

**A LOCAL LAW STRENGTHENING THE TERM LIMIT PROVISIONS FOR THE OFFICE OF PUTNAM COUNTY EXECUTIVE.**

**Section 1.** The Legislature of the County of Putnam, New York hereby makes the following findings and determinations:

- (a) that Local Law No. 8 of 2011 (“Local Law No. 8”), enacted by the County Legislature on January 4, 2011, sets forth a term limits regime for the office of County Executive which currently may be amended merely by the favorable vote of two-thirds of all the members of the County Legislature, subject to permissive referendum; and
- (b) that a system of governmental term limits engenders transparency in government, promotes the accountability of public officials, and increases public trust, as well as provides for the opportunity for new voices and new ideas to be heard; and
- (c) that in order to engender transparency in government, promote accountability, and to increase public trust, this County Legislature is desirous of requiring a unanimous vote of the County Legislature in order to amend, modify or repeal term limits for the office of County Executive; and
- (d) that this County Legislature finds and determines that this Local Law changes its voting power and curtails its power relative to the amending, modifying or repealing of the term limits procedures of the County Executive by increasing the number of affirmative votes necessary of the County Legislature in order to amend, modify or repeal the term limits procedures of the office of County Executive, and
- (e) that this County Legislature hereby finds and determines that this Local Law embraces only one subject: that of the term of the office of County Executive,

NOW THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF PUTNAM AS FOLLOWS:

**Section 2.** Article 3, Section 3.01 of the Putnam County Charter is hereby amended to read as follows:

- (A) The County Executive shall be elected from the County at large in an even numbered year for a term of four (4) years commencing on the first day of January immediately following his or her election. His or her service as County Executive shall be limited to a maximum of two (2) terms, whether partial or full, and whether consecutive or not. At the time of nomination and election, the County Executive shall be, and he or she shall remain, a qualified elector of Putnam County. He or she shall hold no other elected public or elected political office during his or her term and shall devote his or her full working time to the duties of the office. He or she shall be the highest paid salaried County employee with the exception of those County employees required to be duly licensed to practice medicine in the State of New York as a qualification of employment, the District Attorney or any other employee whose salary is partially or fully set by state law. The compensation of the County Executive shall not be decreased during his or her term of office.
- (B) Except in the instance where a general or special state law would otherwise necessitate, amending, modifying or repealing the term limit provisions as set forth in this Section 3.01 may

*Draft: subject to change and completion*

only be accomplished by the enactment of a local law adopted by the County Legislature by a unanimous vote of the whole of its number, subject to referendum on petition as provided in the Municipal Home Rule Law.

**Section 3.** Article 3, Section 3.04-B(d) of the Putnam County Charter is hereby amended to read as follows:

(d) Reconsideration.

Except as otherwise set forth in this Section 3.04-B, a vetoed enactment shall be resubmitted to the County Legislature together with the veto message at its next regular or special meeting, and such message shall be entered into its Book of Proceedings. Within thirty (30) days after such receipt and entry, the County Legislature may reconsider the vetoed enactment and pass the same over the County Executive's objections by a favorable vote of two-thirds (2/3) of the whole of its number on a roll-call vote. Only one such reconsideration vote shall be taken on any single vetoed enactment.

Other than the veto of an enactment necessitated by the passage of a general or special state law, a vetoed enactment amending, modifying or repealing the term limit provisions as set forth in Section 3.01 of the County Charter shall be resubmitted to the County Legislature together with the veto message at its next regular or special meeting, and such message shall be entered into its Book of Proceedings. Within thirty (30) days after such receipt and entry, the County Legislature may reconsider the vetoed enactment and pass the same over the County Executive's objections by a unanimous vote of the whole of its number on a roll-call vote. Only one such reconsideration vote shall be taken on any single vetoed enactment.

**Section 4.** Article 15, Section 15.01 of the Putnam County Charter is hereby amended to read as follows:

Except as otherwise set forth in this Section 15.01, a Charter amendment may be proposed by a member of the County Legislature, the County Executive or the Legislative bodies of any of the towns or villages of the County. The proposal must then be enacted by a local law passed by a two-thirds (2/3) vote of the County Legislature subject to referendum on petition as provided in the Municipal Home Rule Law. Any proposed amendment which would have the effect of transferring a function or duty of the County or of a town, village, district or other unit of local government of the County shall not become operative unless it is approved by mandatory referendum. Any amendment which would create or abolish an elected office; change the power of an elected County officer during his or her term of office; abolish, curtail or transfer to another County officer or agency any power of an elected County officer, or change the method of election of the County Legislature, but not including decennial reapportionment, shall be subject to a permissive referendum.

