

Local Law Filing

New York State Department of State
Divisions of Corporations, State Records and Uniform Commercial Code
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Albany, New York 12231-0001
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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village

of _____ Columbia _____

Local Law No. 4 of the year 2013 .

A local law: Amending previous local laws for weighted voting for the Columbia
 County Board of Supervisors and implementing amended voting plans.

Be It enacted by the _____ Board of Supervisors _____ of the

County City Town Village

of _____ Columbia _____ as follows:

Section A. Intent and Purpose.

WHEREAS, the Columbia County Board of Supervisors wishes to amend Local Law No. 1 of 1972 thereafter amended by Local Law No. 1 of 1982 and Local Law No. 2 of 1993 and Local Law No. 2 of 2004 providing a plan of apportionment for the members of the Board of Supervisors of Columbia County on a weighted voting basis in accordance with the provisions of New York Municipal Home Rule Law section 10(1)(a)(13).

Section B. Change in Census Date.

Section 2, entitled “Voting Strength” of Local Law No. 1 of 1972 thereafter amended by Local Law No. 1 of 1982 and Local Law No. 2 of 1993 and Local Law No. 2 of 2004 shall hereby be amended to read as follows:

Section 2. VOTING STRENGTH. The apportionment of the voting strength of the members of the Board of Supervisors shall be determined by the 2010 Federal Census in the County of Columbia until the next decennial Federal Census, in which event the voting strength shall be changed, if necessary, to conform to such decennial Federal Census; excepting, however, should there be proposed an official special County Census subsequent to such Federal Decennial Census, the Board of Supervisors may effect a reapportionment which shall be in conformity with such official County Census and such then applicable provisions of law.

Section C. Change in Apportionment Base and Number of Votes.

Section 3, entitled “Apportionment Base, Number of Votes” of Local Law No. 1 of 1972 thereafter amended by Local Law No. 1 of 1982 and Local Law No. 2 of 1993 and Local Law No. 2 of 2004, shall hereby be amended to read as follows:

Section 3. APPORTIONMENT BASE, NUMBER OF VOTES. The Board of Supervisors shall continue to consist of twenty-three members. Each of said twenty-three members shall be entitled to cast at each special and regular meeting of the Columbia County Board of Supervisors the number of votes set forth opposite their respective towns or wards apportioned as follows and as shown by population:

Weighted Voting Analysis for Columbia County

S I M P L E MAJORITY PLAN: COLU-13-½-3535

Votes Needed to Affirm: 1768

Town or District	Population	Vote	# Decisive Combinations	% Vote	Voting Power	% Population	Discrepancy
Hudson City 4	725	43	156316	1.22	1.16	1.15	0.67
Hudson City 1	770	45	165412	1.27	1.23	1.23	0.30
Hudson City 3	1142	67	245908	1.90	1.83	1.82	0.54
Hudson City 2	1281	73	273312	2.07	2.03	2.04	-0.38
Taghkanic	1313	75	283020	2.12	2.10	2.09	0.64
Ancram	1574	91	336236	2.57	2.50	2.51	-0.26
Austerlitz	1654	95	354316	2.69	2.63	2.63	0.02
Gallatin	1668	96	358944	2.72	2.67	2.65	0.47
Canaan	1710	98	368500	2.77	2.74	2.72	0.61
Hillsdale	1928	112	412396	3.17	3.06	3.07	-0.13
Germantown	1955	113	417252	3.20	3.10	3.11	-0.35
Clermont	1966	114	422100	3.22	3.14	3.13	0.24
Stuyvesant	2030	117	435404	3.31	3.24	3.23	0.14
New Lebanon	2305	134	493336	3.79	3.67	3.67	-0.07
Hudson City 5	2485	142	531544	4.02	3.95	3.96	-0.13
Stockport	2819	162	605192	4.58	4.50	4.49	0.23
Copake	3617	207	776936	5.86	5.77	5.76	0.29
Livingston	3646	208	781752	5.88	5.81	5.80	0.11
Chatham	4132	233	881440	6.59	6.55	6.58	-0.40
Greenport	4176	236	895916	6.68	6.66	6.65	0.17
Ghent	5408	301	1155832	8.51	8.59	8.61	-0.21
Claverack	6024	331	1289880	9.36	9.59	9.59	-0.03
Kinderhook	8501	442	1815788	12.50	13.49	13.53	-0.27
TOTALS	62829	3535	13456732	100.00	100.00	100.00	

