

HOUSE BILL NO. 1455

Introduced by

Representatives Brown, Finley-DeVile, Holle, Ista, Dobervich, Davis

Senators Boschee, Hogan, Marcellais, Patten

1 A BILL for an Act to create and enact a new section to chapter 54-36 of the North Dakota
2 Century Code, relating to the review of legislative measures by the Indian affairs commission
3 and tribal consultation.

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

5 **SECTION 1.** A new section to chapter 54-36 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Review of legislative measures - Tribal consultation.**

- 8 1. Each legislative session, the director of the Indian affairs commission shall review
9 each measure introduced to the legislative assembly and determine if the measure
10 pertains to matters with tribal implications.
- 11 2. If the director determines a bill pertains to matters with tribal implications, the director
12 shall consult with the tribal chairpersons of each tribe before the standing committee
13 hearing on the measure.
- 14 3. For purposes of this section:
- 15 a. "Consult" means the direct and interactive involvement of the North Dakota tribal
16 governments in the development of policy on matters with tribal implications,
17 which includes a proactive, affirmative process of identifying and seeking input
18 from appropriate tribal governments and considering the tribal governments' input
19 as a necessary and integral part of the decisionmaking process.
- 20 b. "Matters with tribal implications" means a legislative measure that has a
21 substantial direct effect on one or more tribal nations within the geographical
22 boundaries of the state or on the distribution of power and responsibilities
23 between the state and tribal governments.