Except in the instance where a general or special state law would necessitate, a Charter amendment amending, modifying or repealing the term limit provisions as set forth in Section 3.01 of the County Charter may only be amended, modified or repealed by a local law passed by a unanimous vote of the County Legislature, subject to referendum on petition as provided in the Municipal Home Rule Law.



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**Section 5.** If any provision of this Local Law is held to be illegal or invalid for any reason, such illegality or invalidity shall not affect the remaining provisions hereof, but such provision shall be fully severable and this Local Law shall be construed and enforced as if such illegal or invalid provision had never been included.

**Section 6.** Pursuant to Section 34(5) of the Municipal Home Rule Law, this Local Law shall take effect sixty (60) days after its final enactment and is subject to permissive referendum.

**§ 3.01 Chief Executive Officer: election; term; qualifications.**

(A) The County Executive shall be elected from the County at large in an even numbered year for a term of four (4) years commencing on the first day of January immediately following his or her election. ~~He or she shall serve~~ His or her service as County Executive shall be limited to a maximum of two (2) consecutive full term terms, whether partial or full, and whether consecutive or not. At the time of nomination and election, the County Executive shall be, and he or she shall remain, a qualified elector of Putnam County. He or she shall hold no other elected public or elected political office during his or her term and shall devote his or her full working time to the duties of the office. He or she shall be the highest paid salaried County employee with the exception of those County employees required to be duly licensed to practice medicine in the State of New York as a qualification of employment, the District Attorney or any other employee whose salary is partially or fully set by state law. The compensation of the County Executive shall not be decreased during his or her term of office.

(B) Except in the instance where a general or special state law would otherwise necessitate, amending, modifying or repealing the term limit provisions as set forth in this Section 3.01 may only be accomplished by the enactment of a local law adopted by the County Legislature by a unanimous vote of the whole of its number, subject to referendum on petition as provided in the Municipal Home Rule Law.



### 3.04-B Executive Action on Local Laws

(d) Reconsideration. **A**

Except as otherwise set forth in this Section 3.04-B, a vetoed enactment shall be resubmitted to the County Legislature together with the veto message at its next regular or special meeting, and such message shall be entered into its Book of Proceedings. Within thirty (30) days after such receipt and entry, the County Legislature may reconsider the vetoed enactment and pass the same over the County Executive's objections by a favorable vote of two-thirds (2/3) of the whole of its number on a roll-call vote. Only one such reconsideration vote shall be taken on any single vetoed enactment.

Other than the veto of an enactment necessitated by the passage of a general or special state law, a vetoed enactment amending, modifying or repealing the term limit provisions as set forth in Section 3.01 of the County Charter shall be resubmitted to the County Legislature together with the veto message at its next regular or special meeting, and such message shall be entered into its Book of Proceedings. Within thirty (30) days after such receipt and entry, the County Legislature may reconsider the vetoed enactment and pass the same over the County Executive's objections by a unanimous vote of the whole of its number on a roll-call vote. Only one such reconsideration vote shall be taken on any single vetoed enactment.



§ 15.01 Amendment of the Charter.

~~A~~ Except as otherwise set forth in this Section 15.01, a Charter amendment may be proposed by a member of the County Legislature, the County Executive or the Legislative bodies of any of the towns or villages of the County. The proposal must then be enacted by a local law passed by a two-thirds (2/3) vote of the County Legislature subject to referendum on petition as provided in the Municipal Home Rule Law. Any proposed amendment which would have the effect of transferring a function or duty of the County or of a town, village, district or other unit of local government of the County shall not become operative unless it is approved by mandatory referendum. Any amendment which would create or abolish an elected office; change the power of an elected County officer during his or her term of office; abolish, curtail or transfer to another County officer or agency any power of an elected County officer, or change the method of election of the County Legislature, but not including decennial reapportionment, shall be subject to a permissive referendum.

Except in the instance where a general or special state law would necessitate, a Charter amendment amending, modifying or repealing the term limit provisions as set forth in Section 3.01 of the County Charter may only be amended, modified or repealed by a local law passed by a unanimous vote of the County Legislature, subject to referendum on petition as provided in the Municipal Home Rule Law.