

LABOR AND EMPLOYMENT

CHAPTER 317

SENATE BILL NO. 2249

(Senators Hogue, Larsen, Vedaa)
(Representatives Nathe, Roers Jones, Vetter)

AN ACT to create and enact a new chapter to title 34 of the North Dakota Century Code, relating to the efficiency of administration of occupational boards; to provide for a report to the legislative management; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new chapter to title 34 of the North Dakota Century Code is created and enacted as follows:

Definitions.

1. "Board" means an occupational or professional board established under title 43.
2. "Commissioner" means the labor commissioner.

Duties of commissioner.

The commissioner shall gather information regarding the continuing education requirements and the practice of licensing out-of-state practitioners for each board, the education standards and practices board, and the state board of law examiners. The commissioner shall analyze the information to develop and update a strategy for more efficient continuing education requirements and more efficient practices for licensing out-of-state practitioners. As necessary, the commissioner may recommend introduction of legislation to implement this strategy.

SECTION 2. LABOR COMMISSIONER - OCCUPATIONS AND PROFESSIONS - REPORT TO LEGISLATIVE MANAGEMENT.

1. During the 2023-24 interim, the labor commissioner shall hold meetings with each occupational board under title 43, the education standards and practices board, and the state board of law examiners. The topics addressed at the meetings must include administration of the boards, continuing education, and the licensure of out-of-state applicants, with a goal of establishing a strategy to license out-of-state practitioners within three business days of application and to revise continuing education requirements to recognize the contributions of employers and the opportunities afforded by evolving technology.
2. During the 2023-24 interim, the labor commissioner shall provide the legislative management with periodic reports on the status of the commissioner's implementation of this section.

3. The labor commissioner may recommend introduction of legislation for the sixty-ninth legislative assembly which provides for streamlining of licensure of out-of-state practitioners, and revision of continuing education requirements.

SECTION 3. EFFECTIVE DATE. Section 1 of this Act becomes effective August 1, 2023.

Approved April 12, 2023

Filed April 13, 2023

CHAPTER 318

SENATE BILL NO. 2170

(Senators Magrum, Elkin)
(Representatives J. Johnson, Kasper, Koppelman)

AN ACT to create and enact a new section to chapter 34-07 of the North Dakota Century Code, relating to minors working in hazardous occupations; and to provide for a legislative management study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 34-07 of the North Dakota Century Code is created and enacted as follows:

Minors working in hazardous occupations.

A minor who is at least sixteen years of age may be employed or permitted to work in a hazardous occupation if the minor is in a registered apprenticeship program or is a student learner of an approved career and technical education program. Under this section, a parental signature is required for the minor to participate as an apprentice or student learner. This section does not limit the ability of a minor who is at least sixteen years of age to work in an occupation already permitted by law.

SECTION 2. LEGISLATIVE MANAGEMENT STUDY - STATE OFFICE OF APPRENTICESHIP. During the 2023-24 interim, the legislative management shall consider studying the feasibility and desirability of creating a state office of apprenticeship. The study must include consideration of the advantages and disadvantages of creating the office in comparison to apprenticeships remaining solely under the control of the federal department of labor. The study must identify areas in which the state may exercise more control over the federal labor law to provide more flexibility as it applies to minors at least sixteen years of age. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

Approved April 29, 2023

Filed May 1, 2023

CHAPTER 319

SENATE BILL NO. 2132

(Senators Sorvaag, Davison)
(Representatives Dockter, McLeod)

AN ACT to create and enact section 34-07-15.1 of the North Dakota Century Code, relating to labor exceptions for minors performing sports-attendant services; to amend and reenact section 34-07-15 of the North Dakota Century Code, relating to maximum hours of labor for minors; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 34-07-15 of the North Dakota Century Code is amended and reenacted as follows:

34-07-15. Maximum hours of labor of minors fourteen or fifteen years of age - Notice to be posted.

1. A minor fourteen or fifteen years of age may not be employed or permitted to work at any occupation, except in sports-attendant services, in domestic services, and at farm labor, before the hour of seven a.m. nor after the hour of seven p.m., except that these hours are seven a.m. to nine p.m. from June first through labor day, nor more than eighteen hours during schoolweeks, nor more than three hours on schooldays, nor more than forty hours during nonschoolweeks, nor more than eight hours on nonschooldays. A schoolweek is considered to be any week Sunday through Saturday in which a youth is required to be in attendance, for any period of time, four or more days. Provided, however, that the limitations restricting hours of work during schoolweeks and schooldays do not apply to minors who are not attending school because they are excepted from compulsory school attendance by subdivisions b, c, and d of subsection 1 of section 15.1-20-02.
2. Every employer shall post, in a conspicuous place where minors are employed, a printed notice stating the hours of work required of the minors each day of the week, the hours of commencing and stopping work, and the hours allowed for dinner or other meals. The printed form of the notice must be furnished by the labor commissioner. The employment of any minor for a longer period than that stated in the notice is a violation of this chapter.

SECTION 2. Section 34-07-15.1 of the North Dakota Century Code is created and enacted as follows:

34-07-15.1. Sports-attendant services - Exception.

1. The time and hour limitations of subsection 1 of section 34-07-15 do not apply to a minor fourteen or fifteen years of age employed in the performance of sports-attendant services at a professional sporting event.
2. Permissible duties of a sports-attendant include:
 - a. Pregame and postgame or practice setup of balls, items, and equipment.

- b. Supplying and retrieving balls, items, and equipment during a sporting event.
- c. Clearing the field or court of debris and moisture during play.
- d. Providing ice, drinks, and towels to players during play.
- e. Running errands for trainers, managers, coaches, or players before, during, and after a sporting event.
- f. Returning or storing balls, items, and equipment in a clubhouse or locker room after a sporting event.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.

Approved April 12, 2023

Filed April 13, 2023