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I N   A S S E M B L Y

May 22, 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  
Staatsburg library district

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

1     Section 1. Section 4 of chapter 97 of the laws of 2001 establishing  
2     two public library districts is amended to read as follows:  
3     S 4. Election; Staatsburg library district. 1. Upon receipt of a  
4     petition signed by not less than twenty-five voters qualified to vote in  
5     the Staatsburg library district at a general town election from such  
6     public library district hereby created requesting such an election, the  
7     board of trustees of the Staatsburg library society shall give notice of  
8     an election to be conducted on the second Thursday in September of 2001.  
9     At 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 Staatsburg library society shall  
15    give notice of such election by the publication of a notice in one or  
16    more newspapers having a general circulation in the district to be  
17    served. The first publication of such notice shall be not less than  
18    thirteen days and not more than twenty days prior to the date of such  
19    election. In addition, the board of trustees of the Staatsburg library  
20    society shall cause copies of such notice to be posted conspicuously in  
21    five public places in the district at least thirteen days prior to the  
22    date of such election. Such notice shall specify the time when and the  
23    place where such election will be held, the issues to be decided at such  
24    election and the hours during which the polls will be open for receipt  
25    of ballots. The board of trustees of the Staatsburg library society  
26    shall prepare the ballots for such elections and the polls shall remain  
27    open for the receipt thereof at all elections from [seven] TWO o'clock

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

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1 p.m. until [ten] NINE o'clock p.m., and such additional consecutive  
2 hours prior thereto as the board of trustees of the Staatsburg library  
3 society 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 Staatsburg library district, as the case may be, may adopt a  
14 resolution providing that the chairman, election inspectors and ballot  
15 clerks at the election shall be paid for their respective services.  
16 Such resolution, if adopted, may fix reasonable compensation for the  
17 services of each such official. Every voter of the library district  
18 otherwise qualified to vote at a general town election in the town of  
19 Hyde Park shall be qualified to vote at the initial election. After the  
20 polls have been closed at such election, the election inspectors and  
21 ballot clerks shall immediately canvas publicly the ballots cast and the  
22 chairman of the election shall publicly announce the result. Within  
23 seventy-two hours thereafter, the chairman, election inspectors and  
24 ballot clerks shall execute and file a certificate of the result of the  
25 canvas with the board of trustees and with the town clerk of the town of  
26 Hyde Park.

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

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

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

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