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I N   A S S E M B L Y

May 3, 2012

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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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 3 of chapter 97 of the laws of 2001 establishing  
2     two public library districts is amended to read as follows:  
3     S 3. Election; Hyde Park library district. 1. Upon receipt of a peti-  
4     tion signed by not less than twenty-five voters qualified to vote in the  
5     Hyde Park library district at a general town election from such public  
6     library district hereby created requesting such an election, the board  
7     of trustees of the Hyde Park free library shall give notice of an  
8     election to be conducted on the second Thursday in September of 2001. At  
9     such election the issues shall be:  
10    a. whether the public library district herein described shall be  
11    created or not;  
12    b. whether the budget therefor proposed by such board of trustees  
13    shall be approved or disapproved; and  
14    c. the election of two trustees. The trustees of the Hyde Park free  
15    library shall give notice of such election by the publication of a  
16    notice in one or more newspapers having a general circulation in the  
17    district to be served. The first publication of such notice shall be  
18    not less than thirteen days and not more than twenty days prior to the  
19    date of such election. In addition, the board of trustees of the Hyde  
20    Park free library shall cause copies of such notice to be posted  
21    conspicuously in five public places in the district at least thirteen  
22    days prior to the date of such election. Such notice shall specify the  
23    time when and the place where such election will be held, the issues to  
24    be decided at such election and the hours during which the polls will be  
25    open for receipt of ballots. The board of trustees of the Hyde Park free  
26    library shall prepare the ballots for such elections and the polls shall  
27    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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1 o'clock p.m. until [ten] NINE o'clock p.m., and such additional consec-  
2 utive hours prior thereto as the board of trustees of the Hyde Park free  
3 library may have determined and specified in the notice thereof. The  
4 board of trustees shall designate a resident taxpayer of the town of  
5 Hyde Park to act as chairman of any election of such district and shall  
6 designate not less than two nor more than four resident taxpayers to act  
7 as election inspectors and ballot clerks at such election. No trustee  
8 shall serve as such chairman or as an election inspector or ballot  
9 clerk. The board of trustees may adopt a resolution providing that such  
10 chairman, election inspectors and ballot clerks shall be paid for their  
11 respective services at the initial election. At any annual or special  
12 election after the creation of such library district, the board of trus-  
13 tees of the Hyde Park library district may adopt a resolution providing  
14 that the chairman, election inspectors and ballots clerks at the  
15 election shall be paid for their respective services. Such resolution,  
16 if adopted, may fix reasonable compensation for the services of each  
17 such official. Every voter of the library district otherwise qualified  
18 to vote at a general town election in the town of Hyde Park shall be  
19 qualified to vote at the initial election. After the polls have been  
20 closed at such election, the election inspectors and ballot clerks shall  
21 immediately canvas publicly the ballots cast and the chairman of the  
22 election shall publicly announce the result. Within seventy-two hours  
23 thereafter, the chairman, election inspectors and ballot clerks shall  
24 execute and file a certificate of the result of the canvas with the  
25 board of trustees and with the town clerk of the town of Hyde Park.

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

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

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

1 description shall include at least the length of the term of office and  
2 the name of the last incumbent, if any. No person shall be nominated for  
3 more than one specific office. Such procedure shall be followed with  
4 respect to all nominations and elections in subsequent years until and  
5 unless such proposition is repealed by the electors of the district at a  
6 regular election by the adoption of a proposition to repeal the same.  
7 S 2. This act shall take effect immediately.