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                                3911

                     2013-2014 Regular Sessions

                          I N   S E N A T E

                          February 26, 2013
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Introduced by Sen. O'MARA -- read twice and ordered printed, and when
  printed to be committed to the Committee on Local Government

AN ACT to amend the village law and the public officers law, in relation
  to the residency of certain officers of the village of Penn Yan, coun-
  ty of Yates

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

 1   Section 1. Section 3-300 of the village law is amended by adding a new
 2 subdivision 22 to read as follows:
 3   22. NOTWITHSTANDING ANY PROVISIONS OF THIS CHAPTER OR ANY OTHER GENER-
 4 AL LAW, LOCAL LAW, ORDINANCE OR SPECIAL ACT, THE VILLAGE BOARD OF TRUS-
 5 TEES OF THE INCORPORATED VILLAGE OF PENN YAN, COUNTY OF YATES, MAY, BY
 6 RESOLUTION, PROVIDE THAT THE OFFICE OF VILLAGE CLERK-TREASURER OF SUCH
 7 VILLAGE MAY BE HELD BY A PERSON WHO IS NOT A RESIDENT OF SUCH VILLAGE,
 8 PROVIDED THAT SUCH PERSON RESIDES IN THE COUNTY OF YATES OR IN AN
 9 ADJOINING COUNTY WITHIN THE STATE OF NEW YORK.
10   S 2. Section 3 of the public officers law is amended by adding a new
11 subdivision 60 to read as follows:
12   60. IN THE VILLAGE OF PENN YAN, COUNTY OF YATES, THE PROVISIONS OF
13 THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL SUBDI-
14 VISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE SHALL
15 BE CHOSEN OR WITHIN WHICH HIS OR HER OFFICIAL FUNCTIONS ARE REQUIRED TO
16 BE EXERCISED, SHALL NOT PREVENT A PERSON FROM HOLDING THE OFFICE OF
17 VILLAGE CLERK-TREASURER OF THE VILLAGE OF PENN YAN, PROVIDED THAT SUCH
18 PERSON RESIDES IN THE COUNTY IN WHICH SUCH VILLAGE IS LOCATED OR IN AN
19 ADJOINING COUNTY WITHIN THE STATE OF NEW YORK. PROVIDED, HOWEVER, THE
20 PERSON PERFORMING THE FUNCTIONS OF VILLAGE CLERK-TREASURER IN ANY OTHER
21 VILLAGE SHALL BE A RESIDENT OF SUCH VILLAGE, UNLESS OTHERWISE PROVIDED
22 BY AN ACT OF THE STATE LEGISLATURE.
23   S 3. This act shall take effect immediately.

     EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                      [ ] is old law to be omitted.
                                                        LBD08884-01-3