

10585

I N A S S E M B L Y

April 8, 2010

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

AN ACT to amend the town law, in relation to changing the date of fire district votes and the amount of compensation for poll workers

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

1 Section 1. Subdivisions 1 and 6 of section 175 of the town law, subdivi-
2 vision 1 as separately amended by chapters 63 and 108 of the laws of
3 1997 and subdivision 6 as amended by chapter 586 of the laws of 2004,
4 are amended to read as follows:
5 1. An annual election shall be held in each fire district on the
6 second Tuesday in [December] NOVEMBER, except that in the Ocean Bay Park
7 fire district, the Lonelyville fire district, the Davis Park fire
8 district and the Fire Island Pines fire district, Suffolk county, such
9 annual election shall be held on the second Tuesday in July, except that
10 in the town of Salisbury, Herkimer county, such annual election shall be
11 held on the Tuesday next succeeding the first Monday in November from
12 six o'clock in the morning until nine o'clock in the evening and except
13 that in the Belfast fire district, Allegany county, such annual election
14 shall be held on the first Tuesday in December. The board of fire
15 commissioners shall give notice thereof by the publication of a notice
16 once in one or more newspapers having a general circulation in the
17 district. The first publication of such notice shall be not less than
18 twenty-seven days and not more than thirty-four days prior to the date
19 of such election. Such notice shall specify the time when and the place
20 where such election will be held, the officers to be elected thereat and
21 their terms of office, and the hours during which the polls will be open
22 for the receipt of ballots. The secretary of such fire district shall
23 prepare the ballots for all elections of fire district officers and the
24 polls shall remain open for the receipt thereof at all elections of fire
25 district officers from [six] NINE o'clock in the [evening] MORNING until
26 nine o'clock in the evening and such additional consecutive hours prior
27 thereto as the board of fire commissioners of such district may have
28 determined and specified in the notice thereof. The board of fire

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

1 commissioners shall designate a resident fire district elector, who
2 shall be a registered voter of the town, to act as chairman of any
3 election of said district and shall designate not less than two nor more
4 than four resident fire district electors, who shall be registered
5 voters of the town to act as election inspectors and ballot clerks at
6 such elections. No elective officer of the fire district shall serve as
7 such chairman or as an election inspector or ballot clerk. The board of
8 fire commissioners may adopt a resolution providing that such chairman,
9 election inspectors and ballot clerks shall be paid for their respective
10 services at any such annual election or at any special election of the
11 fire district. Such resolution, if adopted, shall fix the amount of such
12 compensation, as follows: if the hours during which the polls will be
13 open for the receipt of ballots are from [six] NINE o'clock in the
14 [evening] MORNING until nine o'clock in the evening, a sum not to exceed
15 [thirty-five] ONE HUNDRED FORTY dollars for each such official[; if
16 additional consecutive hours prior to six o'clock in the evening are
17 determined and specified in the notice of election, a sum not to exceed
18 fifty dollars for each such official].

19 6. If in any fire district the number of voters is so great as to
20 render it inexpedient or impossible to conduct the election at one poll-
21 ing place, the board of fire commissioners may divide the fire district
22 into election districts and provide a polling place for each such
23 election district, provided, however, that the number of election
24 districts in any fire district shall not exceed one for each six hundred
25 electors plus one for a remaining fraction of six hundred. In such
26 event, the notice specified in subdivision one of this section shall
27 describe the election districts and state where the polling places will
28 be located, and the board of fire commissioners shall designate not less
29 than two nor more than four resident fire district electors, who shall
30 be registered voters of the town, to act as election inspectors and
31 ballot clerks at each such polling place. The board of fire district
32 commissioners may adopt a resolution providing that such election
33 inspectors and ballot clerks shall be paid for their respective services
34 at any such annual election or at any special election of the fire
35 district. Such resolution, if adopted, shall fix the amount of such
36 compensation as follows: if the hours during which the polls will be
37 open for the receipt of ballots are from [six] NINE o'clock in the
38 [evening] MORNING until nine o'clock in the evening, a sum not to exceed
39 [thirty-five] ONE HUNDRED FORTY dollars for each such official[; if
40 additional consecutive hours prior to six o'clock in the evening are
41 determined and specified in the notice of election, a sum not to exceed
42 fifty dollars for each such official]. No elective officer of the fire
43 district shall serve as an election inspector or ballot clerk.

44 S 2. This act shall take effect on the first of January next succeed-
45 ing the date on which it shall have become a law.