

**2025 HOUSE INDUSTRY, BUSINESS AND LABOR**

**HB 1495**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Industry, Business and Labor Committee Room JW327C, State Capitol

HB 1495  
2/10/2025

A BILL for an Act to amend and reenact section 54-03-27 of the North Dakota Century Code, relating to leaves of absence from employment for members of the legislative assembly

9:02 a.m. Chairman Warrey opened the meeting.

Members Present: Chairman Warrey, Vice Chairman Ostlie, Vice Chairman Johnson, Representatives Bahl, Brown, Christy, Finley-DeVille, Grindberg, Kasper, Koppelman, D. Ruby, Schatz, Schauer, Vollmer

Member Absent; Representative Christy

### Discussion Topics:

- Protecting employment rights
- Employee minimum caps
- Small business impact
- Burden on employers

9:03 a.m. Representative Austin Foss, District 44, Fargo, ND introduced, testified and submitted testimony #36302.

Andrea Pfennig, Vice President, Government Affairs, GREATER North Dakota Chamber (GNDA, testified in opposition and submitted testimony #36498.

9:21 a.m. Representative Schauer moved Do Not Pass.

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

Representatives	Vote
Representative Jonathan Warrey	Y
Representative Mitch Ostlie	Y
Representative Landon Bahl	N
Representative Collette Brown	N
Representative Josh Christy	AB
Representative Lisa Finley-DeVille	N
Representative Karen Grindberg	Y
Representative Jorin Johnson	Y
Representative Jim Kasper	Y
Representative Ben Koppelman	AB
Representative Dan Ruby	Y
Representative Mike Schatz	Y
Representative Austin Schauer	Y

Representative Daniel R. Vollmer	Y
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Motion passed 9-3-2.

9:27 a.m. Representative Schauer will carry the bill.

**Additional written testimony:**

Heather Tyulyandin, West Fargo, ND, submitted testimony in favor #36276.

Mariah Raulston, Bismarck, ND, submitted testimony in favor #36469.

Faye Seidler, Moorhead, MN, submitted testimony in favor ##36478.

9:25 a.m. Chairman Warrey closed the meeting.

*Diane Lillis, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**HB 1495 ([25.0713.02000](#))**

**Industry, Business and Labor Committee (Rep. Warrey, Chairman)** recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1495 was placed on the Eleventh order on the calendar.

Chairman Warrey and Members of the Committee,

I want to ask for particular attention to my testimony from member Representative Koppelman, as you represent my district and I am your constituent. I am writing testimony in favor of HB 1495 to support requiring businesses to hold jobs for employees who run for office and win their elections and not discriminate against potential employees who are running for office. This is a necessary and important update to our century code for a few reasons. First, with upcoming term limits and the turnover of many legislators' seats, the state will be looking for many candidates to fill these vacant seats. In rural areas, many incumbent legislators have run unopposed for years because of a lack of candidates who are willing to or are able to step up and run for office. This problem will become glaringly obvious when rural legislators hit their term limits and the districts struggle to come up with candidates. Rural areas come with limited job opportunities and if someone is going to lose perhaps their only job option in their town or county, they will not be likely to run for office because they would lose their means to support themselves. This could cause huge issues for our state if we are unable to fill vacant seats due to a lack of candidates.

The second reason is that there are many professionals either just starting their careers or long into them who cannot afford to lose their job, but want to engage with the civic process of the state. If they already have a start on their career, why should they be forced to abandon it just to serve their fellow citizens? Because this law does not already exist, there are many working people who currently cannot run for office because they are unable to lose their position and the work they have put into their career. They should not be forced to wait until retirement, if they are fortunate enough to live that long, to run for office. We need more young professionals in our legislature to bring their experiences and

perspectives to the state. If we want to continue building our workforce, we need people who are boots on the ground in it to help inform the policies we implement and they need to come from a variety of industries for a fuller perspective. And if we want our high school and college graduates to stay in the state, having young professionals in the legislature will help us to meet the needs of the younger populations. It is only right that we create opportunities for anyone to access running for office if they so choose, not just those who are self employed, farmers, realtors, or retirees, as much of the current legislature is. While these are not bad things to be or bad perspectives to be had, they should not be the only ones even possible.

