S T A T E O F N E W Y O R K

10089

I N A S S E M B L Y

May 3, 2012

Introduced by M. of A. J. MILLER -- read once and referred to the Committee on Libraries and Education Technology

AN ACT to amend chapter 97 of the laws of 2001, establishing two public library districts, in relation to changing the poll hours for the Hyde Park library district

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

Section 1. Section 3 of chapter 97 of the laws of 2001 establishing two public library districts is amended to read as follows:

S 3. Election; Hyde Park library district. 1. Upon receipt of a petition signed by not less than twenty-five voters qualified to vote in the Hyde Park library district at a general town election from such public library district hereby created requesting such an election, the board of trustees of the Hyde Park free library shall give notice of an election to be conducted on the second Thursday in September of 2001. At such election the issues shall be:

a. whether the public library district herein described shall be created or not;

b. whether the budget therefor proposed by such board of trustees shall be approved or disapproved; and

c. the election of two trustees. The trustees of the Hyde Park free library shall give notice of such election by the publication of a notice in one or more newspapers having a general circulation in the district to be served. The first publication of such notice shall be not less than thirteen days and not more than twenty days prior to the date of such election. In addition, the board of trustees of the Hyde Park free library shall cause copies of such notice to be posted conspicuously in five public places in the district at least thirteen days prior to the date of such election. Such notice shall specify the time when and the place where such election will be held, the issues to be decided at such election and the hours during which the polls will be open for receipt of ballots. The board of trustees of the Hyde Park free library shall prepare the ballots for such elections and the polls shall remain open for the receipt thereof at all elections from [seven] *TWO*

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

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o'clock p.m. until [ten] NINE o'clock p.m., and such additional consecutive hours prior thereto as the board of trustees of the Hyde Park free library may have determined and specified in the notice thereof. The board of trustees shall designate a resident taxpayer of the town of Hyde Park to act as chairman of any election of such district and shall designate not less than two nor more than four resident taxpayers to act as election inspectors and ballot clerks at such election. No trustee shall serve as such chairman or as an election inspector or ballot clerk. The board of trustees may adopt a resolution providing that such chairman, election inspectors and ballot clerks shall be paid for their respective services at the initial election. At any annual or special election after the creation of such library district, the board of trustees of the Hyde Park library district may adopt a resolution providing that the chairman, election inspectors and ballots clerks at the election shall be paid for their respective services. Such resolution, if adopted, may fix reasonable compensation for the services of each such official. Every voter of the library district otherwise qualified to vote at a general town election in the town of Hyde Park shall be qualified to vote at the initial election. After the polls have been closed at such election, the election inspectors and ballot clerks shall immediately canvas publicly the ballots cast and the chairman of the election shall publicly announce the result. Within seventy-two hours thereafter, the chairman, election inspectors and ballot clerks shall execute and file a certificate of the result of the canvas with the board of trustees and with the town clerk of the town of Hyde Park.

2. In the event that the Hyde Park library district is created, then there shall be an annual election conducted by the board of trustees in accordance with the provisions of subdivision one of this section at a time to be set by such board, at which election vacancies on the board of trustees shall be filled and at which any proposed budget which the board shall determine to submit to the voters pursuant to section six of this act shall be submitted to the voters.

3. Candidates for the office of member of the board of trustees shall be nominated by petition. No vacancy upon the board of trustees to be filled shall be considered a separate specific office. A separate petition shall be required to nominate each candidate for a vacancy on the board. Each petition shall be directed to the secretary of the district, shall be signed by at least twenty-five qualified voters of the district, or two percent of the voters who voted in the previous annual election of the members of the board of trustees, whichever is greater, (such number to be determined by the number of persons recorded on the poll list as having voted at such election) shall state the residence of each signer, and shall state the name and residence of the candidate. In the event that any such nominee shall withdraw his candidacy prior to the election, such person shall not be considered a candidate unless a new petition nominating such person in the same manner and within the same time limitations applicable to other candidates is filed with the secretary of the district. Each petition shall be filed in the office of the secretary of the district between the hours of nine o'clock a.m. and five o'clock p.m., not later than the thirtieth day preceding the meeting or election at which the candidates nominated are to be elected.

4. At any election in such district, the voters may adopt a proposition providing that, in all subsequent elections, vacancies upon the board of trustees shall be considered separate specific offices and that the nominating petitions shall describe the specific vacancy upon the board of trustees for which the candidate is nominated, which

description shall include at least the length of the term of office and the name of the last incumbent, if any. No person shall be nominated for more than one specific office. Such procedure shall be followed with respect to all nominations and elections in subsequent years until and unless such proposition is repealed by the electors of the district at a regular election by the adoption of a proposition to repeal the same.

S 2. This act shall take effect immediately.