

employee [shall not be] IS NOT entitled to the benefit of this article. SHOULD ANY BENEFITS PROVIDED BY THE FEDERAL GOVERNMENT BE LESS THAN THOSE PROVIDED BY THIS ARTICLE, THE [[EMPLOYER AND HIS]] STATE AND ITS INSURER SHALL FURNISH THE ADDITIONAL BENEFIT IN ORDER TO MAKE UP THE DIFFERENCE BETWEEN THE BENEFIT PROVIDED BY THE FEDERAL GOVERNMENT AND THE SIMILAR BENEFIT REQUIRED BY THIS ARTICLE.

(B) IF COMPENSATION UNDER THIS ARTICLE IS PAYABLE TO A MEMBER OF THE NATIONAL GUARD BASED UPON HIS AVERAGE WAGES, THE BASIS OF SUCH PAYMENT SHALL BE THE MINIMUM WAGE PROVIDED FOR IN ARTICLE 65, §32 OF THE CODE OR THE ACTUAL WAGES EARNED BY THE CLAIMANT IN NATIONAL GUARD EMPLOYMENT, WHICHEVER IS GREATER.

(C) Whenever by statute, charter, ordinances, resolution, regulation or policy adopted thereunder, whether as part of a pension system or otherwise, any benefit or benefits are furnished employees of employers covered under § 21 (a) (2) of this article, the dependents and others entitled to benefits under this article as a result of the death of such employees, the benefit or benefits when furnished by the employer shall satisfy and discharge pro tanto or in full as the case may be, the liability or obligation of the employer for any benefit under this article. [Should] IF any benefits so furnished [be] ARE less than those provided for in this article the employer shall [be liable to] furnish the additional benefit as will make up the difference between the benefit furnished and the similar benefit required in this article.

(D) The Commission [shall have full power to] MAY determine whether any benefit provided by the employer is equal to or better than any benefit provided for in this article, and to render an award against the employers to furnish additional benefit or benefits to make up the difference between the benefit furnished by the employers and the benefits required by this article as the case may be. This section [shall also be] IS ALSO subject to the continuing powers and jurisdiction of the Commission provided for in this article.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved May 17, 1976.