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

AN ACT to amend chapter 606 of the laws of 1902, relating to the incorporation of the Brooklyn public library and limiting and defining the powers thereof, in relation to the creation of new membership of the corporation, terms of office of new members, and the manner of filling vacancies thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The terms of office of all the appointed membership of the Brooklyn public library corporation, other than the public officers who are members ex officio, and irrespective of former classification, shall hereby expire on September 1, 2007 when upon such date the amendments made by sections two, three and four of this act shall apply.

Persons who are serving as appointed members on such date may continue their service in such capacity until their successors are appointed and have assumed office pursuant to this act and such persons shall be eligible for reappointment under this act.

Section 2. Section 1 of chapter 606 of the laws of 1902, relating to the incorporation of the Brooklyn public library and limiting and defining the powers thereof, as amended by chapter 13 of the laws of 1993, is amended to read as follows:
14 S 1. The following named persons, to wit: The mayor, comptroller,
15 {and} president of the borough of Brooklyn, AND THE SPEAKER OF
THE CITY
16 COUNCIL, of the city of New York, by virtue of their offices, together
17 with {twenty-two} THIRTY-FOUR additional persons, eleven to be appointed
18 by the mayor of the city of New York, {and} eleven to be appointed by
19 the president of said borough of Brooklyn, AND TWELVE, REFERRED TO HERE-
20 IN AS THE "ELECTED MEMBERS", TO BE ELECTED BY THE MAYOR AND SUCH
PRESI-
21 DENT FROM AMONG THE TRUSTEES OF THE BROOKLYN PUBLIC LIBRARY
FOUNDATION,
22 A CORPORATION FORMED UNDER THE STATE NOT-FOR-PROFIT CORPORATION
LAW, are

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
{ } is old law to be omitted.

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1 hereby constituted and continued as a body politic and corporation under
2 and by the name of "the Brooklyn public library," for the purpose of
3 constructing and maintaining libraries and a free public library system
4 in the borough of Brooklyn of the city of New York. The said corporation
5 shall have and exercise all the powers now possessed by {membership}
6 NOT-FOR-PROFIT CORPORATIONS and library corporations under the general
7 laws of the state of New York and such other laws of this state as may
8 at any time be applicable thereto, and may by its by-laws fix and deter-
9 mine a quorum of its membership for the transaction of business. It
10 shall be capable of taking and holding for its uses and purposes, by
11 purchase, gift, grant or devise, any property and estate, both real and
12 personal, without limit as to the value and amount thereof.
13 S 3. Section 2 of chapter 606 of the laws of 1902, relating to the
14 incorporation of the Brooklyn public library and limiting and defining
15 the powers thereof, as amended by chapter 13 of the laws of 1993, is
16 amended to read as follows:
2. Upon the designation and appointment of members of the said corporation by the mayor of the city of New York and the president of the borough of Brooklyn, AND THE ELECTION OF THE ELECTED MEMBERS OF THE SAID CORPORATION, as above provided, the said corporation shall organize by the adoption of by-laws and the election of officers. The membership thereof, other than the public officers who are members ex officio, shall be divided by lot into (five) THREE classes as nearly equal as may be, so that the term of office of one of said classes shall expire upon the first day of February in each of the next succeeding (five) THREE years. After such division THE EXPIRATION OF EACH SUCH TERM, the term of office for which a member of the corporation shall be appointed OR ELECTED shall be (five) THREE years, except that in case of a vacancy occurring otherwise than by the expiration of a term, such vacancy shall be filled for the unexpired term only. Any member shall, however, be eligible for reappointment OR REELECTION. (Vacancies occurring in cases of) IN THE CASE OF ANY VACANCY OCCURRING AMONG those MEMBERS originally appointed pursuant to a chapter of the laws of (1993) 2007 which amends section one of this act, (from the directors of the Brooklyn public library corporation appointed) by the mayor of the city of New York and in cases of their successors TO BE APPOINTED UPON THE EXPIRATION OF THEIR TERM, SUCH VACANCY shall be filled by appointment by the mayor of the city of New York, and (vacancies), IN THE CASE OF ANY VACANCY occurring (in cases of) AMONG those MEMBERS originally appointed pursuant to such chapter of the laws of (1993 which amends section one of this act, from the directors of the Brooklyn public library corporation appointed) 2007 by the president of the borough of Brooklyn and in cases of their successors TO BE APPOINTED UPON THE EXPIRATION OF THEIR TERM, SUCH VACANCY shall be filled by appointment by the president of the borough
of Brooklyn, on the first day of February in each year or within thirty
days thereafter, or in cases of a vacancy existing otherwise than by
expiration of a term, shall be filled by appointment by the ex officio
member (or by his or her successor in office) who had last
appointed the
non-ex officio member whose office has been vacated and is to be filled,
within thirty days after its occurrence. IN THE CASE OF ANY VACANCY
OCcurring among the elected members originally elected pursuant
to such CHAPTER OF THE LAWS OF 2007, FROM THE BOARD OF TRUSTEES OF THE
PUBLIC LIBRARY FOUNDATION, AND IN CASES OF THEIR SUCCESSORS TO BE
Elected upon the expiration of their term, such vacancy shall be filled
by election by the members of the board then in office, who
shall sepa-
rately convene for such purpose, a majority of those members
then in
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1 Office being a quorum, on the first day of February in each
year or
within thirty days thereafter, or for the purpose of filling a vacancy
existing otherwise than by expiration a term within thirty
days after
its occurrence. Membership in the said corporation shall not operate to
vacate any nonsalaried city office. The said corporation shall make and
publish an annual report in detail of its proceedings and transactions
for each year, including a full and detailed statement of its revenues
and expenses, and it shall furnish copies thereof to the mayor, the
council, the comptroller of the city of New York and to the president of
the borough of Brooklyn.

§ 4. At the next regular meeting of said Brooklyn public library
corporation following the appointments and election of all of its
members pursuant to section 1 of chapter 606 of the laws of
1902, as
amended by section two of this act, the said corporation shall proceed
to divide the appointed and elected membership thereof by lot into three
classes as nearly equal as may be. Appointed and elected members shall be apportioned among the three classes as nearly equal as may be. Notwithstanding the terms to which the several members of said corporation may have been heretofore appointed or elected, the terms of office of the first of said classes shall expire one year after the first day of February 2007; the term of office for the second of said classes shall expire two years after said date; and the term of office for the third of said classes shall expire three years after said date. After such apportionment of the appointed and elected membership of said corporation, the appointment and election of members shall be made as provided in section 2 of chapter 606 of the laws of 1902 as amended by this act. S 5. This act shall take effect immediately, except that sections two, three and four of this act shall take effect on September 1, 2007; and provided, however, that appointment and election of members of the Brooklyn public library corporation pursuant to section 1 of chapter 606 of the laws of 1902, as amended by section two of this act, shall be completed on or before such date in order to be effective on such date.