

SENATE MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO
SENATE, No. 3758

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2021

The Senate Military and Veterans Affairs Committee reports favorably Senate Bill No. 3758 with amendments.

This bill allows individuals who are on active duty in a branch of the United States Armed Forces to participate remotely in certain governmental meetings.

As amended, the bill provides that the governing body of a municipality may, by resolution, allow a member of the governing body who is serving on active duty to participate remotely in meetings of the governing body. Furthermore, a governing body member who is serving on active duty who participates remotely is required to be included in the quorum of that governing body meeting. Under the bill, the Director of the Division of Local Government Services in the Department of Community Affairs (DCA) would be permitted to develop guidelines and provide advice, as may be requested, to allow active duty service members to participate in meetings of these governing bodies. DCA would be required to publish any guidelines on DCA's Internet website.

Under the bill, a board of county commissioners may, by resolution, allow a county commissioner who is serving on active duty to participate remotely in meetings of the board of county commissioners. Furthermore, a county commissioner who is serving on active duty who participates remotely is required to be included in the quorum of the meeting of the board of county commissioners. The Director of the Division of Local Government Services in DCA would be permitted to develop guidelines and provide advice, as may be requested, to allow active duty service members to participate in meetings of the board of county commissioners. DCA would be required to publish any guidelines on DCA's Internet website.

The bill provides that a board of education may, by resolution, allow a school board member who is serving on active duty to participate remotely in meetings of the board of education. Furthermore, a school board member who is serving on active duty who participates remotely is required to be included in the quorum of that school board meeting. The Office of School Ethics and

Compliance in the Department of Education (DOE) would be permitted to develop guidelines and provide advice, as may be requested, to allow active duty service members to participate in meetings of the board of education. DOE would be required to publish any guidelines on DOE's Internet website.

Under the bill, a member of a State board, commission, committee, task force, or similar multi-member entity, created by law and allocated within a principal department of the Executive Branch of the State government or within any other State entity, who is serving on active duty in a branch of the Armed Forces of the United States, may be allowed to participate remotely in meetings of that State entity. Additionally, a member of a board, commission, committee, task force, or similar entity who attends a meeting remotely would be included in the quorum for that meeting. Furthermore, either the chair or staff member of a board, commission, committee, task force, or similar entity for whom the State already provides by law or otherwise may make arrangements to allow for the participation of a member serving on active duty.

COMMITTEE AMENDMENTS

The committee amended the bill to make the development of the guidelines by the Division of Local Government Services and the Office of School Ethics and Compliance permissive, at their discretion. The guidelines must be developed when requested by a local governing body, board of county commissioners, or board of education, as appropriate.