

SENATE BILL NO. 356

INTRODUCED BY MAZUREK, O'KEEFE, NATHE, WEEDING, WILLIAMS,
LYNCH, BOYLAN, HANNAH, GERVAIS

IN THE SENATE

| | |
|-------------------|--|
| FEBRUARY 6, 1989 | INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION. |
| | FIRST READING. |
| FEBRUARY 13, 1989 | COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED. |
| FEBRUARY 14, 1989 | PRINTING REPORT. |
| FEBRUARY 15, 1989 | SECOND READING, DO PASS. |
| FEBRUARY 16, 1989 | ENGROSSING REPORT. |
| FEBRUARY 17, 1989 | THIRD READING, PASSED. AYES, 50; NOES, 0. |
| | TRANSMITTED TO HOUSE. |

IN THE HOUSE

| | |
|-------------------|---|
| FEBRUARY 17, 1989 | INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION. |
| FEBRUARY 20, 1989 | FIRST READING. |
| MARCH 1, 1989 | COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. |
| MARCH 3, 1989 | ON MOTION, TAKEN FROM SECOND READING AND REREFERRED TO STATE ADMINISTRATION. |
| MARCH 10, 1989 | COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED. |
| MARCH 14, 1989 | SECOND READING, CONCURRED IN. |
| MARCH 16, 1989 | THIRD READING, CONCURRED IN. |

AYES, 95; NOES, 1.

RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 4, 1989

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 6, 1989

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Amended* BILL NO. *356*
2 INTRODUCED BY *Therese Ruffe*
3 *Wendell J. Williams*
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE
5 DEFINITION OF "VETERAN" TO INCLUDE MEMBERS OF THE FIRST
6 SPECIAL SERVICE FORCE AND THE AMERICAN MERCHANT MARINE IN
7 OCEANGOING SERVICE DURING THE PERIOD OF ARMED CONFLICT,
8 DECEMBER 7, 1941, TO AUGUST 15, 1945; ALLOWING MEMBERS OF
9 THE FORCE AND MERCHANT MARINES TO QUALIFY MILITARY SERVICE
10 FOR FULL CREDIT IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM;
11 AND AMENDING SECTIONS 10-2-101 AND 19-3-503, MCA."
12

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 10-2-101, MCA, is amended to read:
15 "10-2-101. Definition Definitions. Unless the context
16 requires otherwise, in this part the following definitions
17 apply:

18 (1) "board" means the board of veterans' affairs
19 provided for in 2-15-1205; and

20 (2) "veteran" means an honorably discharged individual
21 who served on active duty, other than for training, with the
22 United States armed forces, including individuals who served
23 with the first special service force and the American
24 merchant marine in oceangoing service during the period of
25 armed conflict, December 7, 1941, to August 15, 1945."

1 **Section 2.** Section 19-3-503, MCA, is amended to read:
2 "19-3-503. Election to qualify military service for
3 full credit. (1) (a) A member with 10 years or more of state
4 service qualified under this chapter may, at any time prior
5 to retirement, make a written election with the board to
6 qualify all or any portion of his active service in the
7 armed forces of the United States, including the first
8 special service force or the American merchant marine in
9 oceangoing service during the period of armed conflict,
10 December 7, 1941, to August 15, 1945, for the purpose of
11 calculating retirement benefits, up to a maximum of 5 years,
12 if he is not otherwise eligible to receive credit for this
13 same service pursuant to 19-3-502.

14 (b) To qualify this service he must contribute to the
15 retirement fund the amount determined by the board to be due
16 based on his compensation and normal contribution rate as of
17 his 11th year and as many succeeding years as are required
18 to qualify this service, with interest from the date he
19 becomes eligible for this benefit to the date he so
20 contributes. He may not qualify more of this service than he
21 has state service in excess of 10 years.

