

LAWS OF NEW YORK, 2009

CHAPTER 321

AN ACT to amend chapter 422 of the laws of 2008, relating to creating a public library district in the city of Troy, in the county of Rensselaer, in relation to extending the period of time during which the Troy public library district may be established

Became a law August 11, 2009, with the approval of the Governor.  
Passed by a majority vote, three-fifths being present.

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

Section 1. Subdivision 1 of section 2 of chapter 422 of the laws of 2008, relating to creating a public library district in the city of Troy, in the county of Rensselaer is amended to read as follows:

1. The public library district herein described shall not come into existence unless and until it is approved, with the initial ~~[proposed]~~ budget ~~[is approved]~~ therefor proposed by the board of trustees of the Troy Public Library, and seven trustees are elected 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 fifty voters qualified to vote at ~~[the November 4, 2008]~~ a general election in the city of Troy and residing within the area of the proposed district, the board of trustees of the existing association library, known as the Troy Public Library, shall give notice of an election to be conducted pursuant to this act such notice to be given not less than 30 days prior to such election. Such election shall be held ~~[concurrent with the general election on November 4, 2008]~~ not later than November 30, 2012. Nothing in this act shall be construed to limit the number of elections held pursuant to this act provided that all such elections are held prior to such date. If a majority of the voters approve the formation of the district, then the district shall come into existence on the terms and conditions set forth in this act. At such election, the issues shall be:

(a) whether the public library district therein described ~~[shall be created or not;~~

~~(b) whether]~~ with the initial budget therefor proposed by the board of trustees of the ~~[existing association library shall be approved or disapproved]~~ Troy Public library shall be created or not; and

~~[(c)]~~ (b) the election of seven trustees as provided by section three of this act.

The trustees of the existing association library shall give notice of such election by the publication of a notice in one or more newspapers having a general circulation in the district to be 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 board of trustees of the existing association library shall cause copies of such notice to be posted conspicuously in three public places in the district at least ~~[thirteen]~~ thirty days prior to the date of such election. Such notice shall specify the time when and

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

the place where such election will be held, the issues to be decided at such election and the hours during which polls will be open for the receipt of ballots. The board of trustees of the existing association library shall prepare the ballots for such elections and the polls shall remain open for the receipt thereof at all elections from ~~[6:00]~~ 7:00 a.m. until ~~[9:00]~~ 8:00 p.m. The board of trustees of the existing association library 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 resident qualified voters to act as election inspectors and ballot clerks at such elections. No trustee or candidate for the office of trustee shall serve as chairperson or as an election inspector or ballot clerk. The board of trustees may adopt a resolution providing that such chairperson, election inspectors and ballot clerks shall be paid for their respective services at the initial election or at subsequent elections, should the new library district be created. Such resolution, if adopted, may fix reasonable compensation for services of such officials. Every voter, otherwise qualified to vote at a general election and residing within the area of the proposed district shall be qualified to vote at said election. After the polls have closed at such 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 board of trustees and the city of Troy.

§ 2. Subdivision 1 of section 4 of chapter 422 of the laws of 2008, relating to creating a public library district in the city of Troy, in the county of Rensselaer is amended to read as follows:

1. The initial budget for the public library district shall be determined by a vote of the voters of the district in the initial election as hereinafter provided for. All future budgets that increase or decrease the public library proposed total operating expenditures over the total operating expenditures in the last preceding fiscal year's budget shall be submitted to the residents voting at the annual election of trustees pursuant to section two of this act. Funds voted for library purposes at the initial election and at all future budget elections shall be considered an annual appropriation therefor and shall be levied and collected yearly in the same manner and at the same time as other taxes in the city of Troy. The initial fiscal year of the library district shall be January 1~~[, 2009]~~ of the year immediately succeeding the year in which the library district shall come into existence through and including December 31~~[, 2009]~~ of that year. Taxes voted on and approved for the support of the library district for the initial fiscal year shall be assessed and levied by December ~~[2008]~~ of the year in which the library district shall come into existence and shall be included in the tax bill for which payment is due in the following January ~~[2009]~~. Taxes voted on and approved for the support of the library district for subsequent fiscal years shall be levied in the calendar year directly preceding the library district's fiscal year and shall be included in the tax bills issued during December of the calendar year preceding the fiscal year.

§ 3. This act shall take effect immediately.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

MALCOLM A. SMITH

Temporary President of the Senate

SHELDON SILVER

Speaker of the Assembly