



Allegheny County Council

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Legislation Details (With Text)

File #: 9046-15 **Version:** 1 **Name:**
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On agenda: 7/1/2015 **Final action:**
Title: Motion of the Council of Allegheny County amending Article IV, Rule B.2. of the Rules of Council for Allegheny County Council, entitled "Legislative Action" in order to provide a more efficient, transparent, and equitable rule relating to the votes necessary in order to approve legislative items.
Sponsors: Heather Heidelbaugh
Indexes:
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Date	Ver.	Action By	Action	Result
7/1/2015	1	County Council	Referred by Chair	

Motion of the Council of Allegheny County amending Article IV, Rule B.2. of the Rules of Council for Allegheny County Council, entitled "Legislative Action" in order to provide a more efficient, transparent, and equitable rule relating to the votes necessary in order to approve legislative items.

Whereas, as currently drafted, Article IV, Rule B.2. of the Rules of Council requires that any motion, resolution or ordinance introduced to Council for a final vote may only be passed by an affirmative vote of a majority of the seated Members of Council, regardless of how many Members of Council are actually present for such a vote; and

Whereas, this requirement establishes a system in which bills can be approved by a majority of the Members of Council present but still be deemed to have failed; and

Whereas, by way of example, at a meeting attended by only 10 Members of Council, a bill could receive 7 affirmative votes and only 3 negative votes, but still be deemed to have failed because it did not receive affirmative votes from at least 8 of the 15 seated Members of Council; and

Whereas, this construct is inherently confusing to the public, insofar as the most common understanding of the democratic process is that the majority rules; and

Whereas, the existing rule is also potentially inefficient and unduly burdensome, as bills defeated as a result of the counterintuitive rule may not necessarily even be subject to re-introduction, depending upon whether such re-introduction is deemed to be dilatory and/or out of order; and

Whereas, it is accordingly the judgment of Council that the rule governing passage of legislative items should be changed in order to reflect the fundamental conception of American democracy: that the majority, rather than arcane procedural requirements, rules;

NOW THEREFORE, IT IS MOVED, BY THE COUNCIL OF ALLEGHENY COUNTY,

That this Council hereby amends Article IV, Rule B.2. of the Rules of Council as follows:

B. Legislative Action

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2. All proposed motions, resolutions, and ordinances introduced to Council for a final vote shall be passed by an affirmative vote of the majority of the ~~seated~~ members of Council present for such vote, unless the legislative action requires an affirmative vote of two-thirds (2/3) of the seated members of Council, as follows:
 - 2.i. A motion to override a veto by the Chief Executive;
 - 2.ii. A resolution to authorize inquiries and investigations; or
 - 2.iii. An ordinance levying taxes.

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