

HOUSE BILL NO. 1056

Introduced by

Government and Veterans Affairs Committee

(At the request of the Adjutant General)

1 A BILL for an Act to amend and reenact sections 37-07-05 and 37-04-08 of the North Dakota
2 Century Code, relating to pay of national guard members when called to state active duty; and
3 to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 37-07-05 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **37-07-05. Pay and allowances of enlisted national guard members - Deductions**
8 **allowed.**

9 Each enlisted member of the national guard, when called into active service by the
10 governor, shall receive pay at the rate provided for enlisted personnel of similar grade, rating,
11 and term of enlistment in the national guard of the United States, except that such daily pay rate
12 for each of the grades hereafter listed must be increased by the percentage set forth after such
13 grade as follows:

- | | | |
|----|--------|-----|
| 14 | 1. E-3 | 55% |
| 15 | 2. E-4 | 45% |
| 16 | 3. E-5 | 35% |
| 17 | 4. E-6 | 25% |
| 18 | 5. E-7 | 15% |
| 19 | 6. E-8 | 10% |

20 Each enlisted member shall also receive transportation, shelter, and subsistence. The value of
21 articles issued to any member of a company or battery and not returned in good order on
22 demand, and all legal fines or forfeitures, may be deducted from the member's pay. Each
23 enlisted member shall also receive a state active duty pay enhancement of one hundred dollars

1 for every fourteen consecutive days spent on state active duty. Pay at an annual encampment
2 must be such as is allowed by federal law.

3 **SECTION 2. AMENDMENT.** Section 37-04-08 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **37-04-08. Pay received by ~~personnel~~commissioned officers of the national guard.**

6 Every commissioned officer of the national guard shall receive from this state, while
7 engaged in any service ordered by the governor, pay and allowances at the rate allowed by law
8 to officers of similar rank and length of service in the United States army. Each commissioned
9 officer of the national guard shall also receive a state active duty pay enhancement of one
10 hundred dollars for every fourteen consecutive days spent on state active duty. The adjutant
11 general and deputy assistant adjutant general when receiving salary from the state and not on
12 active duty in a federal status shall receive such compensation as may be appropriated by the
13 legislative assembly for that purpose, provided that when the adjutant general receives
14 compensation from the government of the United States as director of selective service, such
15 compensation must be deducted from the compensation otherwise due the adjutant general
16 from the state and the adjutant general may be paid from state funds only the difference, if any,
17 between the compensation from the United States and the compensation provided in this
18 section.

19 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.