delineate, when differences exist, between his/her personal beliefs and the intentions of the council action.

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These rules shall pertain to verbal and written comments made to other government entities, the media, and to the public, including in print, on the Internet and on social media platforms.

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