

# STATE OF NEW YORK

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4818--A

Cal. No. 805

2021-2022 Regular Sessions

## IN SENATE

February 12, 2021

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Introduced by Sens. THOMAS, BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Libraries -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

1 Section 1. Section 3 of chapter 1017 of the laws of 1963 relating to  
2 establishing the Uniondale public library district in the town of Hemp-  
3 stead, Nassau county, as amended by chapter 779 of the laws of 1964, is  
4 amended to read as follows:  
5 § 3. The board of trustees of the public library of said union free  
6 school district number two, town of Hempstead, in office on the effec-  
7 tive date of this act shall constitute the board of trustees of the  
8 Uniondale public library district herein established. Each such trustee  
9 of the district herein established shall continue to hold office as such  
10 for the balance of his or her term as trustee of such school district  
11 library and until his or her successor is elected. Thereafter, on the  
12 [~~first Tuesday of December~~] third Thursday of October in each calendar  
13 year in which the term of any such trustee shall expire, an election  
14 shall be held for a trustee to succeed such trustee for a term of five  
15 years commencing the first day of January next succeeding such election.  
16 The [~~trustee~~] board of trustees shall give notice thereof by the  
17 publication of a notice at least once in one or more newspapers having a  
18 general circulation in the district. The [~~first~~] publication of such

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

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1 notice shall be [~~not less than thirteen days and not more than twenty~~  
2 at least forty-five days prior to the date of such election. In addi-  
3 tion, the trustees of such district shall cause copies of such notice to  
4 be posted conspicuously in five public places in the district at least  
5 [~~thirteen~~ forty-five days prior to the date of such election. Such  
6 notice shall specify the time when and the place where such election  
7 will be held, the officers to be elected thereat and their terms of  
8 office, and the hours during which the polls will be open for the  
9 receipt of ballots. The trustees of such district shall prepare the  
10 ballots for all elections of trustees and the polls shall remain open  
11 for the receipt thereof at all elections from [~~seven~~ six o'clock in the  
12 evening until [~~ten~~ nine o'clock in the evening and such additional  
13 consecutive hours prior thereto as the trustees may have determined and  
14 specified in the notice thereof. The trustees shall designate a resident  
15 taxpayer of such district to act as chairman of any election of said  
16 district and shall designate not less than two nor more than four resi-  
17 dent taxpayers to act as election inspectors and ballot clerks, and may  
18 designate additional alternative inspectors who shall assume the office  
19 of inspector upon the inability or refusal of an inspector to assume or  
20 perform his or her duties, at such elections. No trustee shall serve as  
21 such chairman or as an election inspector or ballot clerk. The trustees  
22 may adopt a resolution providing that such chairman, election inspectors  
23 and ballot clerks shall be paid for their respective services at any  
24 such annual election or at any special election. Such resolution, if  
25 adopted, shall fix the amount of such compensation [~~but the amount shall~~  
26 ~~not exceed ten dollars~~] for each such official.

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

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

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

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

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

1 If the number of voters is so great as to render it inexpedient or  
2 impossible to conduct the election at one polling place, the trustees  
3 may divide the district into election districts and provide a polling  
4 place for each such election district, provided, however, that the  
5 number of election districts shall not exceed one for each six hundred  
6 electors plus one for a remaining fraction of six hundred. In such  
7 event, the notice specified in [~~subdivision one of~~] this section shall  
8 describe the election districts and state where the polling places will  
9 be located, and the trustees shall designate not less than two nor more  
10 than four resident taxpayers to act as election inspectors and ballot  
11 clerks, and may designate additional alternative inspectors who shall  
12 assume the office of inspector upon the inability or refusal of an  
13 inspector to assume or perform his or her duties and additional clerical  
14 help, as needed, at each such polling place. The trustees may adopt a  
15 resolution providing that such election inspectors and ballot clerks  
16 shall be paid for their respective services at any such annual election  
17 or at any special election of the district. Such resolution, if adopted,  
18 shall fix the amount of such compensation [~~but the amount shall not~~  
19 ~~exceed ten dollars for such official~~]. No trustee shall serve as an  
20 election inspector or ballot clerk.

21 § 2. This act shall take effect immediately.