

ASSEMBLY BILL

No. 1606

**Introduced by Committee on Public Employees, Retirement
and Social Security (Knox (Chair), Bowler, Runner, Scott,
Shelley, and Wildman)**

April 10, 1997

An act to add Section 19775.16 to the Government Code, and to add Section 395.08 to the Military and Veterans Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1606, as introduced, Committee on Public Employees, Retirement and Social Security. State employees.

Existing law entitles any state legislative, executive, or judicial branch officer or employee, including civil service employees, who, as a member of the California National Guard or a United States military reserve organization, is called up to active duty as a result of the Iraq-Kuwait crisis to receive, while on active duty, from the state, not to exceed 180 calendar days, as part of his or her compensation, the difference between the amount of his or her military pay and allowances and the amount the officer would have received as a state officer or employee, including any merit raises that would otherwise have been granted during the time the individual was on active duty. In the case of civil service employees, the determination of the amount to which the officer or employee would be entitled is made by the Department of Personnel Administration. Existing law also

entitles an officer or employee covered by existing law to receive, for 180 calendar days, all benefits that he or she would have received had he or she not been called to active duty, unless the benefits are prohibited or limited by vendor contract.

This bill would entitle any state legislative, executive, or judicial branch officer or employee, including civil service employees, who, as a member of the California National Guard or a United States military reserve organization, is called up to active duty as a result of the Bosnia crisis to receive similar compensation and benefits.

This bill would specify that these provisions apply to active duty served as a result of the Bosnia crisis.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19775.16 is added to the
2 Government Code, to read:

3 19775.16. (a) In addition to the benefits provided
4 pursuant to Sections 19775 and 19775.1, an employee who,
5 as a member of the California National Guard or a United
6 States military reserve organization, is called into active
7 duty as a result of the Bosnia crisis shall have the benefits
8 provided for in subdivision (b).

9 (b) Any employee to which subdivision (a) applies,
10 while on active duty, shall, with respect to active duty
11 served as a result of the Bosnia crisis receive from the
12 state, for a period not to exceed 180 calendar days, as part
13 of his or her compensation both of the following:

14 (1) The difference between the amount of his or her
15 military pay and allowances and the amount the
16 employee would have received as a state employee as
17 determined by the Department of Personnel
18 Administration, including any merit raises that would
19 otherwise have been granted during the time the
20 individual was on active duty.



1 (2) All benefits that he or she would have received had
2 he or she not been called to active duty unless the benefits
3 are prohibited or limited by vendor contracts.

4 (c) Any individual receiving compensation pursuant
5 to subdivision (b) who does not return to state service
6 within 60 days of being released from active duty shall
7 have that compensation treated as a loan payable with
8 interest at the rate earned on the Pooled Money
9 Investment Account. This subdivision shall not apply to
10 compensation received pursuant to Section 19775.

11 (d) This section shall not apply to any active duty
12 served voluntarily after the close of the Bosnia crisis.

13 SEC. 2. Section 395.08 is added to the Military and
14 Veterans Code, to read:

15 395.08. (a) In addition to the benefits provided
16 pursuant to Sections 395.01 and 395.02, any officer or
17 employee of the legislative, executive, or judicial
18 department of the state, who, as a member of the
19 California National Guard or a United States Military
20 Reserve organization, is called into active duty as a result
21 of the Bosnia crisis shall have the benefits provided for in
22 subdivision (b).

23 (b) Any officer or employee to which subdivision (a)
24 applies, while on active duty, shall, with respect to active
25 duty served as a result of the Bosnia crisis receive from the
26 state, for a period not to exceed 180 calendar days, as part
27 of his or her compensation, both of the following:

28 (1) The difference between the amount of his or her
29 military pay and allowances and the amount the officer
30 or employee would have received as a state officer or
31 employee, including any merit raises that would
32 otherwise have been granted during the time the
33 individual was on active duty.

34 (2) All benefits that he or she would have received had
35 he or she not been called to active duty unless the benefits
36 are prohibited or limited by vendor contracts.

37 (c) Any individual receiving compensation pursuant
38 to subdivision (b) who does not return to state service
39 within 60 days of being released from active duty shall
40 have that compensation treated as a loan payable with



1 interest at the rate earned on the Pooled Money
2 Investment Account. This subdivision shall not apply to
3 compensation received pursuant to Section 395.02.

4 (d) This section shall not apply to any active duty
5 served voluntarily after the close of the Bosnia crisis.

6 SEC. 3. This act is an urgency statute necessary for the
7 immediate preservation of the public peace, health, or
8 safety within the meaning of Article IV of the
9 Constitution and shall go into immediate effect. The facts
10 constituting the necessity are:

11 In order that the changes proposed by this act affecting
12 certain state employees may become effective at the
13 earliest possible time, it is necessary for this act to take
14 effect immediately.

