

Jeff Magrum 03/15/2023

Mr. Chairman and committee members.

I introduced SB2170 because our goal as determined by leadership is to grow our workforce. Currently 16 and 17 year olds can work in construction but to a very limited degree because of federal law. The language in the bill was the only way the legislative council could see fit to nullify the federal overreach based on the order of things meaning God (Jesus Christ) first then parents and then government. The current way is putting the federal government above the parents. This bill intends to set the order back to the way it is supposed to be.

The bill was supported by Associated Builders and Contractors, HA Thompson and sons plumbing and mechanical company in Bismarck one of the oldest plumbing companies in the area, ND Association of plumbing, heating and Mechanical contractors, The state electrical board as well as several contractors. Most of these have

apprenticeship programs.

There was testimony of some apprentice programs that are available. That is good but apparently it's not popular.

We as a government want to build tech centers and try all kinds of things to get people to work and yet right in front of us is an excellent opportunity that costs the taxpayers nothing, in fact these young folks would be paying taxes and contributing to the economy. Many contractors are ready and willing to put these young people to work to serve their customer base but currently as was testified, it's not worth it because of the liability and if the young folks are given menial tasks like pushing a broom all day or standing around they lose interest and it actually hurts the construction trades in the long run.

Protecting the contractors with the power of the state would create opportunity not just for construction companies but for the youth, giving purpose and hope.

We have heard of suicide among the youth, Drug addictions, the need

of more councilors for schools, more social workers, epidemic proportions of mental health issues. This law will Open up opportunities for young people to know how good a bed feels after a hard days work. How about the sense of accomplishment and self worth knowing that your contribution made someone's life better after a project is complete. How about the acknowledgement from ones peers that an individual is pulling their weight in life, they are worth having around, they have a purpose in life. These are natural highs that drugs can't replace.

The Senate Work Force Committee was not willing to take the leap of faith to nullify federal law so they passed the bill out of committee with a 6-0 do not pass so the bill was amended on the senate floor to create a study and that passed 44-3. After the vote several senators including the senate majority leader said that they would have supported the bill in its original form. I am offering an amendment to return 2170 back to its original form and I ask this committee to please adopt the amendment and pass the bill.



PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2170

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 34-07 of the North Dakota Century Code, relating to minors working in construction.

**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:

**Employment of minors in construction.**

Notwithstanding federal law to the contrary, a minor who is at least sixteen years of age may be employed or permitted to work in construction work if a permit to do so is signed by the minor's parent or guardian. The labor commissioner shall make the permits for employment available and file a copy of completed permits with the department of labor and human rights."

Renumber accordingly

Sixty-eighth  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2170

Introduced by

Senators Magrum, Elkin

Representatives J. Johnson, Kasper, Koppelman

1 A BILL for an Act to provide for a legislative management study of construction labor laws for  
2 minors for an Act to create and enact a new section to chapter 34-07 of the North Dakota  
3 Century Code, relating to minors working in construction.

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

5 ~~SECTION 1. LEGISLATIVE MANAGEMENT STUDY - CONSTRUCTION LABOR BY~~  
6 ~~MINORS.~~ During the 2023-24 interim, the legislative management shall consider studying  
7 whether federal labor laws provide any exceptions to the prohibition on minors working in the  
8 construction industry which would allow minors in this state to work in the construction industry.  
9 The legislative management shall report its findings and recommendations, together with any  
10 legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

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

13 Employment of minors in construction.

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16 minor's parent or guardian. The labor commissioner shall make the permits for employment  
17 available and file a copy of completed permits with the department of labor and human rights.