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I N S E N A T E

May 25, 2010

Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law, in relation to including Cherry Grove fire district as among those districts that have elections on the second Tuesday in July

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

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

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

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

19 S 2. This act shall take effect immediately.