

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2139 Session of 1999

INTRODUCED BY EGOLF, SEMMEL, PESCI, WILT, FRANKEL, BASTIAN, STERN, ROBERTS, HUTCHINSON, LYNCH, CALTAGIRONE, CORRIGAN, FICHTER, FAIRCHILD, LAUGHLIN, LEDERER, WOJNAROSKI, SHANER, MASLAND, NAILOR, GEIST, SEYFERT, SATHER, BEBKO-JONES, PETRONE, TIGUE, STABACK, SCRIMENTI, SCHULER, FORCIER, BUNT, GEORGE, ARGALL, SAYLOR, WALKO, HERSHEY, BARRAR, METCALFE, CLARK, SNYDER, ZUG, BELFANTI, YEWCIC, ARMSTRONG, GRUCELA, YOUNGBLOOD, MICHLOVIC, RUBLEY, E. Z. TAYLOR, MYERS, TRUE, READSHAW, DeWEESE, HERMAN, HENNESSEY, HASAY, PHILLIPS, BELARDI, BARD, ROHRER, LEH, ORIE, SAINATO, S. MILLER, PLATTS AND LUCYK, DECEMBER 8, 1999

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 5, 2000

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, further providing for the State
3 Veterans' Commission AND FOR MILITARY LEAVES OF ABSENCE; AND <—
4 PROVIDING FOR A VETERANS' OMBUDSMAN.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 1702(b) of Title 51 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 1702. State Veterans' Commission.

10 * * *

11 (b) Composition.--The commission shall be composed of:

12 (1) The Adjutant General, ex officio, or his designee.

13 (2) The State commander, commandant or head, or his
14 designee, of each of the following named veterans'

1 organizations:

2 (i) The American Legion.

3 (ii) AMVETS.

4 (iii) Blinded Veterans Association.

5 (iv) Catholic War Veterans of the United States of
6 America.

7 (v) Disabled American Veterans.

8 (vi) Jewish War Veterans of the United States.

9 (vii) Marine Corps League.

10 (viii) Military Order of the Purple Heart.

11 (ix) State Association of County Directors of
12 Veterans' Affairs.

13 (x) Veterans of Foreign Wars of the United States.

14 (xi) Veterans of World War I of the United States of
15 America, Inc.

16 (xii) Italian-American War Veterans of the United
17 States, Inc.

18 (xiii) The Vietnam Veterans of America, Inc.

19 (xiv) American Ex-Prisoners of War.

20 (xv) Keystone Paralyzed Veterans Association.

21 (3) Four members at large appointed by the Governor from
22 a list provided by the Adjutant General, each of whom shall
23 be a veteran and a member in good and regular standing of a
24 Pennsylvania branch, post, lodge or club of a recognized
25 national veterans' organization active in this Commonwealth.
26 At least one member shall be a female veteran, and at least
27 one member shall be a veteran of the Vietnam era. Members at
28 large shall serve a term of four years and until a successor
29 has been appointed.

30 (4) The State Adjutants of the American Legion, the

1 Disabled American Veterans (DAV) and the Veterans of Foreign
2 Wars (VFW) and the Executive Director of AMVETS as nonvoting
3 members.

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5 SECTION 2. TITLE 51 IS AMENDED BY ADDING A SECTION TO READ: <—

6 § 1713. VETERANS' OMBUDSMAN.

7 THE DEPUTY ADJUTANT GENERAL FOR VETERANS' AFFAIRS SHALL
8 APPOINT A VETERANS' OMBUDSMAN TO RECEIVE AND INVESTIGATE
9 COMPLAINTS MADE BY INDIVIDUAL VETERANS CONCERNING MEDICAL CARE
10 OR SERVICES PROVIDED BY A FEDERAL OR STATE MEDICAL CARE FACILITY
11 OR VETERANS' HOME.

12 SECTION 3. SECTION 7302 OF TITLE 51 IS AMENDED TO READ:

13 § 7302. GRANTING MILITARY LEAVES OF ABSENCE.

14 (A) ENLISTMENT OR DRAFT.--WHENEVER ANY EMPLOYEE SHALL, IN
15 TIME OF WAR OR ARMED CONFLICT, OR EMERGENCY PROCLAIMED BY THE
16 GOVERNOR OR BY THE PRESIDENT OF THE UNITED STATES, ENLIST OR
17 SHALL, AT ANY TIME, BE DRAFTED INTO THE ACTIVE MILITARY SERVICE
18 OF THE UNITED STATES, HE SHALL BE AUTOMATICALLY GRANTED A
19 MILITARY LEAVE OF ABSENCE. SO LONG AS AN EMPLOYEE IS ON MILITARY
20 LEAVE OF ABSENCE, HE SHALL NOT BE REMOVED FROM HIS EMPLOYMENT
21 AND HIS DUTIES SHALL EITHER BE PERFORMED BY OTHER EMPLOYEES OR
22 BY A TEMPORARY SUBSTITUTE. DURING SUCH TIME HE [SHALL NOT] MAY
23 RECEIVE [ANY] REMUNERATION FROM HIS CIVILIAN EMPLOYER.

24 (B) RESERVE COMPONENTS.--WHENEVER ANY EMPLOYEE WHO IS A
25 MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES SHALL BE
26 CALLED OR ORDERED TO ACTIVE DUTY BY THE UNITED STATES AND
27 WHENEVER ANY EMPLOYEE WHO IS A MEMBER OF THE PENNSYLVANIA
28 NATIONAL GUARD SHALL BE ORDERED TO ACTIVE STATE DUTY OR SPECIAL
29 STATE DUTY BY THE GOVERNOR OR HIS DESIGNEE, HE SHALL
30 AUTOMATICALLY BE GRANTED A MILITARY LEAVE OF ABSENCE.

1 Section ~~2~~ 4. This act shall take effect immediately.

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