

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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HOUSE BILL 127  
Committee Substitute Favorable 3/31/05

Short Title: State Employee Poll Workers.

(Public)

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Sponsors:

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Referred to:

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February 9, 2005

1 A BILL TO BE ENTITLED  
2 AN ACT PROVIDING THAT STATE EMPLOYEES BE GRANTED PAID LEAVE  
3 FOR ELECTION SERVICE IN VOTING SITES.

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 or  
9 service for a board of elections in a voting site, including a one-stop  
10 site as provided in G.S. 163-227.2. In the policy, the Commission shall  
11 provide for leave with full pay for any hours of election service for  
12 which the employee is not compensated by a board of elections. The  
13 Commission shall provide that the leave shall be in addition to any  
14 vacation leave or sick leave to which the employee is already entitled.  
15 Employees must receive approval from their supervisor to use leave  
16 under this subdivision. The agency may require proof that leave is  
17 taken within the purpose of this subdivision. The Commission may  
18 satisfy the requirements of this subdivision by including paid leave for  
19 election service as an option within another paid leave policy for  
20 community service. If it does so, the Commission may limit to 24  
21 hours per year the paid leave for all forms of service under that policy  
22 an employee takes."

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

24 **"§ 163-46. Compensation of precinct officials and assistants.**

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

1 Ballot counters appointed pursuant to G.S. 163-43 shall be paid a minimum of five  
2 dollars (\$5.00) for their services on the day of a primary, general or special election. If  
3 an election official is being paid an hourly wage or daily fee on an election day and the  
4 official is performing additional election duties away from the assigned precinct voting  
5 place, the official shall not be entitled to any additional monies for those services,  
6 except for reimbursable expenses in performing the services.

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

14 The chairman of the county board of elections, along with the director of elections,  
15 shall conduct an instructional meeting prior to each primary and general election which  
16 shall be attended by each chief judge and judge of election, unless excused by the  
17 chairman, and such precinct election officials shall be paid the sum of fifteen dollars  
18 (\$15.00) for attending the instructional meetings required by this section.

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

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

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

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

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