

SENATE, No. 4059

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 8, 2021

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Permits members of NJ National Guard to be election workers under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the membership of a district board of elections
2 and supplementing Title 19 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. Notwithstanding any law, rule, or regulation to the
8 contrary, the Secretary of State and Adjutant General shall enter into
9 a memorandum of understanding or other written agreement for the
10 purposes of permitting any member of the New Jersey National
11 Guard to serve as a member of a district board pursuant to the
12 provisions of this act, P.L. , c. (C.)(pending before the
13 Legislature as this bill). The memorandum of understanding or other
14 written agreement required under this subsection shall be revised and
15 updated as necessary, on at least an annual basis.

16 b. If within three weeks of a general election or a primary election
17 for a general election a county board of elections determines that the
18 required number of members of a district board would not be met
19 pursuant to the provisions of R.S.19:6-1, the county board of
20 elections may submit a request to the Department of Military and
21 Veterans' Affairs for members of the New Jersey National Guard to
22 serve as members of a district board. Upon the request from a county
23 board of elections for members of the New Jersey National Guard to
24 serve as members of a district board, the Department of Military and
25 Veterans' Affairs may solicit members of the New Jersey National
26 Guard who are willing to serve as a member of a district board. The
27 process for submitting a request and for soliciting National Guard
28 members shall be in accordance with the memorandum of
29 understanding or other written agreement by the Secretary of State
30 and the Adjutant General as provided in subsection a. of this section.

31 c. A member of the New Jersey National Guard serving as a
32 member of a district board under the provision of subsections a. and
33 b. of this section shall not be in uniform and shall be in civilian
34 clothing while carrying out the duties and responsibilities of a district
35 board member.

36 d. In addition to the regular compensation of a member of the
37 New Jersey National Guard, a member of the National Guard serving
38 as a member of a district board shall receive the amount payable
39 under R.S.19:45-6 and section 1 of P.L.1991, c.102 (C.19:6-9.1),
40 except that any payments provided under this subsection shall not be
41 considered or included as remuneration for the purposes of
42 R.S.43:21-19.

43 e. Nothing herein shall be interpreted to prohibit a member of the
44 New Jersey National Guard to serve as a member of a district board
45 in a personal capacity and in accordance with the qualifications
46 provided in R.S.19:6-2.

47

48 2. This act shall take effect immediately.

STATEMENT

This bill permits members of NJ National Guard to be members of a district board of elections, also known as election workers, under certain circumstances. Under the bill, the Secretary of State and Adjutant General are required to enter into a memorandum of understanding or other written agreement for the purposes of permitting any member of the NJ National Guard to serve as an election worker. The bill provides that the memorandum of understanding or other written agreement required under the bill would be revised and updated as necessary, on at least an annual basis.

Under the bill, if within three weeks of a general election or a primary election for a general election a county board of elections determines that the required number of members of a district board would not be met pursuant to the provisions of R.S.19:6-1, the county board of elections may submit a request to the Department of Military and Veterans' Affairs for members of the New Jersey National Guard to serve as members of a district board. Upon the request from a county board of elections for members of the New Jersey National Guard to serve as members of a district board, the Department of Military and Veterans' Affairs may solicit members of the New Jersey National Guard who are willing to serve as a member of a district. Under the bill, the process for submitting a request and for soliciting National Guard members would be in accordance with the memorandum of understanding or other written agreement by the Secretary of State and the Adjutant General.

The bill prohibits any member of the New Jersey National Guard serving as a member of a district board under the bill from being in uniform and requires the member to be in civilian clothing while carrying out the duties and responsibilities of a district board member.

The bill provides that, in addition to the regular compensation of a member of the NJ National Guard, a member of the National Guard serving as an election worker under the memorandum of understanding or other written agreement by the Secretary of State and the Adjutant General would receive the election worker payment amount under current law.

The bill also clarifies that nothing in the bill is to be interpreted to prohibit a member of the NJ National Guard to serve as an election worker in a personal capacity and in accordance with the qualifications provided in current law.