

8253

2009-2010 Regular Sessions

I N A S S E M B L Y

May 11, 2009

Introduced by M. of A. WEISENBERG -- read once and referred to the
Committee on Education

AN ACT to amend the education law, in relation to votes on land acquisition and building construction propositions by BOCES districts

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraphs a and q of subdivision 2 of section 1951 of the
2 education law, paragraph a as amended by chapter 722 of the laws of
3 2005, paragraph q as added by chapter 795 of the laws of 1967 and such
4 section as renumbered by chapter 378 of the laws of 1972, are amended to
5 read as follows:
6 a. If the board of cooperative educational services determines to
7 submit a proposition to authorize the purchase or acquisition of sites
8 or additions thereto and real property and to construct buildings there-
9 on and to purchase buildings and construct additions thereto, or to
10 authorize the sale of any real property the title to which is vested in
11 the board of cooperative educational services and buildings thereon and
12 appurtenances or any part thereof, or to authorize the exchange of real
13 property held by the board of cooperative educational services for the
14 purpose of improving or changing school sites, to the qualified voters
15 of the board of cooperative educational services, then the board shall
16 call a meeting and submit to the qualified voters of the board of coop-
17 erative educational services such a proposition. VOTES SHALL OCCUR IN
18 POLLING PLACES, *EQUITABLY DISTRIBUTED*, WITHIN THE AFFECTED BOARD OF
19 COOPERATIVE EDUCATIONAL SERVICES DISTRICT, WHERE THE TRAVEL DISTANCE FOR
20 ANY RESIDENT WITHIN THE AFFECTED BOARD OF COOPERATIVE EDUCATIONAL
21 SERVICES DISTRICT SHALL BE SIMILAR OR APPROXIMATELY THE SAME, WITH A
22 MINIMUM OF AT LEAST THREE POLLING PLACES FOR BOARD OF COOPERATIVE EDUCA-
23 TIONAL SERVICES DISTRICTS IN A COUNTY WITH A POPULATION OF MORE THAN TWO
24 HUNDRED FIFTY THOUSAND ACCORDING TO THE LATEST FEDERAL CENSUS. The board
25 shall cause a notice of such meeting to be given by public notice of the

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD08427-07-9

1 time and place of such meeting once in each week within the four weeks
2 next preceding such meeting, the first publication to be at least twenty-five
3 days before said meeting, in two newspapers if there shall be
4 two, or in one newspaper if there shall be but one, having general
5 circulation within the board of cooperative educational services, but if
6 no newspaper shall then have general circulation therein, the said
7 notice shall be posted in at least twenty of the most public places in
8 said board of cooperative educational services twenty-five days before
9 the time of such meeting. Such notice shall contain a statement of the
10 proposition or propositions to be submitted at such meeting AND THE
11 LOCATION OF EACH POLLING PLACE WITHIN THE AFFECTED BOARD OF COOPERATIVE
12 EDUCATIONAL SERVICES DISTRICTS.

13 q. If the board shall so determine it may cause the board of cooperative
14 educational services to be divided into election districts
15 provided that in each such election district the number of qualified
16 voters shall at least equal seven hundred. If such resolution be adopted
17 it shall divide the board of cooperative educational services into such
18 number of election districts as the board may determine, provided that
19 if circumstances will permit there shall be a schoolhouse in each
20 election district or in as many such election districts as possible. The
21 election districts so formed shall continue in existence until modified
22 by resolution of the board. Such resolution shall accurately describe
23 the boundaries of each such district by street, alley and highway or
24 otherwise. Meetings of the voters of the board of cooperative educational
25 services shall be held thereafter in such election districts.
26 VOTES SHALL OCCUR IN POLLING PLACES, EQUITABLY DISTRIBUTED, WITHIN THE
27 AFFECTED BOARD OF COOPERATIVE EDUCATIONAL SERVICES DISTRICT, WHERE THE
28 TRAVEL DISTANCE FOR ANY RESIDENT WITHIN THE AFFECTED BOARD OF COOPERATIVE
29 EDUCATIONAL SERVICES DISTRICT SHALL BE SIMILAR OR APPROXIMATELY
30 THE SAME, WITH A MINIMUM OF AT LEAST THREE POLLING PLACES FOR BOARD OF
31 COOPERATIVE EDUCATIONAL SERVICES DISTRICTS IN A COUNTY WITH A POPULATION
32 OF MORE THAN TWO HUNDRED FIFTY THOUSAND ACCORDING TO THE LATEST FEDERAL
33 CENSUS. The board shall designate the place within each election
34 district where the meetings shall be held. When the board of cooperative
35 educational services is divided into election districts, the board shall
36 cause the meeting to be held in each election district pursuant to the
37 provisions of this subdivision and shall appoint a chairman of the meeting,
38 clerks and assistant clerks of the meeting and inspectors of
39 election for each election district. The board shall designate the
40 election district in which the clerk of the board of cooperative educational
41 services shall be present. Where the board of cooperative educational
42 services has been divided into election districts, the inspectors
43 of election shall make a written report of the results of the ballot,
44 signed by all such inspectors, to the chief inspector of election of
45 each election district. The chief inspector of election of each election
46 district shall within twenty-four hours file such written report with
47 the clerk of the board of cooperative educational services. The board
48 shall thereupon within twenty-four hours tabulate and declare the
49 results of the ballot.

50 S 2. This act shall take effect on the ninetieth day after it shall
51 have become law.