22 (2) If a member has retired from active duty in the
23 armed forces of the United States, including the first
24 special service force or the American merchant marine in
25 oceangoing service during the period of armed conflict,

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1 December 7, 1941, to August 15, 1945, with a normal service
2 retirement benefit, he may not qualify his military service
3 under subsection (1) of this section. However, a member who
4 is serving or has served in the military reserves with the
5 expectation of receiving a military service pension may
6 qualify his active military service under subsection (1) of
7 this section if his active duty in the armed forces of the
8 United States, including the first special service force or
9 the American merchant marine in oceangoing service during
10 the armed conflict, December 7, 1941, to August 15, 1945, is
11 not more than 25% of the total sum of all years of military
12 service including reserve and active duty time."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB356, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

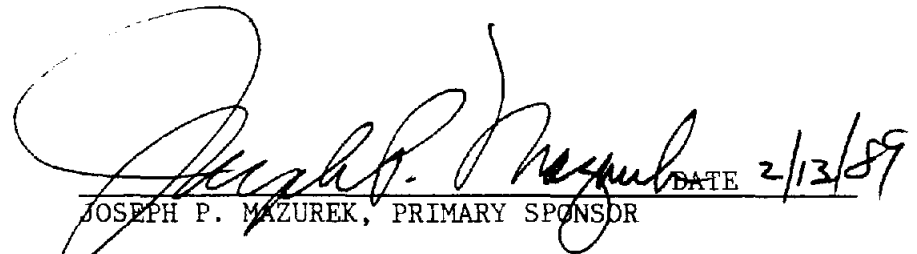
An act to expand the definition of "veteran" to include members of the first special service force and the American Merchant Marine in oceangoing service during the period of armed conflict, December 7, 1941, to August 15, 1945; allowing members of the force and Merchant Marines to qualify military service for full credit in the Public Employees' Retirement System; and amending Sections 10-2-101 and 19-3-503, MCA.

FISCAL IMPACT: None.



DATE 2/11/89

RAY SHACKLEFORD, BUDGET DIRECTOR
OFFICE OF BUDGET AND PROGRAM PLANNING



DATE 2/13/89

JOSEPH P. MAZUREK, PRIMARY SPONSOR

Fiscal Note for SB356, as introduced

SB 356

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

BILL NO. *P56*

INTRODUCED BY *Senator Ruffe*

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE DEFINITION OF "VETERAN" TO INCLUDE MEMBERS OF THE FIRST SPECIAL SERVICE FORCE AND THE AMERICAN MERCHANT MARINE IN OCEANGOING SERVICE DURING THE PERIOD OF ARMED CONFLICT, DECEMBER 7, 1941, TO AUGUST 15, 1945; ALLOWING MEMBERS OF THE FORCE AND MERCHANT MARINES TO QUALIFY MILITARY SERVICE FOR FULL CREDIT IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND AMENDING SECTIONS 10-2-101 AND 19-3-503, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 10-2-101, MCA, is amended to read:

"10-2-101. Definition Definitions. Unless the context requires otherwise, in this part the following definitions apply:

(1) "board" means the board of veterans' affairs provided for in 2-15-1205; and

(2) "veteran" means an honorably discharged individual who served on active duty, other than for training, with the United States armed forces, including individuals who served with the first special service force and the American merchant marine in oceangoing service during the period of armed conflict, December 7, 1941, to August 15, 1945."

Section 2. Section 19-3-503, MCA, is amended to read:

"19-3-503. Election to qualify military service for full credit. (1) (a) A member with 10 years or more of state service qualified under this chapter may, at any time prior to retirement, make a written election with the board to qualify all or any portion of his active service in the armed forces of the United States, including the first special service force or the American merchant marine in oceangoing service during the period of armed conflict, December 7, 1941, to August 15, 1945, for the purpose of calculating retirement benefits, up to a maximum of 5 years, if he is not otherwise eligible to receive credit for this same service pursuant to 19-3-502.

(b) To qualify this service he must contribute to the retirement fund the amount determined by the board to be due based on his compensation and normal contribution rate as of his 11th year and as many succeeding years as are required to qualify this service, with interest from the date he becomes eligible for this benefit to the date he so contributes. He may not qualify more of this service than he has state service in excess of 10 years.

