

Committee Recommendation to the Commission  
April 13, 2006

Administration and Legislature Committee  
Form and Scope Committee

Issue: Should there be term limits for Erie County Legislators?

**Recommendation:** It is the recommendation of the Administration and Legislature Committee and Form and Scope Committee that the Commission should recommend against the adoption of term limits for the following reasons:

— Legislative term limits result in a loss in experience in the legislature that is vital to the balance of power among the branches of government and the ability of the legislative branch.

— Legislative term limits prevent the “good” legislators from running as well as the “bad.”

— The voters already have the ability to vote out unwanted legislators.

— Legislative term limits create a divisive legislature as term limited legislators seek future positions in government.

*If the Commission should choose to recommend legislative term limits then the following revision should be made to Section 202.2:*

From

Section 202.2. Election and terms of office. County legislators shall first be elected at the general election in the year nineteen hundred sixty seven and shall assume office on January first, nineteen hundred sixty eight. All elected county legislators shall hold their respective offices for a term of two years.

To

Section 202.2. Election and terms of office. All elected county legislators shall hold their respective offices for a term of **four** years. **No County Legislator elected in the year 2007, or thereafter, shall hold office for more than three consecutive four-year terms of office. No person who has served three consecutive four-year terms of office in the County Legislature shall again be eligible to serve as a County Legislator until two years have passed since the end of such person's three consecutive four-year terms of office. County Legislators shall be elected to staggered terms of four years over a eight-year cycle in accordance with the following plan:**

- (1) The 15 County legislative districts shall be divided into two groups: Group 1 to consist of 8 legislative districts and Group 2 to consist of 7 legislative districts. The determination of which legislative districts shall be included in each of said groups shall be made by lot, the drawing for which shall be conducted by the County Election Commissioners in a manner to be determined by said Election Commissioners.**
- (2) The County Legislators elected from the County Legislative districts included in Group 1 shall be elected to a two-year term in the general election to be held in the year 2007 and shall be elected to a four-year term in the general election to be held in the year 2009, and each year thereafter.**
- (3) The County Legislators elected from the County Legislative districts included in Group 2 shall be elected to a four-year term in the general election to be held in the year 2007 and each year thereafter.**