

MINUTES OF MEETING

Committee on Administration and Legislature

March 3, 2006

The Charter Revision Commission's Committee on Administration and Legislature ("A&L") met in a meeting room of the County Legislature at 8:00 a.m. on March 3, 2006. Present were Committee members John Maggiore, Vice-Chair, Dave Comerford, and James Magavern, Chair. Also present by invitation were Brian White, Assistant County Attorney, Hank Bromley, Commission research analyst, and Ray Walter, law student.

Mr. Magavern reported that the Committee on Form and Scope of County Government ("F&S") will meet on Monday, March 6 at 4:00 p.m. Mr. Magavern said that he would be unable to attend but urged other members of the A&L Committee to attend if possible.

Mr. Magavern reported that Professor Greiner's seminar had met on March 2 to review progress on the law students' assignments, as set forth in the minutes of the meeting of the Committee on February 10 (Cooney, Term Limits; Hyatt, Term and Salary Limits; Walter, Redistricting and Residency Requirement). The students expect to submit initial, rough draft reports next week.

Mr. Minter has prepared a first draft of charter language to implement the county manager proposal. Mr. Bromley will make it available on the Commission's website.

Committee members should submit comments and suggestions by e-mail directed to Mr. Minter and the F&S and A&L Committees through Mr. Bromley.

Mr. Magavern noted that Mr. Duquin will be submitting a report on the constituent service role of County Legislators.

Mr. Maggiore suggested that the Committee address Buffalo Human Resource Commissioner Leonard Matarese's proposed qualifications for County department heads. Mr. Comerford commented that this issue would be resolved in large part by adoption of the joint committee proposal for a county manager. It was agreed to review Mr. Matarese's memorandum at the next meeting of the Committee.

Mr. Walters reported on his initial research and findings in respect to standards and procedures for reapportionment of legislative districts. He discussed the pros and cons of two approaches to the creation of a so-called independent reapportionment commission: a non-partisan commission, as in Iowa; and a bi-partisan commission, as in New Jersey. He noted that typical criteria for redistricting are often at odds with one another, e.g., competitiveness v. contiguity and communities of interest, majority-minority v. minority influence districts.

Mr. Walter's comments led to a discussion of the theoretical virtues of proportional representation and perhaps non-partisan elections. For citations to academic studies of the subject, please see materials provided by Jon Lines and attached to the minutes of the Committee's meeting on January 13 and Professor Amy's website, which is cited in those

materials. Among the many possibilities discussed by the Committee were three five-member districts, and nine single member districts and four at-large positions, with proportional representation limited to the at-large positions. There appeared to be a preliminary consensus that proportional representation and non-partisan elections are probably too complex and too little understood to recommend at this time, but that the Committee may wish to consider a recommendation that the subject be mentioned in the Commission's report as worthy of further exploration in the future.

The Committee discussed the question whether the Commission should recommend a single ballot proposition for all of its proposed Charter revisions as a single package, or separate propositions for particularly important and controversial proposals. There appeared to be a preliminary consensus that significant reforms should be proposed in separate local laws, so as to enable the voters to approve or disapprove each on its own merits.

Mr. Maggiore agreed to work with Mr. Walter in a report on reapportionment, the size of the Legislature, the district residency requirement for Legislators, proportional representation and non-partisan elections.

The next meeting of the Committee will be at 8:00 a.m., Friday, March 10. The agenda will be to consider: (1) Mr. Minter's draft Charter language; (2) Mr. Matarese's proposed qualifications for department heads; (3) law student reports; and (4) Mr. Duquin's report on the constituent service role of County Legislators. If Mr. Rath concurs, the meeting will be a joint meeting with the F&S Committee.