(2) If a member has retired from active duty in the armed forces of the United States, including the first special service force or the American merchant marine in oceangoing service during the period of armed conflict,

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1 December 7, 1941, to August 15, 1945, with a normal service
2 retirement benefit, he may not qualify his military service
3 under subsection (1) of this section. However, a member who
4 is serving or has served in the military reserves with the
5 expectation of receiving a military service pension may
6 qualify his active military service under subsection (1) of
7 this section if his active duty in the armed forces of the
8 United States, including the first special service force or
9 the American merchant marine in oceangoing service during
10 the armed conflict, December 7, 1941, to August 15, 1945, is
11 not more than 25% of the total sum of all years of military
12 service including reserve and active duty time."

-End-

1
2 INTRODUCED BY *Senate* *House*
3 *Wells* *Wells*
4 *Wells*

HILL NO. *P56*

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE
6 DEFINITION OF "VETERAN" TO INCLUDE MEMBERS OF THE FIRST
7 SPECIAL SERVICE FORCE AND THE AMERICAN MERCHANT MARINE IN
8 OCEANGOING SERVICE DURING THE PERIOD OF ARMED CONFLICT,
9 DECEMBER 7, 1941, TO AUGUST 15, 1945; ALLOWING MEMBERS OF
10 THE FORCE AND MERCHANT MARINES TO QUALIFY MILITARY SERVICE
11 FOR FULL CREDIT IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM;
12 AND AMENDING SECTIONS 10-2-101 AND 19-3-503, MCA."

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 10-2-101, MCA, is amended to read:

15 "10-2-101. ~~Definition~~ Definitions. Unless the context
16 requires otherwise, in this part the following definitions
17 apply:

18 (1) "board" means the board of veterans' affairs
19 provided for in 2-15-1205; and

20 (2) "veteran" means an honorably discharged individual
21 who served on active duty, other than for training, with the
22 United States armed forces, including individuals who served
23 with the first special service force and the American
24 merchant marine in oceangoing service during the period of
25 armed conflict, December 7, 1941, to August 15, 1945."

1 **Section 2.** Section 19-3-503, MCA, is amended to read:

2 "19-3-503. Election to qualify military service for
3 full credit. (1) (a) A member with 10 years or more of state
4 service qualified under this chapter may, at any time prior
5 to retirement, make a written election with the board to
6 qualify all or any portion of his active service in the
7 armed forces of the United States, including the first
8 special service force or the American merchant marine in
9 oceangoing service during the period of armed conflict,
10 December 7, 1941, to August 15, 1945, for the purpose of
11 calculating retirement benefits, up to a maximum of 5 years,
12 if he is not otherwise eligible to receive credit for this
13 same service pursuant to 19-3-502.

14 (b) To qualify this service he must contribute to the
15 retirement fund the amount determined by the board to be due
16 based on his compensation and normal contribution rate as of
17 his 11th year and as many succeeding years as are required
18 to qualify this service, with interest from the date he
19 becomes eligible for this benefit to the date he so
20 contributes. He may not qualify more of this service than he
21 has state service in excess of 10 years.

22 (2) If a member has retired from active duty in the
23 armed forces of the United States, including the first
24 special service force or the American merchant marine in
25 oceangoing service during the period of armed conflict,

1 December 7, 1941, to August 15, 1945, with a normal service
2 retirement benefit, he may not qualify his military service
3 under subsection (1) of this section. However, a member who
4 is serving or has served in the military reserves with the
5 expectation of receiving a military service pension may
6 qualify his active military service under subsection (1) of
7 this section if his active duty in the armed forces of the
8 United States, including the first special service force or
9 the American merchant marine in oceangoing service during
10 the armed conflict, December 7, 1941, to August 15, 1945, is
11 not more than 25% of the total sum of all years of military
12 service including reserve and active duty time."

-End-

STANDING COMMITTEE REPORT

March 10, 1989

Page 1 of 3

Mr. Speaker: We, the committee on State Administration, having reconsidered SENATE BILL 356, report that SENATE BILL 356 (third reading copy -- blue) be concurred in as amended.

Signed: Jan Brown

Jan Brown, Chairman

[REP. O'KEEFE WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendments read:

1. Title, line 11.

Following: "10-2-101"

Insert: ", 10-2-401, 10-2-403, 10-2-501,"

2. Page 1, line 16.

Strike: "part"

Insert: "chapter"

3. Page 1, line 22.

Strike: ", including"

Insert: ". The term includes"

4. Page 1.

Following: line 25

Insert: "Section 2. Section 10-2-401, MCA, is amended to read:

"10-2-401. Location and function of home -- persons admitted. The institution at Columbia Falls is the "Montana veterans' home" and as its primary function provides home and subsistence for ~~honorably discharged~~ veterans. The department of institutions may also admit spouses or surviving spouses of ~~honorably discharged~~ veterans to the home if space allows."

