

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:

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  
26 district commissioners may determine and specify in the notice of such  
27 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.

LBD16126-03-0

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

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 Section 212-a of the town law is REPEALED.

20 S 3. This act shall take effect immediately.