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HOUSE BILL 348

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

INTRODUCED BY
Jose A. Campos

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 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 performed in an operational

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1 role for homeland security in accordance with 32 U.S.C. 502 if
2 the federally funded duty is in addition to and different from
3 the fifteen working days a year and one weekend a month
4 federally funded requirement for training or other duty
5 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 shall apply to a member of the national guard
9 ordered to federal or state active duty."

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