Third, the disallowing of discriminating against someone in a hiring process if they disclose or the hiring manager is aware of their candidacy for state office is important to allow people to find jobs they are qualified for and would enjoy or take pride in, but lose out on because they are also pursuing a passion to serve their state. I experienced this last summer after graduating with my master's degree from NDSU. I was on the ballot while interviewing with multiple places and I chose to voluntarily disclose during my interviews that I was seeking public office. I wanted to be up front and honest so they could see I was someone with integrity. All of these jobs ended up choosing someone else for the role. While I can't be certain that it was the disclosure, nor would I be so bold as to assume I was the best candidate every time, it did feel like disclosing was not working in my favor. In the job that did hire me in late June, I opted not to disclose during my interview that I was on the ballot. This was after the primary election, and I had an online presence so I decided I would be honest if asked about it. It never came up, and it wasn't until a week into the job that I told anyone I was seeking office. This was a surprise to everyone, and then conversations turned to what would happen if I won the seat and would I be allowed to remain on staff. I lost my

election so nothing came of it, but it was interesting to see that the one time I decided not to mention it, I was finally hired. This should not have been my reality, nor should it be the reality of anyone else moving forward. Businesses may not want to deal with the what ifs of someone they are considering hiring winning elected office, but they should not be allowed to count that against anyone. If the person is the right candidate for the job, they should be hired, and their public service viewed as a good thing and not a hindrance. They should not have to decide between being honest about their candidacy or finding gainful employment in our state. It does not benefit the legislature, it does not benefit the citizens, and it does not benefit our workforce.

Public service isn't always convenient or easy, but we need fellow citizens to step up and do it anyway. We should enable them to have or find a job while running for office or serving in the legislature so they can enjoy employment in the majority of the time that they are not in session. People want to be able to pay their bills and have a place to live, but they may also want to pursue civic service out of a sense of duty to their country or a passion for serving others. The citizens of North Dakota should be able to do both. Please give a Do-Pass Recommendation on HB 1495, and work with your fellow House members to pass the bill so our legislature can continue to be full, have new ideas and perspectives, and serve our great state.

Thank you,

Heather Tyulyandin

West Fargo - District 16

**Representative Austin Foss**  
**Testimony in Support of HB 1495**

Chairman Warrey and Members of the Committee,

I am here to emphasize the critical role that this bill plays in preserving the foundation of North Dakota's citizen-led legislature.

North Dakota has always been a state where governance is rooted in the values and voices of its people. Our legislature was designed to be made up of everyday citizens—farmers, teachers, factory workers, engineers and community leaders—not career politicians. This principle ensures that our government reflects the real-world experiences and challenges faced by our residents.

However, the ability for citizens to serve in the legislature is increasingly hindered by systemic barriers. Time commitments, financial burdens, and the fear of losing employment deter many talented individuals from stepping forward to serve. This bill reduces those barriers by protecting employment rights that are currently extended to those employed by the state and ensures that all North Dakotans are not penalized for taking part in the legislative process. These protections also mirror those we have given our active duty military members through the Uniformed Services Employment and Reemployment Rights Act of 1994.

We need to do more than simply encourage participation; we must actively create an environment that welcomes varied insights and skills. Term limits will place a greater responsibility on us to recruit and support new voices. This legislation helps foster a culture where public service is seen as a duty that is both accessible and honorable, rather than an unattainable goal for many.

By passing this bill, we send a clear message: North Dakota values its citizen-legislators and recognizes the importance of making public service an achievable aspiration for all.

Thank you for your consideration, and I will stand for questions.



# Occupation Breakdown

Occupation	Lawmaker	State
Management Occupations	19.15%	5.84%
Business and Financial Operations	6.38%	4.76%
Computer and Mathematical Occupations	0.71%	1.87%
Architecture and Engineering Occupations	1.42%	1.41%
Life, Physical, and Social Science Occupations	1.42%	0.98%
Community and Social Services Occupations	1.42%	1.29%
Legal Occupations	4.26%	0.53%
Education Instruction and Library Occupations	3.55%	5.80%
Arts, Design, Entertainment, Sports, and Media Occupations	0.71%	1.25%
Healthcare Practitioners and Technical Occupations	3.55%	6.53%
Healthcare Support Occupations	0.00%	4.42%
Protective Service Occupations	2.13%	1.81%
Food Preparation and Serving Related Occupations	0.00%	8.35%
Building and Grounds Cleaning and Maintenance Occupations	2.13%	3.21%
Personal Care and Service Occupation	1.42%	3.06%
Sales and Related Occupations	2.84%	8.47%
Office and Administrative Support Occupations	2.13%	11.13%
Farming, Fishing, Forestry, Occupations	19.86%	0.25%
Construction and Extraction Occupations	2.13%	7.67%
Installation, Maintenance, and Repair Occupations	0.71%	5.47%
Production Occupations	0.71%	5.66%
Transportation and Material Moving Occupations	2.13%	10.24%

