



Legislation Details (With Text)

**File #:** Res 1640-2008      **Version:** \*      **Name:** Any change in the City’s term limits law must be subject to voter referendum.

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**Title:** Resolution calling upon the State legislature to adopt legislation amending the State Municipal Home Rule Law (MHRL) to give the City the authority to provide in its Charter that any change in the City’s term limits law must be subject to voter referendum.

**Sponsors:**

**Indexes:**

**Attachments:** 1. Committee Report - 10/16/08, 2. Hearing Transcript 10/16/08, 3. Hearing Testimony 10/16/08, 4. Committee Report 10/17/08, 5. Hearing Testimony 10/17/08, 6. Hearing Transcript 10/17/08

Date	Ver.	Action By	Action	Result
10/7/2008	*	City Council	Introduced by Council	
10/7/2008	*	City Council	Referred to Comm by Council	
10/16/2008	*	Committee on Governmental Operations	Hearing Held by Committee	
10/16/2008	*	Committee on Governmental Operations	Laid Over by Committee	
10/17/2008	*	Committee on Governmental Operations	Laid Over by Committee	
10/17/2008	*	Committee on Governmental Operations	Hearing Held by Committee	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 1640

Resolution calling upon the State legislature to adopt legislation amending the State Municipal Home Rule Law (MHRL) to give the City the authority to provide in its Charter that any change in the City’s term limits law must be subject to voter referendum.

By Council Members Avella, Palma, James, Weprin and Mark-Viverito

Whereas, In 1993 a charter change imposing limits of no more than two consecutive terms on all city elected officials was adopted through a referendum by a vote of 59% in the affirmative and 41% in the negative; and

Whereas, In 1996 the City Council adopted a local law, subject to mandatory referendum, that would

have extended the two-term limit adopted by voters in 1993 to a three-term limit; and

Whereas, This proposed extension of the two-term limit was defeated by voters by a vote of 46% in the affirmative and 54% in the negative; and

Whereas, Courts have recently upheld the power of the Council to amend the term limits provisions of the City Charter without voter referendum; and

Whereas, There have been media reports indicating that the Mayor intends to seek action by the Council on a local law that would extend the two-term limit contained in Charter Section 1138 to three terms; and

Whereas, Council action by local law would thwart the will of the majority of voters who voted to impose term limits in 1993 and against extending them in 1996; and

Whereas, Section 23 of the State MHRL contains a list of actions by local governments that can only be accomplished by voter referendum; and

Whereas, Changes to such an important aspect of municipal governance which has been twice subject to voter referendum, should not be left to the will of the local legislature; now therefore, be it;

Resolved, The Council of the City of New York calls upon the State legislature to adopt legislation amending the State Municipal Home Rule Law (MHRL) to give the City the authority to provide in its Charter that any change in the City's term limits law must be subject to voter referendum.

LS# 6247

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