

STATE OF NEW YORK

4971

2019-2020 Regular Sessions

IN ASSEMBLY

February 6, 2019

Introduced by M. of A. BARCLAY, MANKTELOW, BYRNE -- Multi-Sponsored by
-- M. of A. HAWLEY -- read once and referred to the Committee on
Local Governments

AN ACT to amend the town law, in relation to elections for fire
districts

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

1 Section 1. Subdivision 1 of section 175 of the town law, as amended by
2 chapter 334 of the laws of 2011, is amended to read as follows:

3 1. An annual election shall be held in each fire district on the
4 second Tuesday in December, except that in the Ocean Bay Park fire
5 district, the Lonelyville fire district, the Davis Park fire district,
6 the Cherry Grove fire district, the Fair Harbor fire district and the
7 Fire Island Pines fire district, Suffolk county, such annual election
8 shall be held on the second Tuesday in July, except that in the town of
9 Salisbury, Herkimer county, such annual election shall be held on the
10 Tuesday next succeeding the first Monday in November from six o'clock in
11 the morning until nine o'clock in the evening and except that in the
12 Belfast fire district, Allegany county, such annual election shall be
13 held on the first Tuesday in December or any fire district may, by local
14 referendum, opt to hold such election on the Tuesday immediately follow-
15 ing the first Monday in November. Any election held in November pursu-
16 ant to this subdivision, shall take place at the same time, location and
17 manner as the general election pursuant to article eight of the election
18 law. The board of fire commissioners shall give notice thereof by the
19 publication of a notice once in one or more newspapers having a general
20 circulation in the district. The first publication of such notice shall
21 be not less than twenty-seven days and not more than thirty-four days
22 prior to the date of such election. Such notice shall specify the time
23 when and the place where such election will be held, the officers to be
24 elected thereat and their terms of office, and the hours during which

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

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1 the polls will be open for the receipt of ballots. [~~The~~] For any
2 election not held during the general election, the secretary of such
3 fire district shall prepare the ballots for [~~all~~] such elections of fire
4 district officers and the polls shall remain open for the receipt there-
5 of at [~~all~~] such elections of fire district officers from six o'clock in
6 the evening until nine o'clock in the evening and such additional
7 consecutive hours prior thereto as the board of fire commissioners of
8 such district may have determined and specified in the notice thereof.
9 [~~The~~] In addition, for any election not held during the general
10 election, the board of fire commissioners shall designate a resident
11 fire district elector, who shall be a registered voter of the town, to
12 act as chairman of any election of said district and shall designate not
13 less than two nor more than four resident fire district electors, who
14 shall be registered voters of the town to act as election inspectors and
15 ballot clerks at such elections. No elective officer of the fire
16 district shall serve as such chairman or as an election inspector or
17 ballot clerk. The board of fire commissioners may adopt a resolution
18 providing that such chairman, election inspectors and ballot clerks
19 shall be paid for their respective services at any such annual election
20 or at any special election of the fire district. Such resolution, if
21 adopted, shall fix the amount of such compensation, as follows: if the
22 hours during which the polls will be open for the receipt of ballots are
23 from six o'clock in the evening until nine o'clock in the evening, a sum
24 not to exceed thirty-five dollars for each such official; if additional
25 consecutive hours prior to six o'clock in the evening are determined and
26 specified in the notice of election, a sum not to exceed fifty dollars
27 for each such official.
28 § 2. This act shall take effect immediately.