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

S. 3101 A. 4858

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

February 8, 2011

IN SENATE -- Introduced by Sens. LAVALLE, DeFRANCISCO, JOHNSON, LARKIN, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. GALEF, SWEENEY, RAMOS, WEISENBERG, LAVINE -- Multi-Sponsored by -- M. of A. CALHOUN, CROUCH, DESTITO, FINCH, GABRYSZAK, GIGLIO, KOLB, MAYERSOHN, PAULIN, WRIGHT -- read once and referred to the Committee on Local Governments

AN ACT to amend the town law, in relation to the removal of a fire commissioner for dereliction of duty

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

Section 1. The town law is amended by adding a new section 176-c to read as follows:

S 176-C. REMOVAL OF FIRE COMMISSIONERS. ANY FIRE COMMISSIONER MAY BE REMOVED FOR DERELICTION OF DUTY. DERELICTION OF DUTY SHALL INCLUDE, BUT NOT BE LIMITED TO, EXCESSIVE UNEXCUSED ABSENCES FROM REGULARLY SCHEDULED MEETINGS. THESE CRITERIA FOR REMOVAL ARE IN ADDITION TO THE CRITERIA PROVIDED IN SECTION THIRTY-SIX OF THE PUBLIC OFFICERS LAW. ANY REMOVAL PURSUANT TO THIS SECTION SHALL TAKE PLACE PURSUANT TO THE PROCEDURE FOR REMOVAL ESTABLISHED IN SECTION THIRTY-SIX OF THE PUBLIC OFFICERS LAW.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

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

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