STATE OF NEW YORK

7611

2021-2022 Regular Sessions

IN SENATE

December 17, 2021

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend section 3 of chapter 233 of the laws of 2000, relating to authorizing the town boards of the towns of Oyster Bay and North Hempstead, county of Nassau, to establish the Gold Coast public library district, in relation to the time limits for posting publication of notice of election and filing candidate petitions

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

Section 1. Subdivisions 1 and 3 of section 3 of chapter 233 of the laws of 2000, relating to authorizing the town boards of the towns of Oyster Bay and North Hempstead, county of Nassau, to establish the Gold Coast public library district, subdivision 3 as amended by chapter 399 of the laws of 2003, are amended to read as follows:

1. The public library district described in this act shall not come into existence unless and until it is approved, and the initial proposed budget is approved, by a vote of the majority of the qualified voters voting in an election held pursuant to the following provisions. Upon receipt of a petition signed by not less than one hundred voters qualified to vote at a general election, the town boards of the towns of Oyster Bay and North Hempstead shall give notice of an election. If a majority of the voters at said election approved the formation of the district, then the district shall come into existence on the terms and conditions set forth hereinafter. At said election the issues shall be: (a) whether the public library district described in this act shall be created or not; (b) whether the budget therefor proposed shall be approved or disapproved; and (c) the election of nine trustees as further provided by this act. The town board shall designate a polling place which is centrally located and accessible. The town boards shall give notice of said election by the publication of a notice in one or more newspapers having a general circulation in the district to be

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

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served. The first publication of such notice shall be not less than [~~thirteen days and not more than twenty~~] **thirty** days prior to the date of such election. In addition, the town board shall cause copies of such notice to be posted conspicuously in five public places within the proposed district at least [~~thirteen~~] **thirty** 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 issues to be decided at said election and the hours during which polls will be open for the receipt of ballots thereof. The town boards shall designate a resident qualified voter of such district to act as chairperson of any election of such district and shall designate not less than two nor more than four residents qualified to act as election inspectors and ballot clerks at such elections. Every voter, otherwise qualified to vote at a general election within the area of the proposed district shall be qualified to vote at said election. After the polls have closed at said election, the election inspectors and the ballot clerks shall immediately canvass publicly the ballots cast and the chairperson of the election shall publicly announce the result. Within seventy-two hours thereafter, the chairperson, election inspectors and ballot clerks shall execute and file a certificate of the result of the canvass with the town clerks of the towns of Oyster Bay and North Hempstead.

3. Candidates for the office of member of the board of trustees of the library district shall be nominated by petition. A separate petition shall be required to nominate each candidate for a vacancy on the board. Each petition shall be directed to the town clerk of Oyster Bay, shall be signed by at least fifty qualified voters of the district, shall state the residence of each signer, and shall state the name and residence of the candidate. In the event that any such nominee shall withdraw candidacy prior to the election, such person shall not be considered a candidate unless and until a new petition nominating such person in the same manner and within the same time limitation applicable to other candidates is filed with the town clerk of the town of Oyster Bay. Each petition shall be filed with the town clerk of Oyster Bay between the hours of 9:00 a.m. and 5:00 p.m., not later than the [~~thirteenth~~] **thirtieth** day preceding the election at which time the candidates nominated are to be elected. In the event the district is created, petitions nominating candidates for the board of trustees after the initial election shall be filed with the secretary of the Gold Coast public library district or his or her designee.

§ 2. This act shall take effect immediately.