

10563

I N   A S S E M B L Y

June 3, 2016

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Skartados)  
-- read once and referred to the Committee on Local Governments

AN ACT to amend chapter 524 of the laws of 1987, relating to establishing the Greater Poughkeepsie library district, in the city and town of Poughkeepsie, Dutchess county, in relation to the election of trustees and the annual budget of such library

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

1     Section 1. Section 6 of chapter 524 of the laws of 1987, relating to  
2     establishing the Greater Poughkeepsie library district, in the city and  
3     town of Poughkeepsie, Dutchess county, as amended by chapter 361 of the  
4     laws of 1997, is amended to read as follows:  
5     S 6. (A) The district shall be governed by a board of trustees  
6     consisting of eleven trustees. [The trustees of the Greater Poughkeepsie  
7     library district as of the effective date of the chapter of the laws  
8     of 1997 which added this provision shall become trustees, immediately,  
9     of the Poughkeepsie public library district.] Seven of the trustees  
10    shall be elected at an election to be held within the town and four of  
11    the trustees shall be elected at an election to be held within the  
12    portion of the district located in the city. The trustees elected [at  
13    the election in] BY THE VOTERS OF the town must be QUALIFIED VOTERS AND  
14    residents of the town and the trustees elected [in] BY THE VOTERS OF the  
15    city must be QUALIFIED VOTERS AND residents of the city. NOMINATING  
16    PETITIONS SHALL BE CIRCULATED AND FILED AT THE SAME TIME AS INDEPENDENT  
17    PETITIONS, AS DETERMINED ANNUALLY BY THE NEW YORK STATE BOARD OF  
18    ELECTIONS. A SEPARATE PETITION SHALL BE REQUIRED TO NOMINATE EACH CANDI-  
19    DATE FOR A VACANCY ON THE BOARD. EACH PETITION SHALL BE SIGNED BY AT  
20    LEAST TWENTY-FIVE QUALIFIED VOTERS OF THE CITY OR TOWN IN WHICH THE  
21    VACANCY OCCURS. PETITIONS SHALL STATE THE RESIDENCE OF EACH SIGNER, AND  
22    SHALL STATE THE NAME AND RESIDENCE OF THE CANDIDATE.  
23    [The trustees] (B) A TRUSTEE shall serve for a term of five years and  
24    until his or her successor is elected and qualified. [Two-thirds of the  
25    trustees shall constitute a quorum. Action of the trustees shall require  
26    a two-thirds vote of the entire board. Vacancies shall be filled by

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

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1 appointment by the trustees, provided, however, that an election shall  
2 be held at the first available general election day after the happening  
3 of a vacancy.] VACANCIES CAUSED BY RESIGNATION, REMOVAL, DEATH, OR  
4 INABILITY TO SERVE SHALL BE FILLED BY APPOINTMENT BY THE BOARD OF TRUS-  
5 TEES OF THE DISTRICT UNTIL THE NEXT GENERAL ELECTION, AT WHICH TIME THE  
6 VACANCY SHALL BE FILLED BY ELECTION FOR THE REMAINING PORTION OF THE  
7 TERM. ELECTION OF TRUSTEES SHALL TAKE PLACE ON THE SAME DAY AND BALLOT  
8 AS THE GENERAL ELECTION AS ADMINISTERED BY THE BOARD OF ELECTIONS WITH  
9 THE RESULTS OF SAID ELECTION BEING CERTIFIED BY THE BOARD OF ELECTIONS.  
10 The person or persons appointed by the trustees shall serve until a  
11 successor is elected and qualified as provided herein. Vacancies for  
12 trustees elected within the city shall be filled by city residents and  
13 vacancies for trustees elected within the town shall be filled by town  
14 residents.

15 (C) TWO-THIRDS OF THE TRUSTEES SHALL CONSTITUTE A QUORUM. ACTION OF  
16 THE TRUSTEES SHALL REQUIRE A TWO-THIRDS VOTE OF THE ENTIRE BOARD.

17 (D) THE BOARD OF TRUSTEES OF THE POUGHKEEPSIE PUBLIC LIBRARY DISTRICT  
18 SHALL GIVE NOTICE OF ELECTIONS BY PUBLICATION OF NOTICE AT LEAST TWICE  
19 IN ONE OR MORE NEWSPAPERS HAVING A GENERAL CIRCULATION IN THE DISTRICT  
20 TO BE SERVED. THE FIRST PUBLICATION OF SUCH NOTICE SHALL BE NOT LESS  
21 THAN THIRTEEN DAYS AND NOT MORE THAN TWENTY DAYS PRIOR TO THE DATE OF  
22 SUCH ELECTION. IN ADDITION, THE BOARD OF TRUSTEES OF THE DISTRICT SHALL  
23 CAUSE COPIES OF SUCH NOTICE TO BE POSTED CONSPICUOUSLY IN THREE PUBLIC  
24 PLACES IN THE DISTRICT AT LEAST THIRTEEN DAYS PRIOR TO THE DATE OF SUCH  
25 ELECTION. SUCH NOTICE SHALL SPECIFY THE DATE AND TIME WHEN AND THE PLACE  
26 WHERE SUCH GENERAL ELECTION WILL BE HELD. EVERY VOTER WHO IS A RESIDENT  
27 OF THE DISTRICT AND OTHERWISE QUALIFIED TO VOTE AT A GENERAL ELECTION IN  
28 THE TOWN OR CITY SHALL BE QUALIFIED TO VOTE AT SAID ELECTION. THE BOARD  
29 OF TRUSTEES MAY, TO THE EXTENT AUTHORIZED BY LAW AND IN CONJUNCTION WITH  
30 THE BOARD OF ELECTIONS, AUTHORIZE THE USE OF ABSENTEE BALLOTS FOR THE  
31 ELECTION. AFTER THE POLLS HAVE CLOSED AT SUCH ELECTION, THE BOARD OF  
32 ELECTIONS SHALL CERTIFY THE RESULTS OF SAID ELECTION IN ACCORDANCE WITH  
33 APPLICABLE LAW.

