

SENATE BILL 619  
EMERGENCY BILL

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P1

2002 Regular Session  
2lr2340

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By: ~~Senator Harris~~ **Senators Harris, Blount, Hollinger, Collins, Conway,  
Dyson, Frosh, Mooney, Pinsky, Schrader, and Stone**

Introduced and read first time: February 1, 2002

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 2002

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Militia - Leaves of Absence for Public Employees**

3 FOR the purpose of providing that certain members of the organized militia who are  
4 ordered to active duty with the consent of the Governor are entitled to leave of  
5 absence from their duties without loss of pay, time or efficiency rating for the  
6 time while actually serving under the active duty order; providing for the  
7 application of this Act; and making this Act an emergency measure.

8 BY repealing and reenacting, with amendments,  
9 Article 65 - Militia  
10 Section 42  
11 Annotated Code of Maryland  
12 (1998 Replacement Volume and 2001 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article 65 - Militia**

16 42.

17 All officers and employees of the State, county or political subdivisions thereof  
18 who shall be members of the organized militia shall be entitled to leave of absence  
19 from their respective duties, without loss of pay, time or efficiency rating, on all days  
20 during which they shall be engaged in field or coast defense or other training ordered  
21 or authorized under the provisions of this article, or under any law of the United  
22 States, during such time as they are on inactive duty training, for not to exceed 15

1 days annually; provided, however, if any members of the organized militia are ordered  
2 to active duty under authority OR WITH THE CONSENT of the Governor they shall be  
3 entitled to leave of absence without loss of pay, time or efficiency rating for such time  
4 while actually serving under such active duty orders in addition to the 15-day period  
5 specified above.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
7 construed to apply retroactively and shall be applied to and interpreted to affect any  
8 member of the organized militia subject to this Act who is ordered to active duty with  
9 the consent of the Governor on or after September 11, 2001.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency  
11 measure, is necessary for the immediate preservation of the public health or safety,  
12 has been passed by a ye and nay vote supported by three-fifths of all the members  
13 elected to each of the two Houses of the General Assembly, and shall take effect from  
14 the date it is enacted.