

2023 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1193

2023 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1193
1/19/2023

Relating to leave of absence without loss of pay for military duties.

Meeting called to order by **Chairmen Schauer at 9:01 AM**

Chairmen Austen Schauer, Vice Chairmen Bernie Satrom, Reps. Landon Bahl, Claire Cory, Jeff A. Hoverson, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, Mary Schneider. All present.

Discussion Topics:

- UTA- Unit Training Assembly
- MUTA- Multiple Unit Training Assembly
- 20 Days PTO

Representative Pyle- Testifies in favor. (Testimony #13985)

Jay Sheldon- Strategy & Policy Officer NDNG- Testifies in favor (Testimony #14381)

Lonnie Wangen- Commissioner- NDDVA- Testifies in favor (Testimony #13935)

Representative Schauer- Closed the hearing for HB 1193 at 9:23 AM

Phillip Jacobs, Committee Clerk by Risa Berube

2023 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1193
1/19/2023

Relating to leave of absence without loss of pay for military duties.

Meeting called to order by **Chairmen Schauer at 3:23 PM**

Members Present Chairmen Austen Schauer, Reps. Landon Bahl, Claire Cory, Jeff A. Hoverson, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, Mary Schneider.

Members not present: Vice Chairmen Bernie Satrom and Representee Steiner

Discussion Topics:

- Flexibility for PTO

Representative Vetter- Move a Do Pass

Representative Rep. Rohr- Seconds the motion.

Committee discussion

Roll Call Vote was taken:

| Representatives | Vote |
|---------------------------------|------|
| Representative Austen Schauer | Y |
| Representative Bernie Satrom | A |
| Representative Landon Bahl | Y |
| Representative Claire Cory | Y |
| Representative Jeff A. Hoverson | Y |
| Representative Jorin Johnson | Y |
| Representative Karen Karls | Y |
| Representative Scott Louser | Y |
| Representative Carrie McLeod | Y |
| Representative Karen M. Rohr | Y |
| Representative Mary Schneider | Y |
| Representative Vicky Steiner | A |
| Representative Steve Vetter | Y |

11-0-2 Motion Carries Representative McLeod will carry the bill.

Representative Schauer Closes the meeting for HB 1193 at 3:26 PM

Phillip Jacobs, Committee Clerk by Risa Berube

REPORT OF STANDING COMMITTEE

HB 1193: Government and Veterans Affairs Committee (Rep. Schauer, Chairman)
recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB
1193 was placed on the Eleventh order on the calendar.

2023 SENATE AGRICULTURE AND VETERANS AFFAIRS

HB 1193

2023 SENATE STANDING COMMITTEE MINUTES

Agriculture and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1193
3/2/2023

A BILL for an Act relating to leave of absence without loss of pay for military duties

12:33 PM Chairman Luick called the committee to order. Senators Weston, Weber, Luick, Myrdal, and Lemm were present. Senator Hogan absent.

Discussion Topics:

- Loss of pay
- Leave of absence
- Reallocation of military leave

12:34 PM Representative Pyle, Legislative Assembly, State Representative District 22, introduced the bill and testified in favor #21582.

12:36 PM Jay Sheldon, Strategy and Policy Officer, ND National Guard, testified in favor #21894.

12:42 PM Lonnie Wangen, Director, ND Department of Veterans Affairs, testified inf favor #21313.

12:44 PM Senator Weber, moved DO PASS HB 1193.

12:44 PM Senator Weston, seconded DO PASS HB 1193.

12:45 PM Roll Call Vote – DO PASS HB 1193.

| Senators | Vote |
|-----------------------|------|
| Senator Larry Luick | Y |
| Senator Janne Myrdal | Y |
| Senator Kathy Hogan | A |
| Senator Randy D. Lemm | Y |
| Senator Mark F. Weber | Y |
| Senator Kent Weston | Y |

Motion Passed 5-0-1. DO PASS HB 1193

12:45 PM Senator Weber will carry

12:45 PM Chairman Luick closed the hearing on HB 1193.

Dave Owen, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1193: Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1193 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

TESTIMONY

HB 1193

HB 1193

North Dakota Department of Veterans Affairs
Lonnie Wangen-Commissioner

1/19/2023

House Government and Veterans Affairs Committee
68th Legislative Session
Representative Schauer-Chair

Chairman Schauer and House Government and Veterans Affairs Committee,

Please accept this testimony in support of HB 1193

Intent of this bill:

Allow National Guard and Reserve employed by ND State and political subdivisions to utilize military leave for any military service.

Need for bill:

- National guard & Reserve training has increasingly been including Friday drills
- Many members drive several hours to get to their assigned military service location
- Support for national guard missions sometime requires extra duty day
- Missed or additional drill periods or can and many times are made up during regular workdays
- State and political subdivision employees may be scheduled to work on weekends or evenings
- Employees/military members should be able to determine which military time periods they wish to utilize their military leave
- National Guard and Reserve play an important role in protecting and serving ND and has increased over the last 2 decades placing more stress on its members personal, military and employment lives. Flexibility is important to address their needs

Outcome

- Improved flexibility and ability for employees to participate in National Guard and Reserve
- Improved recruiting and retention of Guard and Reserve members
- Improved recruiting and retention of state and political subdivision employees
- Improved working schedule and flexibility of employees
- Reduced unpaid, missed or unexcused absences in employment and military service
- Improve ability for employers to approve military leave absences. Less calls to Lonnie

Fiscal Note:

- None

Thank you for your consideration.

