

S. 4207

A. 7607

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

April 16, 2009

IN SENATE -- Introduced by Sen. McDONALD -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

IN ASSEMBLY -- Introduced by M. of A. CANESTRARI -- read once and referred to the Committee on Libraries and Education Technology

AN ACT to amend chapter 422 of the laws of 2008, relating to creating a public library district in the city of Troy, in the county of Rensselaer, in relation to extending the period of time during which the Troy public library district may be established

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

1 Section 1. Subdivision 1 of section 2 of chapter 422 of the laws of
2 2008, relating to creating a public library district in the city of
3 Troy, in the county of Rensselaer is amended to read as follows:
4 1. The public library district herein described shall not come into
5 existence unless and until it is approved, WITH the initial [proposed]
6 budget [is approved] THEREFOR PROPOSED BY THE BOARD OF TRUSTEES OF THE
7 TROY PUBLIC LIBRARY, and seven trustees are elected by a vote of the
8 majority of the qualified voters voting in an election held pursuant to
9 the following provisions:
10 Upon receipt of a petition signed by not less than fifty voters quali-
11 fied to vote at [the November 4, 2008] A general election IN THE CITY OF
12 TROY and residing within the area of the proposed district, the board of
13 trustees of the existing association library, known as the Troy Public
14 Library, shall give notice of an election to be conducted pursuant to
15 this act SUCH NOTICE TO BE GIVEN NOT LESS THAN 30 DAYS PRIOR TO SUCH
16 ELECTION. Such election shall be held [concurrent with the general
17 election on November 4, 2008] NOT LATER THAN NOVEMBER 30, 2012. NOTHING
18 IN THIS ACT SHALL BE CONSTRUED TO LIMIT THE NUMBER OF ELECTIONS HELD
19 PURSUANT TO THIS ACT PROVIDED THAT ALL SUCH ELECTIONS ARE HELD PRIOR TO

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

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1 SUCH DATE. If a majority of the voters approve the formation of the
2 district, then the district shall come into existence on the terms and
3 conditions set forth in this act. At such election, the issues shall be:

4 (a) whether the public library district therein described [shall be
5 created or not;

6 (b) whether] WITH the initial budget therefor proposed by the board of
7 trustees of the [existing association library shall be approved or
8 disapproved] TROY PUBLIC LIBRARY SHALL BE CREATED OR NOT; and

9 [(c)] (B) the election of seven trustees as provided by section three
10 of this act.

11 The trustees of the existing association library shall give notice of
12 such election by the publication of a notice in one or more newspapers
13 having a general circulation in the district to be served. The first
14 publication of such notice shall be not less than [thirteen days and not
15 more than twenty] THIRTY days prior to the date of such election. In
16 addition, the board of trustees of the existing association library
17 shall cause copies of such notice to be posted conspicuously in three
18 public places in the district at least [thirteen] THIRTY days prior to
19 the date of such election. Such notice shall specify the time when and
20 the place where such election will be held, the issues to be decided at
21 such election and the hours during which polls will be open for the
22 receipt of ballots. The board of trustees of the existing association
23 library shall prepare the ballots for such elections and the polls shall
24 remain open for the receipt thereof at all elections from [6:00] 7:00
25 a.m. until [9:00] 8:00 p.m. The board of trustees of the existing
26 association library shall designate a resident qualified voter of such
27 district to act as chairperson of any election of such district and
28 shall designate not less than two nor more than four resident qualified
29 voters to act as election inspectors and ballot clerks at such
30 elections. No trustee or candidate for the office of trustee shall serve
31 as chairperson or as an election inspector or ballot clerk. The board of
32 trustees may adopt a resolution providing that such chairperson,
33 election inspectors and ballot clerks shall be paid for their respective
34 services at the initial election or at subsequent elections, should the
35 new library district be created. Such resolution, if adopted, may fix
36 reasonable compensation for services of such officials. Every voter,
37 otherwise qualified to vote at a general election and residing within
38 the area of the proposed district shall be qualified to vote at said
39 election. After the polls have closed at such election, the election
40 inspectors and the ballot clerks shall immediately canvass publicly the
41 ballots cast and the chairperson of the election shall publicly announce
42 the result. Within seventy-two hours thereafter, the chairperson,
43 election inspectors, and ballot clerks shall execute and file a certifi-
44 cate of the result of the canvass with the board of trustees and the
45 city of Troy.

46 S 2. Subdivision 1 of section 4 of chapter 422 of the laws of 2008,
47 relating to creating a public library district in the city of Troy, in
48 the county of Rensselaer is amended to read as follows:

49 1. The initial budget for the public library district shall be deter-
50 mined by a vote of the voters of the district in the initial election as
51 hereinafter provided for. All future budgets that increase or decrease
52 the public library proposed total operating expenditures over the total
53 operating expenditures in the last preceding fiscal year's budget shall
54 be submitted to the residents voting at the annual election of trustees
55 pursuant to section two of this act. Funds voted for library purposes at
56 the initial election and at all future budget elections shall be consid-

1 ered an annual appropriation therefor and shall be levied and collected
2 yearly in the same manner and at the same time as other taxes in the
3 city of Troy. The initial fiscal year of the library district shall be
4 January 1[, 2009] OF THE YEAR IMMEDIATELY SUCCEEDING THE YEAR IN WHICH
5 THE LIBRARY DISTRICT SHALL COME INTO EXISTENCE through and including
6 December 31[, 2009] OF THAT YEAR. Taxes voted on and approved for the
7 support of the library district for the initial fiscal year shall be
8 assessed and levied by December [2008] OF THE YEAR IN WHICH THE LIBRARY
9 DISTRICT SHALL COME INTO EXISTENCE and shall be included in the tax bill
10 for which payment is due in THE FOLLOWING January [2009]. Taxes voted on
11 and approved for the support of the library district for subsequent
12 fiscal years shall be levied in the calendar year directly preceding the
13 library district's fiscal year and shall be included in the tax bills
14 issued during December of the calendar year preceding the fiscal year.
15 S 3. This act shall take effect immediately.