STATE OF NEW YORK

6163--A

2021-2022 Regular Sessions

IN ASSEMBLY

March 10, 2021

Introduced by M. of A. DARLING -- read once and referred to the Committee on Libraries and Education Technology -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 1017 of the laws of 1963 relating to establishing the Uniondale public library district in the town of Hempstead, Nassau county, in relation to certain dates pertaining to the annual election process and certain rights of the board

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 3 of chapter 1017 of the laws of 1963 relating to establishing the Uniondale public library district in the town of Hempstead, Nassau county, as amended by chapter 779 of the laws of 1964, is amended to read as follows:

§ 3. The board of trustees of the public library of said union free school district number two, town of Hempstead, in office on the effective date of this act shall constitute the board of trustees of the Uniondale public library district herein established. Each such trustee of the district herein established shall continue to hold office as such for the balance of his **or her** term as trustee of such school district library and until his **or her** successor is elected. Thereafter, on the [~~first Tuesday of December~~] **third Thursday of October** in each calendar year in which the term of any such trustee shall expire, an election shall be held for a trustee to succeed such trustee for a term of five years commencing the first day of January next succeeding such election.

The [~~trustee~~] **board of trustees** shall give notice thereof by the publication of a notice **at least** once in one or more newspapers having a general circulation in the district. The [~~first~~] publication of such notice shall be [~~not less than thirteen days and not more than twenty~~] **at least forty-five** days prior to the date of such election. In addition, the trustees of such district shall cause copies of such notice to

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

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be posted conspicuously in five public places in the district at least [~~thirteen~~] forty-five 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 officers to be elected thereat and their terms of office, and the hours during which the polls will be open for the receipt of ballots. The trustees of such district shall prepare the ballots for all elections of trustees and the polls shall remain open for the receipt thereof at all elections from [~~seven~~] six o'clock in the evening until [~~ten~~] nine o'clock in the evening and such additional consecutive hours prior thereto as the trustees may have determined and specified in the notice thereof. The trustees shall designate a resident taxpayer of such district to act as chairman of any election of said district and shall designate not less than two nor more than four resident taxpayers to act as election inspectors and ballot clerks, and may designate additional alternative inspectors who shall assume the office of inspector upon the inability or refusal of an inspector to assume or perform his or her duties, at such elections. No trustee shall serve as such chairman or as an election inspector or ballot clerk. The trustees may adopt a resolution providing that such chairman, election inspectors and ballot clerks shall be paid for their respective services at any such annual election or at any special election. Such resolution, if adopted, shall fix the amount of such compensation [~~but the amount shall not exceed ten dollars~~] for each such official.

Every elector of the town who shall have resided in the district for the period of thirty days next preceding any election of trustees shall be qualified to vote.

Every trustee must at the time of his or her election or appointment and throughout his or her term of office be [~~(1)~~] a resident elector of such district [~~and (2) the owner of property within such district assessed upon the latest completed assessment roll of the Town of Hempstead~~].

The board of trustees may, by resolution, provide for absentee ballots for the election of the office of trustee, in accordance with the provisions of section 213-b of the town law.

The board of trustees may provide by resolution that candidates for office of trustee shall file their names with the secretary of the board of trustees at least thirty days prior to the date of the elections, and, in addition, require that such nominations be submitted in petition form subscribed by twenty-five registered voters of the district. Thereafter, the ballots for the election of the office of trustee shall specify the names of the candidates duly filed and, in addition, provide proper blank spaces for each office to be filled at such election. If any such resolution shall be adopted, the requirements thereof shall be specified in the notice of each district election held thereafter. The board of trustees may rescind such resolution at any time.

After the [~~poles~~] polls shall have been closed at any election held for the election of trustees, the election inspectors and ballot clerks shall immediately canvass publicly the ballots cast and the chairman of the election shall publicly announce the result. Within twenty-four hours thereafter, the chairman, election inspectors and ballot clerks shall execute and file a certificate of the result of the canvass with the trustees and with the town clerk.

If the number of voters is so great as to render it inexpedient or impossible to conduct the election at one polling place, the trustees may divide the district into election districts and provide a polling place for each such election district, provided, however, that the

number of election districts shall not exceed one for each six hundred electors plus one for a remaining fraction of six hundred. In such event, the notice specified in [~~subdivision one of~~] this section shall describe the election districts and state where the polling places will be located, and the trustees shall designate not less than two nor more than four resident taxpayers to act as election inspectors and ballot clerks**, and may designate additional alternative inspectors who shall assume the office of inspector upon the inability or refusal of an inspector to assume or perform his or her duties and additional clerical help, as needed,** at each such polling place. The trustees may adopt a resolution providing that such election inspectors and ballot clerks shall be paid for their respective services at any such annual election or at any special election of the district. Such resolution, if adopted, shall fix the amount of such compensation [~~but the amount shall not exceed ten dollars for such official~~]. No trustee shall serve as an election inspector or ballot clerk.

§ 2. This act shall take effect immediately.