S T A T E O F N E W Y O R K

10767

I N A S S E M B L Y

April 20, 2010

Introduced by M. of A. SCHIMEL -- read once and referred to the Committee on Local Governments

AN ACT to amend the town law, in relation to annual elections, and to repeal section 212-a of the town law relating to the election of water district commissioners

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

Section 1. Section 212 of the town law, as amended by chapter 421 of the laws of 2008, is amended to read as follows:

S 212. Annual election and notice thereof. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE ANNUAL ELECTION FOR ALL IMPROVEMENT DISTRICT COMMISSIONERS SHALL BE CONDUCTED BY THE COMMISSIONER OR COMMISSIONERS IN THE MANNER PRESCRIBED BY THIS SECTION AND SHALL BE HELD ON THE SECOND TUESDAY IN THE MONTH OF DECEMBER OF EACH YEAR BEGINNING IN TWO THOUSAND ELEVEN. The district commissioners of such improvement district shall publish at the expense of the district the notice of each election of improvement district commissioners held pursuant to this article. Such notice shall be published at least once in one or more newspapers having general circulation in the district and the first publication thereof shall be at least twenty days before the day of such election. The notice of annual election shall specify the time when and the place or places where such election shall be held and the hours during which the polls will be open for the receipt of ballots. Notice of such election shall also be posted on the websites of the district and the town in which the district is located, if such websites are maintained, on the signboard of the town, and conspicuously posted in three or more designated public locations within the district, on or about the day on which such notice is published. Such election shall be held at a suitable place or places within the district designated by the district commissioners and the polls shall remain open from [six o'clock in the evening] TWELVE O'CLOCK IN THE AFTERNOON until nine o'clock in the evening [and such additional consecutive hours prior thereto as the district commissioners may determine and specify in the notice of such election]. The board of commissioners of such district shall designate

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

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for each district election not less than two nor more than four resident taxpayers to act as election inspectors and ballot clerks for each designated polling place. The board of commissioners shall fix the compensation of such election inspectors and ballot clerks in an amount not to exceed ten dollars per hour each for every hour or part thereof of such service and such compensation shall be a charge against the district. The board of commissioners shall cause to be prepared the ballots for all elections, and may authorize the use of voting machines approved by the secretary of state at any annual or special election of the district in accordance with article nine of the election law. After the polls shall have been closed at any election, the election inspectors and ballot clerks at each polling place shall immediately canvass the ballots cast and shall publicly announce the result of the vote at that polling place. Within twenty-four hours the chairman of the board of commissioners, election inspectors and ballot clerks shall execute and file a certificate of the result of the canvass with the board of commissioners of the improvement district and with the clerk of the town in which said district is located.

S 2. Section 212-a of the town law is REPEALED.

S 3. This act shall take effect immediately.