

February 4, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1535

Introduced by

Representatives Davis, Finley-DeVill, Martinson, Satrom, Schneider, Brown, Sanford,
Swiontek

Senators Braunberger, Cory, Lee

1 A BILL for an Act to create and enact a new section to chapter 39-03 of the North Dakota
2 Century Code, relating to the feather alert notice system; to amend and reenact section
3 54-35-23 of the North Dakota Century Code, relating to the committee on tribal and state
4 relations; and to provide an appropriation.

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

6 **SECTION 1.** A new section to chapter 39-03 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Feather alert notice system - Report.**

- 9 1. The ~~superintendent~~highway patrol, in cooperation with the bureau of criminal
10 investigation and the division of state radio of the department of emergency services,
11 shall establish a feather alert notice system to activate an urgent bulletin using the
12 emergency alert system to air a description of an indigenous individual who has been
13 reported to law enforcement as missing and to aid in the location of that individual.
- 14 2. A law enforcement agency may request the bureau of criminal investigation or the
15 superintendenthighway patrol to activate a feather alert notice if the agency
16 determines that all of the following conditions are met:
- 17 a. The missing individual is an Indigenous individual;
18 b. The law enforcement agency utilized available local, tribal, and state resources;
19 c. The law enforcement agency determined the individual is missing under
20 unexplained, suspicious, or dangerous circumstances;

1 d. The law enforcement agency believes the individual is in imminent danger due to
2 factors such as age, health, mental or physical disability, environment or weather
3 conditions, or the possibility of being in the company of a dangerous individual;

4 e. There is sufficient descriptive information available regarding the missing
5 individual, the suspect, or a related vehicle to assist in recovery efforts; and

6 f. The law enforcement agency confirms the case involves a suspected abduction,
7 or the missing individual is believed to be in danger of serious bodily harm or
8 death.

9 3. The bureau of criminal investigation, in cooperation with the highway patrol, shall
10 prepare an operational plan to prepare for and respond to requests for activation of a
11 feather alert notice. The plan must include the role and requirements of the division of
12 state radio of the department of emergency services in broadcasting an alert to the
13 public, including alerts in indigenous languages when required. The bureau of criminal
14 investigation, in coordination with the highway patrol and the department of
15 emergency services, shall oversee the activation logistics and dissemination of alerts.

16 4. The Indian affairs commission shall ~~oversee the implementation of the feather alert~~
17 ~~notice system, and~~ serve as the primary liaison between tribal, state, and federal
18 agencies regarding the feather alert notice system and assist with public education,
19 outreach, and advocacy efforts. The bureau of criminal investigation and the highway
20 patrol shall issue an annual report to the Indian affairs commission on the
21 effectiveness and implementation of the feather alert system. The bureau of criminal
22 investigation and the highway patrol shall present the report and findings at an annual
23 listening session with tribal leaders.

24 5. The ~~superintendent~~ highway patrol, in cooperation with a representative of each
25 federally recognized tribe in the state, shall:

26 a. Promote public trust and understanding of the feather alert notice system through
27 community outreach and law enforcement training programs.

28 b. Hold an annual public meeting and make recommendations to the director of the
29 bureau of criminal investigation concerning improvements to the feather alert
30 notice system.

1 **SECTION 2. AMENDMENT.** Section 54-35-23 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **54-35-23. Committee on tribal and state relations - Membership - Duties.**

- 4 1. The committee on tribal and state relations is composed of seven members as follows:
- 5 a. A chairman designated by the chairman of the legislative management;
- 6 b. Three members of the house of representatives, two of whom must be selected
7 by the leader representing the majority faction of the house of representatives
8 and one of whom must be selected by the leader representing the minority
9 faction of the house of representatives; and
- 10 c. Three members of the senate, two of whom must be selected by the leader
11 representing the majority faction of the senate and one of whom must be
12 selected by the leader representing the minority faction of the senate.
- 13 2. The committee shall meet at such times and places as determined by the chairman.
14 The legislative council shall provide staffing for the committee.
- 15 3. The committee shall conduct joint meetings with the North Dakota tribal governments'
16 task force to study tribal-state issues, including government-to-government relations,
17 human services, education, corrections, and issues related to the promotion of
18 economic development and shall evaluate the feather alert notice system under
19 section 1 of this Act. After the joint meetings have concluded, the committee shall meet
20 to prepare a report on its findings and recommendations, together with any legislation
21 required to implement those recommendations, to the legislative management.
- 22 4. The members of the committee are entitled to compensation from the legislative
23 council for attendance at committee meetings at the rate provided for members of the
24 legislative assembly for attendance at interim committee meetings and are entitled to
25 reimbursement for expenses incurred in attending the meetings in the amounts
26 provided by law for other state officers.
- 27 5. a. The North Dakota tribal governments' task force is composed of six members as
28 follows:
- 29 (1) The executive director of the Indian affairs commission, or the executive
30 director's designee;

- 1 (2) The chairman of the Standing Rock Sioux Tribe, or the chairman's
2 designee;
- 3 (3) The chairman of the Spirit Lake Tribe, or the chairman's designee;
- 4 (4) The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation,
5 or the chairman's designee;
- 6 (5) The chairman of the Turtle Mountain Band of Chippewa Indians, or the
7 chairman's designee; and
- 8 (6) The chairman of the Sisseton-Wahpeton Oyate of the Lake Traverse
9 Reservation, or the chairman's designee.
- 10 b. If the executive director of the Indian affairs commission or any of the tribal
11 chairmen appoint a designee to serve on the task force, only one individual may
12 serve as that designee during the biennium. A substitute designee may be
13 appointed by the executive director of the Indian affairs commission or a tribal
14 chairman in the event of the death, incapacity, resignation, or refusal to serve of
15 the initial designee.

16 **SECTION 3. APPROPRIATION - INDIAN AFFAIRS COMMISSION - FEATHER ALERT**

17 **NOTICE SYSTEM - FULL-TIME EQUIVALENT POSITION.** There is appropriated out of any
18 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
19 \$250,000, or so much of the sum as may be necessary, to the Indian affairs commission for the
20 purpose of coordinating, implementing, and evaluating the feather alert notice system, and for
21 one full-time equivalent position, for the biennium beginning July 1, 2025, and ending June 30,
22 2027. Funding under this section is available for salaries and wages, operating expenses, and
23 capital assets.