

5966--A

2015-2016 Regular Sessions

I N A S S E M B L Y

March 9, 2015

Introduced by M. of A. BRABENEC -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the town law, in relation to changing the date of fire district votes

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, subdivision 1 as amended by chapter 334 of the laws of 2011 and subdivision 6 as amended by chapter 586 of the laws of 2004, are amended to read as follows:  
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5 1. An annual election shall be held in each fire district on the  
6 [second] FIRST Tuesday NEXT SUCCEEDING THE FIRST MONDAY in [December]  
7 NOVEMBER, except that in the Ocean Bay Park fire district, the Lonelyville fire district, the Davis Park fire district, the Cherry Grove fire district, the Fair Harbor fire district and the Fire Island Pines fire district, Suffolk county, such annual election shall be held on the  
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9  
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 succeeding the first Monday in November from six o'clock in the morning until  
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13  
14 nine o'clock in the evening and] except that in the Belfast fire  
15 district, Allegany county, such annual election shall be held on the  
16 first Tuesday in December. The LOCAL board of ELECTIONS FOR EACH fire  
17 [commissioners] DISTRICT shall give notice thereof by the publication of  
18 a notice once in one or more newspapers having a general circulation in  
19 the district. The first publication of such notice shall be not less  
20 than twenty-seven days and not more than thirty-four days prior to the  
21 date of such election. Such notice shall specify the time when and the  
22 place where such election will be held, the officers to be elected thereat and their terms of office, and the hours during which the polls will  
23  
24 be open for the receipt of ballots. The [secretary of such] LOCAL BOARD

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

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

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

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