Section 3. Section 10-2-403, MCA, is amended to read: "10-2-403. Eligibility for residence in home. To be eligible for residence in the Montana veterans' home under ~~the regulations~~ rules prescribed by the department of institutions, a person must be ~~an honorably discharged~~ a veteran or the spouse or surviving spouse of a veteran ~~who served in the armed forces of the United States~~. Consideration must also be given to:

- (1) the person's age;
- (2) the person's physical and mental status;
- (3) the person's ability or inability to locate suitable alternative accommodations;
- (4) the person's term of residence in Montana;
- (5) the person's gender as it relates to availability of appropriate living space;
- (6) the ability of the Montana veterans' home to meet the person's needs; and
- (7) ~~such~~ other admission requirements ~~as may be~~ established by the department."

Section 4. Section 10-2-501, MCA, is amended to read: "10-2-501. Burial allowance for military. (1) The board of commissioners of each county in this state shall designate a person in the county, preferably ~~an honorably discharged serviceman or servicewoman~~ a veteran, as veterans' burial supervisor.

(2) The veterans' burial supervisor shall cause to be decently interred the body of any ~~serviceman or servicewoman~~ veteran who is a resident of the state of Montana ~~and either:~~

~~(a) served in any branch of the armed services of the United States, was honorably discharged, and may hereafter die;~~

~~(b) is now serving and dies while so serving;~~

~~(c) died while in service during any declared or undeclared war; or~~

~~(d) is a resident of the Montana veterans' home at time of death.~~

(3) ~~Such~~ The burial ~~shall~~ may not be made in any burial grounds or cemetery or in any portion of any burial grounds or cemetery used exclusively for the burial of pauper dead.

(4) A sum not to exceed \$250 to defer burial ~~expense~~ ~~shall~~ expenses must be paid by the county commissioners of the county in which the ~~deceased~~ veteran was ~~an actual~~ a bona fide resident at the time of death.

(5) The burial benefits ~~hereof~~ are not available in the case of any ~~decedent~~ veteran whose executor, administrator, or heirs waive the benefits.

(6) Whenever burial is of a resident of the Montana veterans' home, a sum not to exceed \$250 to defer burial expenses ~~shall~~ must be paid by the county commissioners of the county in which the ~~deceased person~~ veteran resided prior to admittance to the Montana veterans' home.

(7) If a ~~person qualified under subsection (2) (a)~~ veteran dies while temporarily absent from the state or county of residence, the provisions of this section apply

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March 10, 1989
Page 3 of 3

and the burial expenses not exceeding the amount ~~herein~~ specified ~~shall~~ in this section must be paid in the same manner as ~~above~~ provided in this section.

(8) Whenever a ~~person qualified under subsection (2)(a)~~ veteran dies at any public institution of the state of Montana, other than the Montana veterans' home, and burial for any cause is not made in the county of the former residence of the ~~deceased~~ veteran, the officers of the state institution shall provide the proper burial ~~herein~~ prescribed in this section. The reimbursement for the expense of each burial may not exceed \$250. The expense ~~shall~~ must be paid by the county in which the ~~decedent~~ veteran resided at the time of entry into ~~such the~~ institution.

(9) ~~No such~~ A burial may not be covered by any special or standing contract whereby the cost of burial is reduced below the maximum ~~hereinbefore~~ amount fixed in this section, to the disparagement of proper interment."

Renumber: subsequent section

5. Page 3.

Following: line 12

Insert: "NEW SECTION. Section 6. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act]."

NEW SECTION. Section 7. Code commissioner instruction. Whenever the terms "serviceman or servicewoman", "deceased person", "deceased", or "deceased's" appear in Title 10, chapter 2, part 5, the code commissioner shall change the term to "veteran" or "veteran's".

