

2889

2011-2012 Regular Sessions

I N A S S E M B L Y

January 20, 2011

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 amended by chapter 185 of the laws of 2010 and subdivision 6
3 as amended by chapter 586 of the laws of 2004, are amended to read as
4 follows:
5 1. An annual election shall be held in each fire district on the
6 [second] FIRST Tuesday in [December] NOVEMBER, except that in the Ocean
7 Bay Park fire district, the Lonelyville fire district, the Davis Park
8 fire district, the Cherry Grove fire district and the Fire Island Pines
9 fire district, Suffolk county, such annual election shall be held on the
10 second Tuesday in July, except that in the town of Salisbury, Herkimer
11 county, such annual election shall be held on the Tuesday next succeed-
12 ing the first Monday in November from six o'clock in the morning until
13 nine o'clock in the evening and except that in the Belfast fire
14 district, Allegany county, such annual election shall be held on the
15 first Tuesday in December. The board of fire commissioners shall give
16 notice thereof by the publication of a notice once in one or more news-
17 papers having a general circulation in the district. The first publica-
18 tion of such notice shall be not less than twenty-seven days and not
19 more than thirty-four days prior to the date of such election. Such
20 notice shall specify the time when and the place where such election
21 will be held, the officers to be elected thereat and their terms of
22 office, and the hours during which the polls will be open for the
23 receipt of ballots. The secretary of such fire district shall prepare
24 the ballots for all elections of fire district officers and the polls
25 shall remain open for the receipt thereof at all elections of fire

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

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

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

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