Largest Discrepancies 0.67 and -0.40

Weighted Voting Analysis for Columbia County

TWO-THIRDS MAJORITY PLAN: COLU-13- $\frac{2}{3}$ -3885

Votes Needed to Affirm: 2591

Town or District	Population	Vote	# Decisive Combinations	% Vote	Voting Power	% Population	Discrepancy
Hudson City 4	725	44	68749	1.13	1.16	1.15	0.26
Hudson City 1	770	46	72451	1.18	1.22	1.23	-0.52
Hudson City 3	1142	69	108039	1.78	1.82	1.82	0.02
Hudson City 2	1281	77	120731	1.98	2.03	2.04	-0.36
Taghkanic	1313	79	124045	2.03	2.09	2.09	-0.12
Ancram	1574	95	149379	2.45	2.51	2.51	0.34
Austerlitz	1654	100	156813	2.57	2.64	2.63	0.24
Gallatin	1668	100	156813	2.57	2.64	2.65	-0.60
Canaan	1710	103	161847	2.65	2.72	2.72	0.07
Hillsdale	1928	116	181695	2.99	3.06	3.07	-0.36
Germantown	1955	118	185049	3.04	3.11	3.11	0.07
Clermont	1966	118	185049	3.04	3.11	3.13	-0.49
Stuyvesant	2030	123	192513	3.17	3.24	3.23	0.26
New Lebanon	2305	139	217427	3.58	3.66	3.67	-0.27
Hudson City 5	2485	150	235285	3.86	3.96	3.96	0.10
Stockport	2819	171	267867	4.40	4.51	4.49	0.46
Copake	3617	218	341041	5.61	5.74	5.76	-0.31
Livingston	3646	221	346005	5.69	5.82	5.80	0.33
Chatham	4132	250	390783	6.44	6.58	6.58	-0.01
Greenport	4176	252	394151	6.49	6.63	6.65	-0.21
Ghent	5408	329	512491	8.47	8.62	8.61	0.19
Claverack	6024	368	570911	9.47	9.61	9.59	0.20
Kinderhook	8501	599	803501	15.42	13.52	13.53	-0.07
TOTALS	62829	3885	5942635	100.00	100.00	100.00	

Largest Discrepancies 0.46 and -0.60

- (a) The attendance of supervisors entitled to cast 1768 votes under the simple majority vote shall be required to constitute a quorum.
- (b) The affirmative vote of supervisors entitled to cast a total of at least 1768 votes under the simple majority vote shall be required for the adoption of any resolution, local law, motion or proposal which requires a majority vote of the board under applicable provisions of law.
- (c) The affirmative vote of supervisors entitled to cast a total of at least 2591 votes shall be required for the adoption of any resolution or proposal which requires a 2/3rds vote under applicable provisions of law.
- (d) Notwithstanding any other provisions of this Local Law, every member of the Board of Supervisors serving on a committee of such Board shall be entitled to cast one (1) vote as a member of said committee.

Section E. Validity and Severability.

If any section or part of this local law, or the application thereof to any person or circumstances, is adjudged invalid or unconstitutional, then such adjudication shall not invalidate or impair the validity or force or effect of any other section or part of this local law or the application of this local law, or any section, provision, or part thereof, to other persons or circumstances.

Section F. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York. In the event that a petition is duly filed and a referendum held, this law shall take effect after said referendum has been duly passed by a majority of the voters and said law has been duly filed with the Office of the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2013 of the County of Columbia was duly passed by the Board of Supervisors on _____, _____, 2013 in accordance with the applicable provisions of law.~~

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

~~I hereby certify that the local law annexed hereto, designated as local law No _____ of 2013 of the County of Columbia was duly passed by the Board of Supervisors on _____ 2013 and was (approved)(not approved)(repassed after disapproval) by the Chairman of the Board of Supervisors and was deemed duly adopted on _____, 2013 in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2013 of the County of Columbia was duly passed by the Board of Supervisors on _____, 2013, and was (approved)(not approved)(repassed after disapproval) by the Chairman of the Board of Supervisors on _____, 2013. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 2013, in accordance with the applicable provisions of law.~~

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2013 of the County of Columbia was duly passed by the Board of Supervisors on _____, 2013, and was (approved)(not approved)(repassed after disapproval) by the Chairman of the Board of Supervisors on _____, 2013. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 2013 in accordance with the applicable provisions of law.~~

5. (City local law concerning Charter revision proposed by petition)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2013 of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 2013 became operative.~~

6. (County local law concerning adoption of Charter.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2013 of the County of Columbia, State of New York, having been submitted to the electors at the General Election of November _____, 2013, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

(Seal)

Gail A. DiCosmo, Clerk
Columbia County Board of Supervisors,

Date: _____

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF COLUMBIA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Robert J. Fitzsimmons, Esq.
Columbia County Attorney

County of Columbia

Date: _____