SENATE BILL NO. 356

INTRODUCED BY MAZUREK, O'KEEFE, NATHE, WEEDING, WILLIAMS,
LYNCH, BOYLAN, HANNAH, GERVAIS

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE
DEFINITION OF "VETERAN" TO INCLUDE MEMBERS OF THE FIRST
SPECIAL SERVICE FORCE AND THE AMERICAN MERCHANT MARINE IN
OCEANGOING SERVICE DURING THE PERIOD OF ARMED CONFLICT,
DECEMBER 7, 1941, TO AUGUST 15, 1945; ALLOWING MEMBERS OF
THE FORCE AND MERCHANT MARINES TO QUALIFY MILITARY SERVICE
FOR FULL CREDIT IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM;
AND AMENDING SECTIONS 10-2-101, 10-2-401, 10-2-403,
10-2-501, AND 19-3-503, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 10-2-101, MCA, is amended to read:

"10-2-101. ~~Definition~~ Definitions. Unless the context
requires otherwise, in this part CHAPTER the following
definitions apply:

(1) "board" means the board of veterans' affairs
provided for in 2-15-1205; and

(2) "veteran" means an honorably discharged individual
who served on active duty, other than for training, with the
United States armed forces,--including. THE TERM INCLUDES
individuals who served with the first special service force

and the American merchant marine in oceangoing service
during the period of armed conflict, December 7, 1941, to
August 15, 1945."

SECTION 2. SECTION 10-2-401, MCA, IS AMENDED TO READ:

"10-2-401. Location and function of home -- persons
admitted. The institution at Columbia Falls is the "Montana
veterans' home" and as its primary function provides home
and subsistence for ~~honorably--discharged~~ veterans. The
department of institutions may also admit spouses or
surviving spouses of ~~honorably-discharged~~ veterans to the
home if space allows."

SECTION 3. SECTION 10-2-403, MCA, IS AMENDED TO READ:

"10-2-403. Eligibility for residence in home. To be
eligible for residence in the Montana veterans' home under
~~the--regulations~~ rules prescribed by the department of
institutions, a person must be ~~an-honorably-discharged a~~
veteran or the spouse or surviving spouse of a veteran who
~~served---in---the---armed---forces---of---the---United---States.~~
Consideration must also be given to:

- (1) the person's age;
- (2) the person's physical and mental status;
- (3) the person's ability or inability to locate
suitable alternative accommodations;
- (4) the person's term of residence in Montana;
- (5) the person's gender as it relates to availability

1 of appropriate living space;

2 (6) the ability of the Montana veterans' home to meet
3 the person's needs; and

4 (7) ~~such~~ other admission requirements ~~as--may--be~~
5 established by the department."

6 **SECTION 4. SECTION 10-2-501, MCA, IS AMENDED TO READ:**

7 "10-2-501. Burial allowance for military. (1) The
8 board of commissioners of each county in this state shall
9 designate a person in the county, preferably ~~an-honorably~~
10 ~~discharged--serviceman--or--servicewoman~~ a veteran, as
11 veterans' burial supervisor.

12 (2) The veterans' burial supervisor shall cause to be
13 decently interred the body of any ~~serviceman-or-servicewoman~~
14 veteran who is a resident of the state of Montana and
15 either:

16 ~~{a}--served--in-any-branch-of-the-armed-services-of-the~~
17 ~~United-States;--was-honorably-discharged;--and--may--hereafter~~
18 ~~die;~~

19 ~~{b}--is-now-serving-and-dies-while-so-serving;~~

20 ~~{c}--died--while--in--service--during--any--declared-or~~
21 ~~undeclared-war;--or~~

22 ~~{d}--is-a-resident-of-the--Montana--veterans'--home--at~~
23 ~~time-of-death.~~

24 (3) Such The burial ~~shall~~ may not be made in any
25 burial grounds or cemetery or in any portion of any burial

1 grounds or cemetery used exclusively for the burial of
2 pauper dead.

3 (4) A sum not to exceed \$250 to defer burial ~~expense~~
4 ~~shall~~ expenses must be paid by the county commissioners of
5 the county in which the ~~deceased~~ veteran was ~~an--actual~~ a
6 bona fide resident at the time of death.

7 (5) The burial benefits ~~hereof~~ are not available in
8 the case of any ~~decedent~~ veteran whose executor,
9 administrator, or heirs waive the benefits.

