

HOUSE BILL NO. 1109

Introduced by

Representative Cory

1 A BILL for an Act to amend and reenact section 37-01-01 of the North Dakota Century Code,
2 relating to military definitions.

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

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

6 **37-01-01. Definitions.**

7 In this title, unless the context otherwise requires:

- 8 1. "Active militia" means the organized and uniformed military forces of this state known
9 as the "North Dakota national guard" and the reserve militia when called to active
10 service.
- 11 2. "Active service" means state active duty in case of public disaster, riot, tumult, breach
12 of the peace, resistance of process, or the threat thereof, whenever called in aid of
13 civil authorities, or under martial law, or at encampments, whether ordered by state or
14 federal authorities, and includes the performance of any other duty requiring the entire
15 time of the organization or person, except when called or drafted into the federal
16 service by the president of the United States. The term includes service in case of, or
17 to prevent, insurrection, riot, or invasion under the order of the commander in chief
18 communicated through proper military channels.
- 19 3. "Adjutant general coin" means a coin or medallion bearing the state's adjutant
20 general's organization insignia or emblem.
- 21 4. "Armed forces" means army, marine corps, navy, air force, space force, and coast
22 guard.
- 23 5. "Disaster response coin" means a coin or medallion bearing a design to commemorate
24 the response during a state disaster or emergency.

- 1 6. "Military" means armed forces.
- 2 ~~5-7.~~ "Military forces of this state" means those individuals in the active militia.
- 3 ~~6-8.~~ "Militia" means a group of individuals defined in the Constitution of North Dakota.
- 4 ~~7-9.~~ "National guard" means that part of the military forces of this state which is organized,
5 equipped, and federally recognized under the provisions of the National Defense Act,
6 as amended, of the United States as the "national guard, air national guard, of the
7 United States and the state of North Dakota". The term includes also the term
8 "national guard of the state of North Dakota".
- 9 ~~8-10.~~ "On duty" includes periods of drill and of such other training and service as may be
10 required under state or federal law, regulation, or order.
- 11 ~~9-11.~~ "Reserve militia" consists of all those individuals who are subject to service in the
12 active militia and who are not serving in the national guard of this state.
- 13 ~~10-12.~~ "State active duty" means active service on behalf of the state under authority of the
14 governor at the expense of the state.
- 15 ~~11-13.~~ "State defense force" means the group of individuals in the reserve militia in state
16 active duty under chapter 37-12.1.
- 17 14. "Uniformed services" means the armed forces, national oceanic and atmospheric
18 administration commissioned officer corps, and the commissioned corps of the United
19 States public health service.