

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**SENATE BILL 1334**

Short Title: Public Employee Pollworkers. (Public)

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Sponsors: Senators Kinnaird; Berger of Franklin, Bingham, Cowell, and Graham.

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Referred to: Appropriations/Base Budget.

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March 26, 2007

1 A BILL TO BE ENTITLED  
2 AN ACT PROVIDING THAT STATE AND LOCAL EMPLOYEES BE GRANTED  
3 PAID LEAVE FOR ELECTION SERVICE ON ELECTION DAY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 126-4 is amended by adding a new subdivision to read:

6 "(5b) A policy allowing employees to take 24 hours per year of paid leave  
7 for election service. For purposes of this section, 'election service'  
8 means service as a precinct official as provided in G.S. 163-42 on  
9 election day. In the policy, the Commission shall provide for leave  
10 with full pay for any hours of election service for which the employee  
11 is not compensated by a board of elections. The Commission shall  
12 provide that the leave shall be in addition to any vacation leave or sick  
13 leave to which the employee is already entitled. Employees must  
14 receive approval from their supervisor to use leave under this  
15 subdivision. The agency may require proof that leave is taken within  
16 the purpose of this subdivision. The Commission may satisfy the  
17 requirements of this subdivision by including paid leave for election  
18 service as an option within another paid leave policy for community  
19 service. If it does so, the Commission may limit to 24 hours per year  
20 the paid leave for all forms of service under that policy an employee  
21 takes."

22 **SECTION 2.** G.S. 163-46 reads as rewritten:

23 **"§ 163-46. Compensation of precinct officials and assistants.**

24 The precinct chief judge shall be paid the state minimum wage for his services on  
25 the day of a primary, special or general election. Judges of election shall each be paid  
26 the state minimum wage for their services on the day of a primary, special or general  
27 election. Assistants, appointed pursuant to G.S. 163-42, shall each be paid the state  
28 minimum wage for their services on the day of a primary, special or general election.  
29 Ballot counters appointed pursuant to G.S. 163-43 shall be paid a minimum of five

1 dollars (\$5.00) for their services on the day of a primary, general or special election. If  
2 an election official is being paid an hourly wage or daily fee on an election day and the  
3 official is performing additional election duties away from the assigned precinct voting  
4 place, the official shall not be entitled to any additional monies for those services,  
5 except for reimbursable expenses in performing the services.

6 If the county board of elections requests the presence of a chief judge or judge at the  
7 county canvass, the chief judge shall be paid the sum of twenty dollars (\$20.00) per day  
8 and judges shall be paid the sum of fifteen dollars (\$15.00) per day. If the county board  
9 of elections requests a precinct official, including chief judge or judge, to personally  
10 deliver official ballots or other official materials to the county board of elections, the  
11 precinct official shall be paid the sum of twenty dollars (\$20.00) per day and judges  
12 shall be paid the sum of fifteen dollars (\$15.00) per day.

13 The chairman of the county board of elections, along with the director of elections,  
14 shall conduct an instructional meeting prior to each primary and general election which  
15 shall be attended by each chief judge and judge of election, unless excused by the  
16 chairman, and such precinct election officials shall be paid the sum of fifteen dollars  
17 (\$15.00) for attending the instructional meetings required by this section.

18 In its discretion, the board of county commissioners of any county may provide  
19 funds with which the county board of elections may pay chief judges, judges, assistants,  
20 and ballot counters in addition to the amounts specified in this section. Observers shall  
21 be paid no compensation for their services.

22 A person appointed to serve as chief judge, or judge of election when a previously  
23 appointed chief judge or judge fails to appear at the voting place or leaves his post on  
24 the day of an election or primary shall be paid the same compensation as the chief judge  
25 or judge appointed prior to that date.

26 For the purpose of this section, the phrase "the State minimum wage", means the  
27 amount set by G.S. 95-25.3(a). For the purpose of this section, no other provision of  
28 Article 2A of Chapter 95 of the General Statutes shall apply.

29 The county board of elections shall not compensate a precinct official for any hours  
30 worked for which the precinct official takes paid leave subject to a policy adopted  
31 pursuant to G.S. 126-4(5b)."

32 **SECTION 3.** This act is effective when it becomes law.