

Fifty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2337

Introduced by

Senators Mathern, Andrist, Bercier

Representatives Kaldor, Potter

1 A BILL for an Act to create and enact two new sections to chapter 14-02.4 of the North Dakota
2 Century Code, relating to the creation of a commission on human rights within the department
3 of labor.

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

5 **SECTION 1.** Two new sections to chapter 14-02.4 of the North Dakota Century Code
6 are created and enacted as follows:

7 **Commission on human rights - Membership.** The North Dakota commission on
8 human rights is created within the department. The commission consists of seven members
9 appointed by the governor, with the consent of the senate, for terms of four years. Of the first
10 members appointed, two must be appointed for terms of two years and two must be appointed
11 for terms of three years. In making the first two appointments to the commission, the governor
12 shall appoint one member to represent the business community and one member to represent
13 state or local government entities. The governor shall make all subsequent appointments in
14 such a manner that there is at all times one member of the commission representing the
15 business community, one member of the commission representing state or local government
16 entities, and five members of the commission from the community at large. The membership of
17 the commission must at all times be composed of at least four members who are members of
18 groups of people who have been or who might be discriminated against because of race, color,
19 religion, sex, national origin, age, physical or mental disability, or status with respect to
20 marriage or public assistance. Appointments must be made to provide geographical area
21 representation insofar as may be practicable, and no more than four members may belong to
22 the same political party. Vacancies must be filled by the governor by appointment, with the
23 consent of the senate, and the term of a commissioner appointed must be for the unexpired
24 part of the term for which the commissioner is appointed. Any commissioner may be removed

1 from office by the governor for misconduct, incompetence, or neglect of duty. Members of the
2 commission who are not state employees are entitled to mileage and expenses as provided by
3 law for state officers and employees. A state employee who is a member of the commission
4 must receive that employee's regular salary and is entitled to mileage and expenses, to be paid
5 by the employing agency.

6 **Powers and duties of commission.** The commission may:

- 7 1. Investigate and study the existence, character, causes, and extent of
8 discriminatory practices as defined in this chapter and chapter 14-02.5 and
9 formulate plans for the elimination of discriminatory practices by educational or
10 other means.
- 11 2. Issue publications and reports of investigations and research as in the
12 commission's judgment will tend to promote good will among the various racial,
13 religious, age, and ethnic groups of the state and which will tend to minimize or
14 eliminate discriminatory practices as specified by this chapter and chapter 14-02.5.
- 15 3. Prepare and transmit annually a report accounting to the governor for the efficient
16 discharge of all responsibilities assigned by law or directive to the commission.
- 17 4. Recommend policies to the governor and submit recommendations to persons in
18 the private sector to effectuate those policies.
- 19 5. Make recommendations to the legislative assembly for legislative action
20 concerning discrimination as it may determine necessary and desirable.
- 21 6. Cooperate, within the limits of any appropriations made for its operation, with other
22 agencies or organizations whose purposes are consistent with those of this chapter
23 and chapter 14-02.5, in the planning and conducting of educational programs
24 designed to eliminate racial, religious, cultural, age, and intergroup tensions.
- 25 7. Intervene in racial, religious, cultural, age, and intergroup tensions or conflicts for
26 the purpose of informal mediation using alternative dispute resolution techniques.
27 The intervention may be made in cooperation with other agencies or organizations
28 whose purposes are consistent with this chapter and chapter 14-02.5.