

**2025 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1074**

## 2025 HOUSE STANDING COMMITTEE MINUTES

### GOVERNMENT VETERANS AFFAIRS COMMITTEE

PIONEER ROOM, STATE CAPITOL

HB 1074

1/10/2025

Relating to the operation and regulation of the North Dakota national guard
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9:15 a.m. Chairman Schauer called the meeting to order.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, Brown, Christy, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

#### Discussion Topics:

- Updated language to match federal law.
- Title 37 update.
- Uniform code of military justice.
- State's service member Civil Relief Act.

9:15 a.m. Chris Martens Attorney for the National Guard, testified in favor and submitted testimony in favor #28230.

9:21 a.m. Chairman Schauer closed the hearing.

9:21 a.m Representative Christy moved a Do Pass.

9:21 a.m. Representative McLeod seconded the motion.

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	Y
Representative Collette Brown	Y
Representative Josh Christy	Y
Representative Karen Grindberg	Y
Representative Karen Karls	Y
Representative Carrie McLeod	Y
Representative Karen Rohr	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y
Representative Christina Wolff	Y

9:23 a.m. Motion passed 14-0-0.

Representative VanWinkle will carry the bill.

9:23 a.m. Chairman Schauer closed the meeting.

*Jackson Toman, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**HB 1074 ([25.8099.01000](#))**

**Government and Veterans Affairs Committee (Rep. Schauer, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1074 was placed on the Eleventh order on the calendar.

TESTIMONY OF  
MR. CHRISTOPHER MARTENS  
NORTH DAKOTA NATIONAL GUARD  
BEFORE THE  
HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE  
10 JANUARY 2025  
HOUSE BILL 1074

Good morning Chairman Schauer and members of the committee, My name is Chris Martens, I am an Attorney for the Office of the Adjutant General. I am here today to testify in support of House Bill 1074. This bill contains updates to Title 37 regarding our operations.

In State v. Julson the North Dakota Supreme Court held that while the State can incorporate federal law by reference, it can only adopt federal law in existence at the time of the enactment of the state law. Therefore, when there is a change to a referenced federal law, we must come back to update the State's law to reflect the most current federal law.

Section 1 of the bill updates N.D.C.C. 37-01-03 to incorporate the most current version of the Uniform Code of Military Justice, which is included within the Manual for Courts-Martial. The Manual for Courts-Martial was published in 2024. This amendment is necessary to update state law to reflect changes to the Uniform Code of Military Justice passed into federal law since 2019.

Section 2 of the bill incorporates the updates to federal Servicemember Civil Relief Act. This change will bring the section up to date with current federal law which was most recently updated in December of 2023.

I ask for your support of HB 1074 and I will stand for any questions that you may have.

**2025 SENATE AGRICULTURE AND VETERANS AFFAIRS**

**HB 1074**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Agriculture and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1074  
2/14/2025

A bill relating to the operation and regulation of the ND national guard.
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11:00 a.m. Chairman Luick opened the hearing.

Members present: Chairman Luick, Senator Marcellais, Senator Weber, Senator Lemm

Members absent: Senator Weston and Vice-Chair Myrdal

### Discussion Topics:

- Disciplinary enforcements
- Federal statue language
- Non-judicial punishment
- Uniform Code of Military Justice
- Non-serious disciplinary infractions
- Due process rights
- Service Member Civil Relief Act

11:00 a.m. Chris Martens, Attorney Advisor with the Office Attorney General testified in favor and submitted testimony #37657.

11:06 a.m. Chairman Luick closed the hearing.

11:06 a.m. Senator Lemm moved a Do Pass.

11:06 a.m. Senator Weber seconded the motion.

Senators	Vote
Senator Larry Luick	Y
Senator Janne Myrdal	A
Senator Randy D. Lemm	Y
Senator Richard Marcellais	Y
Senator Mark F. Weber	Y
Senator Kent Weston	A

Motion passed 4-0-2.

Senator Luick will carry the bill.

11:08 a.m. Chairman Luick adjourned the meeting.

*Audrey Oswald, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**HB 1074 ([25.8099.01000](#))**

**Agriculture and Veterans Affairs Committee (Sen. Luick, Chairman)** recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). HB 1074 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.



TESTIMONY OF  
MR. CHRISTOPHER MARTENS  
NORTH DAKOTA NATIONAL GUARD  
BEFORE  
SENATE AGRICULTURE AND VETERANS AFFAIRS  
14 FEBRUARY 2025  
HOUSE BILL 1074

Good morning Chairman Luick and members of the committee, My name is Chris Martens, I am an Attorney for the Office of the Adjutant General. I am here today to testify in support of House Bill 1074. This bill contains updates to Title 37 regarding our operations.

In State v. Julson the North Dakota Supreme Court held that while the State can incorporate federal law by reference, it can only adopt federal law in existence at the time of the enactment of the state law. Therefore, when there is a change to a referenced federal law, we must come back to update the State's law to reflect the most current federal law.

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