

Introduced by

Industry, Business and Labor Committee

(At the request of the Labor Commissioner)

1 A BILL for an Act to amend and reenact section 14-02.4-22 of the North Dakota Century Code,
2 relating to the duties and powers of the labor department relating to human rights enforcement.

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

4 **SECTION 1. AMENDMENT.** Section 14-02.4-22 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **14-02.4-22. Duties and powers of department.**

- 7 1. The department shall receive and investigate complaints alleging violations of this
8 chapter. The department shall emphasize conciliation to resolve complaints.
- 9 2. For the purpose of thoroughly investigating a complaint, the department may
10 require the attendance of a witness and the production of a book, record,
11 document, data, or other object at any hearing or with reference to any matter the
12 department has the authority to investigate. If under this subsection a witness fails
13 or refuses to appear or to produce, the department may issue a subpoena to
14 compel the witness to appear or a subpoena duces tecum to compel the witness to
15 appear and produce a relevant book, record, document, data, or other object.
- 16 3. If a person refuses to obey a subpoena, the district court, upon application by the
17 department, may issue to the person an order requiring that person appear and
18 give evidence or otherwise produce documentary evidence requested by the
19 department regarding the matter under investigation.
- 20 4. A witness who is subpoenaed under this section and who appears at a hearing or
21 whose deposition is taken is entitled to receive the same fees and mileage as a
22 witness in a civil case in district court.
- 23 5. The department may adopt rules necessary to implement this chapter.

- 1 6. Within the limits of legislative appropriations, the department shall foster
2 prevention of discrimination under this chapter through education for the public,
3 employers, providers of public accommodations or services, and commercial
4 lenders on the rights and responsibilities provided under this chapter and ways to
5 respect those protected rights. ~~The department shall emphasize conciliation to~~
6 ~~resolve complaints.~~
- 7 7. The department shall publish in even-numbered years a written report
8 recommending legislative or other action to carry out the purposes of this chapter.
9 The department shall conduct studies relating to the nature and extent of
10 discriminatory practices in this state.