

FIFTY-THIRD LEGISLATURE

FIRST SESSION, 2017

February 13, 2017

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred
HOUSE BILL 83, as amended

has had it under consideration and reports same with
recommendation that it **DO PASS**, amended as follows:

1. Strike House State Government, Indian and Veterans
Affairs Committee Amendments 1 and 2.

2. On page 1, between lines 14 and 15, insert the following
section:

"SECTION 1. Section 20-4-7.1 NMSA 1978 (being Laws 2004,
Chapter 37, Section 1) is amended to read:

"20-4-7.1. [~~SERVICEMEMBER'S~~] SERVICEMEMBERS CIVIL RELIEF ACT
BENEFITS--UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS
ACT--FEDERAL OR STATE ACTIVE DUTY.--

A. The rights, benefits and protections of the federal
[~~Servicemember's~~] Servicemembers Civil Relief Act shall apply to a
member of the national guard of this state or any other state or
territory of the United States 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 role for homeland
security in accordance with 32 U.S.C. 502. The federally funded
duty is in addition to and different from any federally funded unit
training, assembly or drill pursuant to Section 20-4-7 NMSA 1978.

B. The rights, benefits and protections of the
federal Uniformed Services Employment and Reemployment Rights
Act of 1994 shall apply to a member of the national guard of
this state or any other state or territory of the United States
ordered to federal or state active duty [~~for a period of thirty
or more consecutive days~~]."".

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3. Renumber the succeeding sections accordingly.

4. On page 1, line 18, after the first comma, insert "after having given advance written or verbal notice of an obligation or intention to perform service in the uniformed services to the person's employer, unless notice is precluded by military necessity or is otherwise impossible or unreasonable,".

5. On page 2, line 2, strike "if an officer" and, after the comma, insert "has not had a cumulative period of absence in excess of five years by reason of service in the uniformed services".

Respectfully submitted,

Gail Chasey, Chair

Adopted _____

(Chief Clerk)

Not Adopted _____

(Chief Clerk)

Date _____

The roll call vote was 13 For 0 Against
Yes: 13
No: 0
Excused: None
Absent: None

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