

8/29/19

Clerk's Notes (subject to legal review)

Legislative Branch Charter Section 2

Organization (Clerk) Sect. 2-2 (d)

- Section 2-2(d) next to last paragraph sentence reads.....” The clerk of the assembly of delegates may be the county clerk”. Consider changing language in Section 4-2(b)2 and Section 7-1, (from Regional Clerk to County Clerk) or vice versa.

RATIONALE: To create consistency in the use of and reference of the term identifying the clerk ....either a county clerk or regional clerk. The position is the same and the reference should be the same everywhere in the Charter.

- Section 2-2(d) consider rewording of last sentence in paragraph from “The clerk of the assembly shall be deemed a Cape Cod regional government employee and shall not be considered an elected official” to The clerk of the assembly shall be deemed a Cape Cod regional government employee, reporting to the Assembly Speaker, and shall not be considered an elected official”.

RATIONALE: Reinforces Ordinance 18-04 Assembly Clerk Job Description.

Exercise of Powers Sect. 2-5(d)(ii)

-Correct reference in paragraph to read “as provided in section 3-7(b)”.

RATIONALE: Just a correction of a reference. Refer to Section 3-7(b) versus 3-8.

Prohibition Sect. 2-6

-Paragraph 2 – first sentence should read “The members of the assembly of delegates shall deal with officers and employees of the Cape Cod regional Government, with the exception of the Assembly Clerk, solely through the board of regional commissioners and the administrator.....”.

RATIONALE: The Clerk is considered a county employee and should be exempt from this rule. The Clerk deals with delegates on a regular basis.

Exercise of Powers Sect 2-8 (e)

-Second sentence should say “The Clerk of the Assembly shall distribute copies of each proposal to each delegate, and to any regional commissioner and the administrator upon request.

RATIONALE: Currently, section in this passage reads.... “The Clerk of the assembly of delegates shall forthwith distribute copies of the proposal to each delegate present, to any regional commissioners present, and to the administrator, if present”. This is not what takes place. Possibly when there was an Asst. Clerk this is how it was done but not happening now. Electronic efficiencies over time have created a better way to distribute versus on the spot handouts with trackability.