

**FIRST ENGROSSMENT
with Senate Amendments**

ENGROSSED HOUSE BILL NO. 1455

Introduced by

Representatives Brown, Finley-DeVille, 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 introduced legislation 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 introduced legislation - Tribal consultation.**

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