

# STATE OF NEW YORK

3342

2017-2018 Regular Sessions

## IN ASSEMBLY

January 27, 2017

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

AN ACT to amend the town law, in relation to elections for fire districts

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 or any fire district may, by local  
14 referendum, opt to hold such election on the Tuesday immediately follow-  
15 ing the first Monday in November. Any election held in November pursu-  
16 ant to this subdivision, shall take place at the same time, location and  
17 manner as the general election pursuant to article eight of the election  
18 law. The board of fire commissioners shall give notice thereof by the  
19 publication of a notice once in one or more newspapers having a general  
20 circulation in the district. The first publication of such notice shall  
21 be not less than twenty-seven days and not more than thirty-four days  
22 prior to the date of such election. Such notice shall specify the time  
23 when and the place where such election will be held, the officers to be  
24 elected thereat and their terms of office, and the hours during which  
25 the polls will be open for the receipt of ballots. [~~The~~] For any

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

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1 election not held during the general election, the secretary of such  
2 fire district shall prepare the ballots for ~~[all]~~ such elections of fire  
3 district officers and the polls shall remain open for the receipt there-  
4 of at ~~[all]~~ such elections of fire district officers from six o'clock in  
5 the evening until nine o'clock in the evening and such additional  
6 consecutive hours prior thereto as the board of fire commissioners of  
7 such district may have determined and specified in the notice thereof.

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

27 § 2. This act shall take effect immediately.