

3235

2013-2014 Regular Sessions

I N A S S E M B L Y

January 24, 2013

Introduced by M. of A. RABBITT -- Multi-Sponsored by -- M. of A. MONTES-  
ANO -- 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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivisions 1 and 6 of section 175 of the town law, subdi-  
2 vision 1 as amended by chapter 334 of the laws of 2011 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, the Fair Harbor fire  
9 district and the Fire Island Pines fire district, Suffolk county, such  
10 annual election shall be held on the second Tuesday in July, except that  
11 in the town of Salisbury, Herkimer county, such annual election shall be  
12 held on the Tuesday next succeeding the first Monday in November from  
13 six o'clock in the morning until nine o'clock in the evening and except  
14 that in the Belfast fire district, Allegany county, such annual election  
15 shall be held on the first Tuesday in December. The board of fire  
16 commissioners shall give notice thereof by the publication of a notice  
17 once in one or more newspapers having a general circulation in the  
18 district. The first publication of such notice shall be not less than  
19 twenty-seven days and not more than thirty-four days prior to the date  
20 of such election. Such notice shall specify the time when and the place  
21 where such election will be held, the officers to be elected thereat and  
22 their terms of office, and the hours during which the polls will be open  
23 for the receipt of ballots. The secretary of such fire district shall  
24 prepare the ballots for all elections of fire district officers and the  
25 polls 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 addi-  
20 tional consecutive hours prior to six o'clock in the evening are deter-  
21 mined and specified in the notice of election, a sum not to exceed fifty  
22 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.