

SECOND ENGROSSMENT

REENGROSSED HOUSE BILL NO. 1535

Introduced by

Representatives Davis, Finley-DeVillie, 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; and 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.

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 highway patrol, in cooperation with the bureau of criminal investigation and the
10 division of state radio of the department of emergency services, shall establish a
11 feather alert notice system to activate an urgent bulletin using the emergency alert
12 system to air a description of an indigenous individual who has been reported to law
13 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 highway patrol to activate a feather alert notice if the agency determines that all of the
16 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 serve as the primary liaison between tribal, state,
17 and federal agencies regarding the feather alert notice system and assist with public
18 education, outreach, and advocacy efforts. The bureau of criminal investigation and
19 the highway patrol shall issue an annual report to the Indian affairs commission on the
20 effectiveness and implementation of the feather alert system. The bureau of criminal
21 investigation and the highway patrol shall present the report and findings at an annual
22 listening session with tribal leaders.
- 23 5. The highway patrol, in cooperation with a representative of each federally recognized
24 tribe in the state, shall:
- 25 a. Promote public trust and understanding of the feather alert notice system through
26 community outreach and law enforcement training programs.
27 b. Hold an annual public meeting and make recommendations to the director of the
28 bureau of criminal investigation concerning improvements to the feather alert
29 notice system.

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

1 **54-35-23. Committee on tribal and state relations - Membership - Duties.**

2 1. The committee on tribal and state relations is composed of seven members as follows:

3 a. A chairman designated by the chairman of the legislative management;

4 b. Three members of the house of representatives, two of whom must be selected
5 by the leader representing the majority faction of the house of representatives
6 and one of whom must be selected by the leader representing the minority
7 faction of the house of representatives; and

8 c. Three members of the senate, two of whom must be selected by the leader
9 representing the majority faction of the senate and one of whom must be
10 selected by the leader representing the minority faction of the senate.

11 2. The committee shall meet at such times and places as determined by the chairman.
12 The legislative council shall provide staffing for the committee.

13 3. The committee shall conduct joint meetings with the North Dakota tribal governments'
14 task force to study tribal-state issues, including government-to-government relations,
15 human services, education, corrections, and issues related to the promotion of
16 economic development and shall evaluate the feather alert notice system under
17 section 1 of this Act. After the joint meetings have concluded, the committee shall meet
18 to prepare a report on its findings and recommendations, together with any legislation
19 required to implement those recommendations, to the legislative management.

20 4. The members of the committee are entitled to compensation from the legislative
21 council for attendance at committee meetings at the rate provided for members of the
22 legislative assembly for attendance at interim committee meetings and are entitled to
23 reimbursement for expenses incurred in attending the meetings in the amounts
24 provided by law for other state officers.

25 5. a. The North Dakota tribal governments' task force is composed of six members as
26 follows:

27 (1) The executive director of the Indian affairs commission, or the executive
28 director's designee;

29 (2) The chairman of the Standing Rock Sioux Tribe, or the chairman's
30 designee;

31 (3) The chairman of the Spirit Lake Tribe, or the chairman's designee;

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