Lonnie Wangen Commissioner-NDDVA

Leave of absence without loss of pay for military duties
Rep. Brandy Pyle
House Government and Veteran Affairs Committee
January 19, 2023
9 a.m.

Good morning, Chair Schauer and GVA committee. I am State Representative Brandy Pyle from District 22. I am here today to introduce HB 1193.

The intent of this bill is to allow our servicemembers to utilize the 20 days of military leave during the normal training times. This comes as a request as training days or drill weekends are not just a Saturday and a Sunday, but in many cases now include Fridays. Current law only allows usage of the 20 days of military leave when activated or deployed. This change will allow access to the military leave for the longer drill periods.

Members of the committees, let me explain. We like acronyms so here we go!

UTA = Unit Training Assembly, MUTA=Multiple Unit Training Assembly

UTA = 4 hours so 2 MUTA = 8 hours = 1 day

MUTA 4 = 2 days (95% of the time SAT-SUN)

A unit generally gets 48 UTA per year and distribute them how they desire, **with approval from higher level commanders, to best meeting their training objectives**. Units that are slated for mobilization or scheduled to attend a major training exercise will often get additional funding for UTAs and/or Annual Training.

The ND Army National Guard has 50 units and during most months over half of them are doing a MUTA 5 or 6. In rough numbers that is 1,500 Soldiers.

The other issue that comes into play for the change in drill days by adding Friday, is that is a normal scheduled workday. Members may live in Fargo but drill in other communities across the state or vice versa.

In order to be there at 0800 or 1200 on a Friday, they are required to leave on probably a normal workday. Therefore, this proposed change to the military leave will allow our members to serve their communities and fulfill their training responsibilities.

I stand for questions, but I do know there are people behind me that understand the technicalities a lot better than I do that can answer those types of questions.

TESTIMONY OF
MAJOR JAY SHELDON
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
HOUSE GOVERNMENT AND VETERANS AFFAIRS
19 JANUARY 2023
HOUSE BILL 1193

Good morning, Chairman Schauer members of the committee, I am Jay Sheldon, Strategy and Policy Officer for the North Dakota National Guard (NDNG). I am here today to testify in support of House Bill 1193.

The North Dakota National Guard has many members that are state employees or employed by political sub-divisions that perform their duties under the rules of state employees. Regardless, they are all impacted by the current law that prevents them from using their military leave for drill weekends and other military duties like State Active Duty or the travel associated with military duties where orders are not produced.

Over the past couple of decades, the North Dakota National Guard along with other National Guards around the country have transitioned from the traditional 2-day drill periods to drill periods of 2.5 to 3 days, typically, Friday, Saturday, Sunday. The shift occurred mainly to make better use of the limited number of days we must train.

During a 2-day drill valuable time is spent taking care of administrative requirements and the final preparations for training events. By expanding training periods units can meet more of their admin and training objectives. By expanding drill periods units are also able to take a month off, typically during winter months with the intent to avoid having members travel during severe weather.

It is during these expanded drill periods or in the performance of other military duties that based on current law our members are not allowed to use their military leave, forcing them to use personal leave or un-paid leave.

Anecdotally we have heard that many of our members employed as law enforcement officers or in other emergency response professions are the most impacted by the current law. To the point that it influences their decision to continue their military career.

Granted, there are likely other contributing reasons for them to leave the National Guard, but this bill would go a long way to reduce obstacles while they serve the state and their communities in their civilian capacity and as a member of the North Dakota National Guard.

I ask for your support of HB 1193 and will stand by for any questions that you may have.

HB 1193

North Dakota Department of Veterans Affairs
Lonnie Wangen-Commissioner

3/02/2023

Senate Agriculture and Veterans Affairs Committee
68th Legislative Session
Senator Luick-Chair

Chairman Luick and Senate Agriculture and Veterans Affairs Committee,

Please accept this testimony in support of HB 1193

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Need for bill:

- National guard & Reserve training has increasingly been including Friday drills
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Fiscal Note:

- None

Thank you for your consideration.

Lonnie Wangen Commissioner-NDDVA



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Brandy Pyle

District 22
P.O. Box 337
Casselton, ND 58012-0337
bpyle@ndlegis.gov

COMMITTEES:
Appropriations

March 2, 2023

Good afternoon, Chair Luick and Agriculture and Veterans Affairs Committee. I am State Representative Brandy Pyle from District 22. I am here today to introduce HB 1193.

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TESTIMONY OF
MAJOR JAY SHELDON
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
SENATE AGRICULTURE AND VETERANS AFFAIRS
02 MARCH 2023
HOUSE BILL 1193

Good morning, Chairman Luick members of the committee, I am Jay Sheldon, Strategy and Policy Officer for the North Dakota National Guard (NDNG). I am here today to testify in support of House Bill 1193.

The North Dakota National Guard has many members that are state employees or employed by political sub-divisions that perform their duties under the rules of state employees. Regardless, they are all impacted by the current law that prevents them from using their military leave for drill weekends and other military duties like State Active Duty or the travel associated with military duties where orders are not produced.

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It is during these expanded drill periods or in the performance of other military duties that based on current law our members are not allowed to use their military leave, forcing them to use personal leave or un-paid leave.

Anecdotally we have heard that many of our members employed in emergency response professions that implement rotational shifts are the most impacted by the current law. The impact has been enough that it influences their decision to continue their military career.

Granted, there are likely other contributing reasons for them leaving the National Guard, but this bill would provide a tool to reduce obstacles while they serve the state and their communities in their civilian capacity and as a member of the North Dakota National Guard.

I ask for your support of HB 1193 and will stand for questions.