34 (E) CANDIDATES FOR THE OFFICE OF MEMBER OF THE BOARD OF TRUSTEES OF  
35 THE POUGHKEEPSIE PUBLIC LIBRARY DISTRICT SHALL BE NOMINATED BY PETITION.  
36 NO VACANCY TO BE FILLED ON THE BOARD OF TRUSTEES SHALL BE CONSIDERED A  
37 SEPARATE, SPECIFIC OFFICE. A SEPARATE PETITION SHALL BE REQUIRED TO  
38 NOMINATE EACH CANDIDATE FOR A VACANCY ON THE BOARD. EACH PETITION SHALL  
39 BE DIRECTED TO THE SECRETARY OF THE BOARD OF TRUSTEES OF THE LIBRARY,  
40 SHALL BE SIGNED BY AT LEAST TWENTY-FIVE QUALIFIED VOTERS OF THE  
41 DISTRICT, SHALL STATE THE RESIDENCE OF EACH SIGNER, AND SHALL STATE THE  
42 NAME AND RESIDENCE OF THE CANDIDATE. IN THE EVENT THAT ANY SUCH NOMINEES  
43 SHALL WITHDRAW THEIR CANDIDACY PRIOR TO THE ELECTION, SUCH PERSON SHALL  
44 NOT BE CONSIDERED A CANDIDATE UNLESS A NEW PETITION NOMINATING SUCH  
45 PERSON IN THE SAME MANNER AND WITHIN THE SAME TIME LIMITATION APPLICABLE  
46 TO OTHER CANDIDATES IS FILED WITH THE SECRETARY OF THE BOARD OF TRUSTEES  
47 OF THE LIBRARY. EACH PETITION SHALL BE FILED WITH THE SECRETARY OF THE  
48 BOARD OF TRUSTEES OF THE LIBRARY, BETWEEN THE HOURS OF 9:00 A.M. AND  
49 5:00 P.M., NOT LATER THAN THE SIXTIETH DAY BEFORE THE ELECTION AT WHICH  
50 THE CANDIDATES NOMINATED ARE TO BE ELECTED.

51 S 2. Subdivision (b) of section 3 of chapter 524 of the laws of 1987,  
52 relating to establishing the Greater Poughkeepsie library district, in  
53 the city and town of Poughkeepsie, Dutchess county, as amended by chap-  
54 ter 361 of the laws of 1997, is amended to read as follows:

55 (b) Commencing in 1997 for the budget to be prepared for fiscal year  
56 1998 the proposed annual budget, and propositions of supplemental appro-

priations, if any, and a proposition for capital expenditure, if any, for the district as established by the trustees shall be placed before the voters in the general election ON THE SAME DAY AND BALLOT AS THE GENERAL ELECTION AS ADMINISTERED BY THE BOARD OF ELECTIONS WITH THE RESULTS OF SAID ELECTION BEING CERTIFIED BY THE BOARD OF ELECTIONS in the year preceding the year for which the proposed budget has been established. Each proposition for supplemental appropriation shall identify a singular purpose and specific dollar appropriation and shall be worded in such a manner as to require an affirmative vote for passage. All budget propositions, including the annual budget propositions for supplemental appropriations, and propositions for capital expenditures will require approval by a majority of voters in the city and, also, a majority of voters in the town, hereinafter referred to as the majority. Upon approval of such proposed operating budget, and of the proposition for supplemental appropriations, and of the proposition authorizing indebtedness for capital construction by the majority, the proposed budget including the supplemental appropriations and capital revenues and expenditures shall become the budget of the district for the following fiscal year. In the event that the proposition for indebtedness is approved by the majority, the city and the town shall incur such indebtedness on behalf of the district, and such indebtedness shall be apportioned between the city and the town pursuant to the formula set forth in this section. In the event that the proposed budget is not approved by the majority, the proposed budget shall be deemed amended so that the portion of the proposed budget providing for real property tax revenue to be received from the city and town be changed to equal the real property tax revenue provided for in the district budget in effect as of the time of the vote as amended by the supplemental appropriations if approved. In the event that a proposition for supplemental appropriations or for capital purposes is not approved by the majority, no appropriation shall be included for such unapproved proposition. In the event that the voters do not approve the proposed budget as aforesaid, and upon the proposed budget being deemed amended as aforesaid, the real property taxes to be levied by the city and the town for the district shall be levied in an amount required to provide the city and town contribution as herein set forth rather than the city and town contribution as set forth in the proposed budget. After the annual budgets for the city and the town have been adopted by the city and the town, the city and town shall assess and levy upon the taxable real property within the district the amounts to be raised by tax for the purposes of the district as specified in the district's annual budget and shall cause the amount so assessed and levied to be collected, in the same manner and at the same time and by the same officers as city taxes and town taxes are assessed, levied and collected.

S 3. This act shall take effect immediately.