10 (6) Whenever burial is of a resident of the Montana
11 veterans' home, a sum not to exceed \$250 to defer burial
12 expenses ~~shall~~ must be paid by the county commissioners of
13 the county in which the ~~deceased--person~~ veteran resided
14 prior to admittance to the Montana veterans' home.

15 ~~.(7) If a person--qualified--under--subsection--{2}{a}~~
16 ~~veteran~~ dies while temporarily absent from the state or
17 county of residence, the provisions of this section apply
18 and the burial expenses not exceeding the amount ~~herein~~
19 specified ~~shall~~ in this section must be paid in the same
20 manner as ~~above~~ provided in this section.

21 (8) Whenever a ~~person--qualified--under--subsection~~
22 ~~{2}{a}~~ veteran dies at any public institution of the state
23 of Montana, other than the Montana veterans' home, and
24 burial for any cause is not made in the county of the former
25 residence of the ~~deceased~~ veteran, the officers of the state

1 institution shall provide the proper burial herein
 2 prescribed in this section. The reimbursement for the
 3 expense of each burial may not exceed \$250. The expense
 4 shall must be paid by the county in which the decedent
 5 veteran resided at the time of entry into such the
 6 institution.

7 (9) ~~No such~~ A burial may not be covered by any special
 8 or standing contract whereby the cost of burial is reduced
 9 below the maximum ~~hereinbefore~~ amount fixed in this section,
 10 to the disparagement of proper interment."

11 **Section 5.** Section 19-3-503, MCA, is amended to read:

12 "19-3-503. Election to qualify military service for
 13 full credit. (1) (a) A member with 10 years or more of state
 14 service qualified under this chapter may, at any time prior
 15 to retirement, make a written election with the board to
 16 qualify all or any portion of his active service in the
 17 armed forces of the United States, including the first
 18 special service force or the American merchant marine in
 19 oceangoing service during the period of armed conflict,
 20 December 7, 1941, to August 15, 1945, for the purpose of
 21 calculating retirement benefits, up to a maximum of 5 years,
 22 if he is not otherwise eligible to receive credit for this
 23 same service pursuant to 19-3-502.

24 (b) To qualify this service he must contribute to the
 25 retirement fund the amount determined by the board to be due

1 based on his compensation and normal contribution rate as of
 2 his 11th year and as many succeeding years as are required
 3 to qualify this service, with interest from the date he
 4 becomes eligible for this benefit to the date he so
 5 contributes. He may not qualify more of this service than he
 6 has state service in excess of 10 years.

7 (2) If a member has retired from active duty in the
 8 armed forces of the United States, including the first
 9 special service force or the American merchant marine in
 10 oceangoing service during the period of armed conflict,
 11 December 7, 1941, to August 15, 1945, with a normal service
 12 retirement benefit, he may not qualify his military service
 13 under subsection (1) of this section. However, a member who
 14 is serving or has served in the military reserves with the
 15 expectation of receiving a military service pension may
 16 qualify his active military service under subsection (1) of
 17 this section if his active duty in the armed forces of the
 18 United States, including the first special service force or
 19 the American merchant marine in oceangoing service during
 20 the armed conflict, December 7, 1941, to August 15, 1945, is
 21 not more than 25% of the total sum of all years of military
 22 service including reserve and active duty time."

23 **NEW SECTION. SECTION 6. EXTENSION OF AUTHORITY. ANY**
 24 **EXISTING AUTHORITY TO MAKE RULES ON THE SUBJECT OF THE**
 25 **PROVISIONS OF [THIS ACT] IS EXTENDED TO THE PROVISIONS OF**

SB 0356/02

1 [THIS ACT].

2 NEW SECTION. SECTION 7. CODE COMMISSIONER

3 INSTRUCTION. WHENEVER THE TERMS "SERVICEMAN OR

4 SERVICEWOMAN", "DECEASED PERSON", "DECEASED", OR

5 "DECEASED'S" APPEAR IN TITLE 10, CHAPTER 2, PART 5, THE CODE

6 COMMISSIONER SHALL CHANGE THE TERM TO "VETERAN" OR

7 "VETERAN'S".

-End-