

# STATE OF NEW YORK

S. 5698

A. 7459

2017-2018 Regular Sessions

## SENATE - ASSEMBLY

April 26, 2017

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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

AN ACT to amend the town law, in relation to the compensation of election inspectors at elections of fire district officers

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 Tuesday in December, except that in the Ocean Bay Park fire  
7 district, the Lonelyville fire district, the Davis Park fire district,  
8 the Cherry Grove fire district, the Fair Harbor fire district and the  
9 Fire Island Pines fire district, Suffolk county, such annual election  
10 shall be held on the second Tuesday in July, except that in the town of  
11 Salisbury, Herkimer county, such annual election shall be held on the  
12 Tuesday next succeeding the first Monday in November from six o'clock in  
13 the morning until nine o'clock in the evening and except that in the  
14 Belfast fire district, Allegany county, such annual election shall be  
15 held on the first Tuesday in December. The board of fire commissioners  
16 shall give notice thereof by the publication of a notice once in one or  
17 more newspapers having a general circulation in the district. The first  
18 publication of such notice shall be not less than twenty-seven days and  
19 not more than thirty-four days prior to the date of such election. Such  
20 notice shall specify the time when and the place where such election  
21 will be held, the officers to be elected thereat and their terms of

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

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1 office, and the hours during which the polls will be open for the  
2 receipt of ballots. The secretary of such fire district shall prepare  
3 the ballots for all elections of fire district officers and the polls  
4 shall remain open for the receipt thereof at all elections of fire  
5 district officers from six o'clock in the evening until nine o'clock in  
6 the evening and such additional consecutive hours prior thereto as the  
7 board of fire commissioners of such district may have determined and  
8 specified in the notice thereof. The board of fire commissioners shall  
9 designate a resident fire district elector, who shall be a registered  
10 voter of the town, to act as chairman of any election of said district  
11 and shall designate not less than two nor more than four resident fire  
12 district electors, who shall be registered voters of the town to act as  
13 election inspectors and ballot clerks at such elections. No elective  
14 officer of the fire district shall serve as such chairman or as an  
15 election inspector or ballot clerk. The board of fire commissioners may  
16 adopt a resolution providing that such chairman, election inspectors and  
17 ballot clerks shall be paid for their respective services at any such  
18 annual election or at any special election of the fire district. Such  
19 resolution, if adopted, shall fix the amount of such compensation, as  
20 follows: if the hours during which the polls will be open for the  
21 receipt of ballots are from six o'clock in the evening until nine  
22 o'clock in the evening, a sum not to exceed [~~thirty-five~~] fifty dollars  
23 for each such official; if additional consecutive hours prior to six  
24 o'clock in the evening are determined and specified in the notice of  
25 election, a sum not to exceed [~~fifty~~] sixty-five dollars for each such  
26 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 board of fire commissioners may divide the fire district  
30 into election districts and provide a polling place for each such  
31 election district, provided, however, that the number of election  
32 districts in any fire district shall not exceed one for each six hundred  
33 electors plus one for a remaining fraction of six hundred. In such  
34 event, the notice specified in subdivision one of this section shall  
35 describe the election districts and state where the polling places will  
36 be located, and the board of fire commissioners shall designate not less  
37 than two nor more than four resident fire district electors, who shall  
38 be registered voters of the town, to act as election inspectors and  
39 ballot clerks at each such polling place. The board of fire district  
40 commissioners may adopt a resolution providing that such election  
41 inspectors and ballot clerks shall be paid for their respective services  
42 at any such annual election or at any special election of the fire  
43 district. Such resolution, if adopted, shall fix the amount of such  
44 compensation as follows: if the hours during which the polls will be  
45 open for the receipt of ballots are from six o'clock in the evening  
46 until nine o'clock in the evening, a sum not to exceed [~~thirty-five~~]  
47 fifty dollars for each such official; if additional consecutive hours  
48 prior to six o'clock in the evening are determined and specified in the  
49 notice of election, a sum not to exceed [~~fifty~~] sixty-five dollars for  
50 each such official. No elective officer of the fire district shall serve  
51 as an election inspector or ballot clerk.

52 § 2. This act shall take effect immediately.