

Sixty-ninth
Legislative Assembly
of North Dakota

**SENATE BILL NO. 2198
with House Amendments**

SENATE BILL NO. 2198

Introduced by

Senators Boschee, Cleary, Meyer

Representatives Pyle, Satrom, Schneider

1 A BILL for an Act to amend and reenact section 37-01-25, subsection 1 of section 37-01-40, and
2 section 37-14-01.1 of the North Dakota Century Code, relating to national guard or federal
3 service leave of absence for state and political subdivision employees and the definition of
4 veteran; and to declare an emergency.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 37-01-25 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **37-01-25. Officers and employees of state or political subdivisions in national guard**
9 **or federal service to retain status for period of active service or any military duty.**

10 ~~All officers and employees of this state or of a political subdivision of this state who:~~

11 1. ~~Are members~~ For purposes of this section, "officer or employee" means:

12 a. A member of the national guard;

13 2. ~~Are members~~ A member of the armed forces reserve of the United States of
14 America;

15 3. ~~Shall be~~ An individual subject to call in the federal service by the president of the
16 United States; or

17 4. ~~Shall volunteer~~ An individual who volunteers for such federal service;

18 2. An officer or employee of the state or a political subdivision, when ordered by proper
19 authority to active noncivilian employment for any military duty, are entitled to a leave
20 of absence from such the civil service for the period of such the active service or
21 military duty including traveling to and from a duty station without loss of status or
22 efficiency rating.

- 1 a. An individual ~~who served in the armed forces of the United States on federal-~~
2 ~~active duty:~~
- 3 (1) ~~For reasons other than training and who has been discharged under other-~~
4 ~~than dishonorable conditions~~Defined as a veteran under subsection 1 of
5 section 37-01-40; or
- 6 (2) To whom the United States veterans administration has assigned a
7 service-connected disability rating;
- 8 b. Current members of the national guard or reserve; or
- 9 c. Former members of the national guard or reserve who have been discharged
10 under other than dishonorable conditions.
- 11 2. Subdivisions b and c of subsection 1 do not apply to section 37-14-14.

12 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.