

# STATE OF NEW YORK

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5473--A

Cal. No. 942

2019-2020 Regular Sessions

## IN SENATE

May 1, 2019

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Introduced by Sens. MARTINEZ, BOYLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the town law, in relation to compensation of chairman, election inspectors and ballot clerks for fire districts elections

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

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

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

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

53 § 2. This act shall take effect immediately.