

Testimony in Opposition to House Bill 1398  
March 3, 2021  
Senate Industry, Business and Labor Committee  
Bill Wocken on behalf of the North Dakota League of Cities

Good Morning Mr. Chairman and members of the Senate Industry, Business and Labor Committee. For the record, my name is Bill Wocken and I am testifying in opposition to House Bill 1398 on behalf of the North Dakota League of Cities.

House Bill 1398 prohibits local political subdivisions from enacting regulations that require a family leave policy that is more liberal than state or federal law. While we are not aware of any city considering this type of action, the North Dakota League of Cities is opposed to state preemption of local policies and programs.

We feel that there should be a significant public interest that needs to be protected for any preemption to be considered. We do not see a significant issue at stake here and would therefore urge the committee not to recommend this preemptive measure.

It is difficult to craft measures that will serve all the communities in this state equally well. Some measures may have consequences that are not apparent today. That is why the League of Cities favors letting local government decide its own needs and put appropriate legislation in place. This same dilemma faces Congress as it attempts to legislate policy for all states. We all know how awkward and downright unworkable a law written to fix a California problem can be when applied to North Dakota. It is inevitable that some laws will need to apply universally but those occasions should be chosen carefully. We do not believe family leave is one of them.

We respectfully request a DO NOT PASS recommendation for House Bill 1398.