Testimony in Favor of HB 1495

Industry, Business and Labor Committee- February 10, 2025

Chair Warrey and members of the Industry, Business, and Labor Committee, my name is Mariah Ralston and I'm writing in support of HB 1495. Thank you for the opportunity to submit testimony.

I work as a librarian, and for myself and many of my colleagues, running for the Legislature is not possible if we want to keep our current positions. Many of us would not be guaranteed the possibility of work leave for the purpose of serving in the Legislature. This bill would help open the door to the possibility of a more accurate representation of North Dakota society in the Legislature. Enabling a broader expertise in a greater variety of professions would enable the Legislature to introduce legislation that speaks directly to the needs of North Dakotans.

I strongly urge you to support HB 1495 with a Do Pass recommendation.

Thank you for your consideration of my testimony.

Mariah Ralston

**House Industry, Business, and Labor Committee**  
**Feb 10th, 2025 HB 1495**  
**Testimony in Support**

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Dear Chair Warrey and the members of the Industry, Business, and Labor Committee,

I urge a "Do Pass" on HB 1495.

I did some research into the occupational make-up for our lawmakers compared to the general population, [which can be found here](#). What we can see is that by the numbers there are large parts of the population that are not represented within our law making body, because they work jobs that make that virtually impossible.

While our law making body does not need to look any particular way, this information does show that representational government is very much out of reach for many working North Dakotans, who deserve a fair chance as representing the state without losing their job in the process.

While employers may disagree with added protections, we are only talking about the possibility of three people per district to have these protections and only if they win an election. This impact would be significantly less than what we already allow for military service and accomplish the same goal of allowing people to serve our government without sacrificing their jobs and careers.

I personally believe this would be an enormous benefit to our state and give us access to folks who actually live and work the policy we decide on.

Thank you for your time, consideration, and service to our state,  
Faye Seidler

**GREATER NORTH DAKOTA CHAMBER**  
**HB 1495**  
**House Industry Business & Labor Committee**  
**Chair Jonathan Warrey**  
**Feb. 9, 2025**

Mr. Chairman and members of the Committee, my name is Andrea Pfennig, Vice President of Government Affairs for the Greater North Dakota Chamber. GNDC is North Dakota's largest statewide business advocacy organization, with membership represented by small and large businesses, local chambers, and trade and industry associations across the state. We stand in **opposition** of House Bill 1495.

GNDC believes the Legislature should defend against regulations and policies that are detrimental to the advancement of North Dakota's economy by opposing regulatory and legislative changes and mandates that would increase business burdens and costs. HB 1495 will increase employer burdens and costs by mandating employee leave for employees that serve in the legislature, regardless of industry or business need.

While we understand the intent, this bill raises a number of issues.

- Small businesses could be significantly impacted. They may not be able to find temporary employees available to cover for the employees serving in the legislature.
- Rural employers may be more negatively impacted than urban employers as there is a smaller hiring pool.
- There is significant time and expense to hire, onboard, and train an employee to perform their job function independently. To have someone fill the position for only four months would be ineffective and add considerable cost to employers.
- Critical industries with 24/7 operations such as healthcare, oil and gas, and mining, often require employees with a highly specialized skill set. Finding a replacement for the time that the employee is serving in the legislature may be especially difficult.
- It is unclear how interim committee meetings would be treated under this bill. Would employers be required to grant leave for those meetings as well?

However, the most important consideration is that labor availability has been identified as the top business concern facing companies in North Dakota. In our 2024 ND Economics and Employer Survey of our membership, 70% of respondents indicated they were having trouble hiring employees. This bill would place additional hardship on employers that are already struggling to fill positions.

We are grateful for those who serve in the legislature and encourage employers to work with employees who are interested, but a mandate like this would put employers in an untenable position. GNDC urges a Do Not Pass recommendation on HB 1495.