§ 505-a. Election of retired teacher member of board. 1. Election of retired teacher member. An election shall be held during the month of October, nineteen hundred ninety-three, and thereafter during the month of October immediately preceding the expiration of a term in office as prescribed in this section, for the purpose of electing the retired teacher member of the retirement board from among the retired members of the retirement system. All retired members of the retirement system who are retired as of October first in the year in which such election is held shall be eligible to vote. Such election shall be by secret ballot held in accordance with the provisions of this section and such rules and regulations as may be adopted by the retirement board. A retired teacher member elected to the retirement board pursuant to the provisions of this section shall serve for a term of three years commencing on the first day of January next following said election.

2. Nominations. Nominations of candidates for the position of retired teacher member of the retirement board shall be by petition on forms provided pursuant to this subdivision. The retirement board shall prepare printed forms for nominating petitions for candidates for the office of retired teacher member of the retirement board. Such forms shall be available to retired members of the retirement system not later than July first of a year in which an election is to be held. Each candidate's petition shall be signed by not less than one hundred retired members of the retirement system and shall be filed with the retirement board not later than August fifteenth in such year. Each such petition shall contain the position and term of office, together with the name and address of the candidate, and shall also contain the name and address of the retired member of the retirement system who shall be the alternate candidate in the event of a vacancy caused by the death, disability, disqualification or withdrawal of the candidate occurring prior to the election. Each petition shall be accompanied by a notarized written acceptance of the nomination by the candidate named in the petition and by a notarized written statement of the retired member named as alternate candidate that, in the event of the death, disability, disqualification or withdrawal of the candidate prior to the election or in the event of the death, disability, disqualification or resignation of the candidate from the position of retired teacher member

of the retirement board following election, he or she will accept the nomination or serve on the retirement board in such a contingency. The retirement board shall implement one mailing for each qualified candidate that so requests and makes payment therefor prior to the time of mailing by bank or certified check. The board shall establish procedures to merge mailings for more than one qualified candidate in order to reduce postage costs and for administrative convenience if each affected candidate approves. Nothing in this subdivision or in this section shall be construed to impair existing law preserving the confidentiality of the home addresses of retirees of the retirement system.

3. Election procedures. Such election shall be in the form of a mail referendum with appropriate provisions, such as the use of double envelopes, made to insure that the identity of the individual retired members will not be disclosed as their marked ballots are submitted and counted. The retirement board shall prepare and mail a ballot and instructions for voting to each eligible retired member by first class mail not earlier than October first and not later than October fifteenth. The names of candidates and alternate candidates listed on the ballot shall be in the order in which the petitions are filed with the retirement board. The ballots shall be such that they may be machine counted. Such ballots shall be returned to the address within the state of New York designated by the retirement board and shall be postmarked not later than October thirty-first. Notwithstanding the foregoing, the retirement board may by resolution establish an alternative procedure for the conduct of an election pursuant to this section by electronic, telephonic or other means which provide comparable security and convenience for voting by retired teacher members.

4. Board of elections. At the time of filing a petition or not later than September fifteenth, each candidate shall appoint two active or retired members of the retirement system to a board of elections. Such board of elections shall consist of such appointees of the candidates and one member of the retirement system named by the president of the retirement board, who shall act as its chairman. Members of the board of elections shall not themselves be candidates or alternate candidates.

Such board of elections shall supervise the election. Such board of elections shall meet at the location within the state designated by the retirement board at one o'clock in the afternoon on the second Monday in November to certify the election of the candidate receiving the largest number of valid votes cast. The retired member so elected shall be notified of such election by the chairman of the board of elections within five days of such certification. The ballots shall be kept in the custody of the retirement board for at least ninety days after such certification. Members of the board of elections shall be reimbursed by the retirement board for reasonable expenses actually incurred, in accordance with rules and regulations adopted by the retirement board.

5. Special election. In the event that no candidate can be certified as having won the election as the result of a tie vote, then the board of elections shall order a special election with the ballot containing only the names of such candidates with a tie vote. Such special election shall be conducted in the same general manner as the regular election. Ballots shall be mailed during the month of November as soon as reasonably practical after the tie vote has been determined and shall be returned to a location within the state designated by the retirement board, postmarked no later than the fourteenth day of December. The board of elections shall meet at the location within the state designated by the retirement board on a mutually selected date prior to January first to certify the election of the candidate receiving the largest number of valid votes cast.

6. Suspension of election. In the event that only one candidate is nominated, then no election shall be held and such candidate shall be deemed to be elected effective at the same time as if an election had been held.

7. Vacancies. A vacancy occurring during the term of a retired teacher member of the retirement board shall be filled by the retired member who was the alternate candidate at the time such retired teacher member was last elected to the board. In the event that such alternate candidate has died, become disqualified, or is unwilling or unable to serve or in the event that the alternate candidate dies, is disqualified, becomes

disabled, or resigns after entering upon the position of retired teacher member of the retirement board, then the vacancy shall be filled by the concurrent appointment of a successor from among the retired members of the system by the members of the retirement board who were elected from among the active members of the retirement system. Such alternate candidate or such appointee, as applicable, shall serve out the unexpired term of the retired teacher member.

8. Certain expenses of alternate candidate. The retired member who was the alternate candidate at the time a retired teacher member was last elected to the position of the retired teacher member of the retirement board shall be entitled to be reimbursed from the expense fund for actual and necessary expenses incurred in connection with attendance at the annual meeting and stated meetings of the retirement board pursuant to subdivision one of section five hundred six of this article.