

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

6939--A

I N S E N A T E

February 26, 2010

Introduced by Sen. C. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

1 Section 1. Section 212 of the town law, as amended by chapter 421 of
2 the laws of 2008, is amended to read as follows:
3 S 212. Annual election and notice thereof. NOTWITHSTANDING ANY
4 PROVISION OF LAW TO THE CONTRARY, THE ANNUAL ELECTION FOR ALL IMPROVE-
5 MENT DISTRICT COMMISSIONERS SHALL BE CONDUCTED BY THE COMMISSIONER OR
6 COMMISSIONERS IN THE MANNER PRESCRIBED BY THIS SECTION AND SHALL BE HELD
7 ON THE SECOND TUESDAY IN THE MONTH OF DECEMBER OF EACH YEAR BEGINNING IN
8 TWO THOUSAND ELEVEN. The district commissioners of such improvement
9 district shall publish at the expense of the district the notice of each
10 election of improvement district commissioners held pursuant to this
11 article. Such notice shall be published at least once in one or more
12 newspapers having general circulation in the district and the first
13 publication thereof shall be at least twenty days before the day of such
14 election. The notice of annual election shall specify the time when and
15 the place or places where such election shall be held and the hours
16 during which the polls will be open for the receipt of ballots. Notice
17 of such election shall also be posted on the websites of the district
18 and the town in which the district is located, if such websites are
19 maintained, on the signboard of the town, and conspicuously posted in
20 three or more designated public locations within the district, on or
21 about the day on which such notice is published. Such election shall be
22 held at a suitable place or places within the district designated by the
23 district commissioners and the polls shall remain open from [six o'clock
24 in the evening] TWELVE O'CLOCK IN THE AFTERNOON until nine o'clock in
25 the evening [and such additional consecutive hours prior thereto as the

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

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1 district commissioners may determine and specify in the notice of such
2 election]. The board of commissioners of such district shall designate
3 for each district election not less than two nor more than four resident
4 taxpayers to act as election inspectors and ballot clerks for each
5 designated polling place. The board of commissioners shall fix the
6 compensation of such election inspectors and ballot clerks in an amount
7 not to exceed ten dollars per hour each for every hour or part thereof
8 of such service and such compensation shall be a charge against the
9 district. The board of commissioners shall cause to be prepared the
10 ballots for all elections, and may authorize the use of voting machines
11 approved by the secretary of state at any annual or special election of
12 the district in accordance with article nine of the election law. After
13 the polls shall have been closed at any election, the election inspec-
14 tors and ballot clerks at each polling place shall immediately canvass
15 the ballots cast and shall publicly announce the result of the vote at
16 that polling place. Within twenty-four hours the chairman of the board
17 of commissioners, election inspectors and ballot clerks shall execute
18 and file a certificate of the result of the canvass with the board of
19 commissioners of the improvement district and with the clerk of the town
20 in which said district is located.

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

22 S 3. This act shall take effect immediately.