



PATRICK TESTIN

STATE SENATOR

DATE: February 14, 2018
RE: **Testimony on 2017 Assembly Bill 943**
TO: The Assembly Committee on State Affairs
FROM: Senator Patrick Testin

Mr. Chairman and fellow Committee Members, thank you for allowing me to testify today on behalf of Assembly Bill 943.

Assembly Bill 943 makes changes to existing state statutes for National Guard and state defense force members activated on state active duty. This legislation updates statutes as it relates to death benefits, reemployment rights and continuation pay benefits for these individuals.

AB 943 requires the Department of Military Affairs (DMA) to pay a death gratuity in the amount of \$100,000 to the designated beneficiary of a member of the National Guard or state defense force who dies from an accidental injury while performing duties relating to their employment on state active duty. Currently, uniformed service members who die while in a federal duty status qualify for a \$100,000 death gratuity. However, generally, National Guard members who die while serving on state active duty or during normal training receive no such benefit.

Furthermore, across the nation, National Guard members called to state active duty are not guaranteed reemployment rights with employers. In Wisconsin, nonresident National Guard Members are not guaranteed reemployment rights with Wisconsin employers when returning from state active duty, with statutes mandating that a service member be a resident of the state to receive reemployment protections. AB 943 would extend eligibility for reemployment rights of individuals returning from active state service to non-state residents and to individuals whose active state service occurred in a territory of the United States.

Lastly, AB 943 requires the Department of Military Affairs (DMA) to continue paying a member of the National Guard or state defense force who is injured while on state duty at a rate that is equal to the rate of pay the member was receiving at the time of the injury.

This legislation ensures that National Guard and state defense force members, and their families, are protected when they are on state active duty. Thank you again for listening to my testimony and I hope that you will join me in supporting this bill.



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Chairman Swearingen and Committee Members,

Thank you for allowing me to testify today on Assembly Bill 943.

The idea around this bill is to ensure that National Guard and state defense force members, along with their families are protected while they are on state active duty.

Assembly bill 943 will make changes to state statutes regarding National Guard and state defense force members, and does 3 main things:

First; AB 943 will Require Department of Military Affairs to continue paying a member of the National Guard or state defense force member who is injured while serving on state duty. That pay must be equal to the pay they were receiving at the time of their injury.

Second; It will guarantee reemployment with an employer for both Wisconsin residents and non-resident National Guard Members upon their return back from stateside duty.

And Lastly; AB 943 will require Department of Military Affairs to pay a death gratuity at the amount of one hundred thousand dollars to the designated beneficiary member of the National Guard or state defense force member who dies from an accidental injury related to state active duty.

I want to thank you all again for hearing my testimony, I hope you will join me in supporting this bill.