

[OFFICIAL COPY REPRINT]

SENATE, No. 349

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 16, 1942

By Mr. PIERSON

(Without Reference)

AN ACT to amend the title of "An act concerning persons holding office, position or employment, other than for a fixed term or period, under the government of this State or of any county, municipality, school district or other political subdivision of this State or of any board, body, agency or commission of this State or of any county, municipality or school district thereof, who after July first, one thousand nine hundred and forty, has entered, or hereafter shall enter, the active military or naval service of the United States or of this State, in time of war or an emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service," approved May sixteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 119), so that the same shall read "An act concerning persons holding office, position or employment, other than for a fixed term or period, under the government of this State or of any county, municipality, school district or other political subdivision of this State or of any board, body, agency or commission of this State or of any county, municipality or school district thereof, who after July first, one thousand nine hundred and forty, have entered, or hereafter shall enter, the active military or naval service of the United States or of this State, in time of war or an emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service, or who, after July first, one thousand nine hundred and forty,

have entered or hereafter, in time of war, shall enter the active service of the United States Merchant Marine, or the active service of the Women's Army Auxiliary Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy," and to amend the body of said act.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The title of "An act concerning persons holding office, position or
2 employment, other than for a fixed term or period, under the government of
3 this State or of any county, municipality, school district or other political
4 subdivision of this State or of any board, body, agency or commission of
5 this State or of any county, municipality or school district thereof, who
6 after July first, one thousand nine hundred and forty, has entered, or here-
7 after shall enter, the active military or naval service of the United States or
8 of this State, in time of war or an emergency, or for or during any
9 period of training, or pursuant to or in connection with the operation of any
10 system of selective service," approved May sixteenth, one thousand nine
11 hundred and forty-one, is amended to read "An act concerning persons hold-
12 ing office, position or employment, other than for a fixed term or period,
13 under the government of this State or of any county, municipality, school
14 district or other political subdivision of this State or of any board, body,
15 agency or commission of this State or of any county, municipality or school
16 district thereof, who after July first, one thousand nine hundred and forty,
17 have entered, or hereafter shall enter, the active military or naval service
18 of the United States or of this State, in time of war or an emergency, or for
19 or during any period of training, or pursuant to or in connection with the
20 operation of any system of selective service, or who, after July first, one
21 thousand nine hundred and forty, have entered or hereafter, in time of war,
22 shall enter the active service of the United States Merchant Marine, or the
23 active service of the Women's Army Auxiliary Corps, the Women's Reserve
24 of the Naval Reserve or any similar organization authorized by the United
25 States to serve with the Army or Navy."

1 2. Section one of the act of which this act is amendatory is amended
2 to read as follows:

3 1. Every person holding office, position or employment, other than for a
4 fixed term or period, under the government of this State or of any county,
5 municipality, school district or other political subdivision of this State, or
6 of any board, body, agency or commission of this State or any county,
7 municipality or school district thereof, who after July first, one thousand
8 nine hundred and forty, has entered, or hereafter shall enter, the active
9 military or naval service of the United States or of this State, in time of
10 war or an emergency, or for or during any period of training, or pursuant
11 to or in connection with the operation of any system of selective service, or
12 who, after July first, one thousand nine hundred and forty, has entered or
13 hereafter, in time of war, shall enter the active service of the United States
14 Merchant Marine, or the active service of the Women's Army Auxiliary
15 Corps, the Women's Reserve of the Naval Reserve or any similar organ-
16 ization authorized by the United States to serve with the Army or Navy,
17 shall be granted leave of absence for the period of such service and for a
18 further period of three months after receiving his discharge from such serv-
19 ice. If any such person shall be incapacitated by wound or sickness at the
20 time of his discharge from such service, his leave of absence shall be ex-
21 tended until three months after his recovery from such wound or
22 sickness, or until the expiration of two years from the date of his discharge
23 from such service, whichever shall first occur.

24 In no case shall such person be discharged or separated from his office,
25 position or employment during such period of leave of absence because of
26 his entry into such service. During the period of such leave of absence
27 such person shall be entitled to all the rights, privileges and benefits that he
28 would have had or acquired if he had actually served in such office, position
29 or employment during such period of leave of absence except, unless other-
30 wise provided by law, the right to compensation. Such leave of absence
31 may be granted with or without pay as provided by law. Such person shall

32 be entitled to resume the office, position or employment held by him at the
33 time of his entrance into such service, provided he shall apply therefor
34 before the expiration of his said leave of absence. Upon resumption of his
35 office, position or employment, the service in such office, position or employ-
36 ment of the person temporarily filling the same shall immediately cease. No
37 person who, after entry into such service, shall have been separated from
38 any such service by a dishonorable discharge shall be entitled to any of the
39 rights, privileges or benefits herein conferred.

1 3. This act shall take effect immediately.