

5351

2011-2012 Regular Sessions

I N   A S S E M B L Y

February 16, 2011

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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.

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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 cooper-  
14 ative 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 educa-  
25 tional 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 COOPER-  
29 ATIVE 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 meet-  
38 ing, 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 educa-  
41 tional services shall be present. Where the board of cooperative educa-  
42 tional 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.