

Fifty-ninth  
Legislative Assembly  
of North Dakota

## ENGROSSED 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. Vacancies must be filled by the governor by  
22 appointment, with the consent of the senate, and the term of a commissioner appointed must  
23 be for the unexpired part of the term for which the commissioner is appointed. Any  
24 commissioner may be removed from office by the governor for misconduct, incompetence, or

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

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

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