

8807

I N A S S E M B L Y

February 14, 2014

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Local Governments

AN ACT to amend the town law, in relation to holding the election of fire district commissioners on the same day as the election of school board members

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 amended by  
2 chapter 334 of the laws of 2011, is amended to read as follows:  
3 1. An annual election shall be held in each fire district on the  
4 [second Tuesday in December, except that in the Ocean Bay Park fire  
5 district, the Lonelyville fire district, the Davis Park fire district,  
6 the Cherry Grove fire district, the Fair Harbor fire district and the  
7 Fire Island Pines fire district, Suffolk county, such annual election  
8 shall be held on the second Tuesday in July, except that in the town of  
9 Salisbury, Herkimer county, such annual election shall be held on the  
10 Tuesday next succeeding the first Monday in November from six o'clock in  
11 the morning until nine o'clock in the evening and except that in the  
12 Belfast fire district, Allegany county, such annual election shall be  
13 held on the first Tuesday in December] SAME DATE AND AT THE SAME POLLING  
14 PLACE AS THE ELECTION OF SCHOOL BOARD MEMBERS FOR THE SCHOOL DISTRICT OF  
15 THE MUNICIPALITY. The board of fire commissioners shall give notice  
16 thereof by the publication of a notice once in one or more newspapers  
17 having a general circulation in the district. The first publication of  
18 such notice shall be not less than twenty-seven days and not more than  
19 thirty-four days prior to the date of such election. Such notice shall  
20 specify the time when and the place where such election will be held,  
21 the officers to be elected thereat and their terms of office, and the  
22 hours during which the polls will be open for the receipt of ballots.  
23 The secretary of such fire district shall, SUBJECT TO THE APPROVAL OF  
24 THE BOARD OF ELECTIONS, prepare the ballots for all elections of fire  
25 district officers and the polls shall remain open for the receipt there-  
26 of at all elections of fire district officers from six o'clock in the  
27 [evening] MORNING until nine o'clock in the evening [and such additional

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

1 consecutive hours prior thereto as the board of fire commissioners of  
2 such district may have determined and specified in the notice thereof.  
3 The board of fire commissioners shall designate a resident fire district  
4 elector, who shall be a registered voter of the town, to act as chairman  
5 of any election of said district and shall designate not less than two  
6 nor more than four resident fire district electors, who shall be regis-  
7 tered voters of the town to act as election inspectors and ballot clerks  
8 at such elections. No elective officer of the fire district shall serve  
9 as such chairman or as an election inspector or ballot clerk. The board  
10 of fire commissioners may adopt a resolution providing that such chair-  
11 man, election inspectors and ballot clerks shall be paid for their  
12 respective services at any such annual election or at any special  
13 election of the fire district. Such resolution, if adopted, shall fix  
14 the amount of such compensation, as follows: if the hours during which  
15 the polls will be open for the receipt of ballots are from six o'clock  
16 in the evening until nine o'clock in the evening, a sum not to exceed  
17 thirty-five dollars for each such official; if additional consecutive  
18 hours prior to six o'clock in the evening are determined and specified  
19 in the notice of election, a sum not to exceed fifty dollars for each  
20 such official]. THE METHOD AND MANNER OF SUBMISSION, PREPARATION AND  
21 PROVISION OF BALLOTS AND BALLOT LABELS, USE OF VOTING MACHINES, QUALI-  
22 FICATIONS OF VOTERS, CORRECTING REGISTERS, AND CONDUCTING THE ELECTION,  
23 CANVASSING THE RESULT AND MAKING AND FILING THE RETURNS, AND ALL OTHER  
24 PROCEDURES WITH REFERENCE TO THE SUBMISSION OF ANY VOTE, SHALL BE IN THE  
25 SAME METHOD AND MANNER USED FOR VOTING IN THE SCHOOL BOARD ELECTION, OR  
26 AS CLOSE AS IS PRACTICAL, AS DETERMINED BY THE COUNTY BOARD OF ELECTIONS  
27 PROVIDED, HOWEVER, THAT ALL COSTS ASSOCIATED WITH SUCH BALLOTS AND ANY  
28 ADDITIONAL POLL WORKERS NECESSARY FOR SUCH VOTE SHALL BE BORNE BY SUCH  
29 FIRE DISTRICT. THE LOCAL BOARD OF ELECTIONS SHALL APPOINT SUCH POLL  
30 WORKERS AS DEEMED NECESSARY BY SUCH BOARD AND SHALL PRESCRIBE THEIR  
31 DUTIES, TITLES, RANKS AND SALARY IN ACCORDANCE WITH THE PROVISION SET  
32 FORTH IN SECTION 3-300 OF THE ELECTION LAW.  
33 S 2. This act shall take effect immediately.