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SENATE BILL 181

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Mary Kay Papen

AN ACT

RELATING TO MILITARY AFFAIRS; PROVIDING FOR FEDERALLY ASSURED RIGHTS, BENEFITS AND PROTECTIONS FOR NATIONAL GUARD MEMBERS ORDERED TO STATE ACTIVE DUTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 20, Article 4 NMSA 1978 is enacted to read:

"[NEW MATERIAL] SOLDIERS AND SAILORS ACT BENEFITS-- UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT-- FEDERAL OR STATE ACTIVE DUTY.--

A. The rights, benefits and protections of the federal Soldiers' and Sailors' Civil Relief Act of 1940, 50 U.S.C. 501, shall apply to a member of the national guard ordered to state active duty for a period of thirty or more consecutive state duty days or to any federally funded duty

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1 performed in an operational role for homeland security in
2 accordance with 32 U.S.C. 502 if the federally funded duty is
3 in addition to and different from the fifteen working days and
4 one weekend a month federally funded requirement for training
5 or other duty pursuant to Section 20-4-7 NMSA 1978.

6 B. The rights, benefits and protections of the
7 federal Uniformed Services Employment and Reemployment Rights
8 Act of 1994, 38 U.S.C. 4301, shall apply to a member of the
9 national guard ordered to federal or state active duty. "

10 - 2 -