

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1030

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to authorize and restrict local authority to regulate the smoking of tobacco products in the workplace; to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to the smoking of tobacco products in state-owned or state-leased buildings; to amend and reenact section 34-06-03 of the North Dakota Century Code, relating to the authority of the labor commissioner to regulate the smoking of tobacco products in the workplace; and to provide for application.

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

**SECTION 1. AMENDMENT.** Section 34-06-03 of the North Dakota Century Code is amended and reenacted as follows:

**34-06-03. Commissioner may adopt standards by rule.**

1. The commissioner may ascertain and prescribe by rule:
  - ~~4-~~ a. Standards of hours of employment for employees and what are unreasonably long hours for employees in any occupation within this state.
  - ~~2-~~ b. Standards of conditions of labor for employees in any occupation within this state and what surroundings or conditions, sanitary or otherwise, are detrimental to the health or morals of employees in any such occupation.
  - ~~3-~~ c. Standards of minimum wages for employees in any occupation in this state.
  - ~~4-~~ d. Standards of minimum wages for minors in any occupation within this state and what wages are unreasonably low for any such minor workers.
2. Notwithstanding subsection 1, the commissioner may not adopt rules with respect to restrictions on the smoking of tobacco products in the workplace.

**SECTION 2. Local authority - Smoking restrictions - Exceptions.** The governing body of a political subdivision may adopt, by resolution, ordinance, or order, regulations regarding the smoking of tobacco products in the workplace. The governing body may not adopt regulations with respect to the smoking of tobacco products in tobacco retail stores, livestock auction markets, truckstops, or in or on the grounds of hospitals licensed under chapter 23-16.

**SECTION 3.** A new section to chapter 54-06 of the North Dakota Century Code is created and enacted as follows:

**Smoking prohibited in or near state buildings - Exceptions.** Except for the buildings and grounds of any hospital operated by the state and buildings and grounds under the control of the state board of higher education, the smoking of tobacco products in buildings owned or leased by the state and on the grounds of those buildings is prohibited.

**SECTION 4. APPLICATION.** Section 2 of this Act applies to ordinances, resolutions, and orders in effect on the effective date of this Act or after the effective date of this Act."

Renumber accordingly