

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1603

Introduced by

Representatives Brown, Davis, Finley-DeVille, Ista, Nelson

Senators Boschee, Braunberger, Mathern

1 A BILL ~~for an Act to provide an appropriation to the state historical society for Native American~~
2 ~~grave protection and repatriation projects.~~for an Act to provide an appropriation to the state
3 historical society for Native American grave protection and repatriation compliance efforts.

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

5 ~~SECTION 1. APPROPRIATION - STATE HISTORICAL SOCIETY - NATIVE AMERICAN~~
6 ~~GRAVE PROTECTION AND REPATRIATION PROJECTS.~~

7 ~~1. There is appropriated out of any moneys in the general fund in the state treasury, not~~
8 ~~otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be~~
9 ~~neccessary, to the state historical society for projects to allow the state to comply with~~
10 ~~the federal Native American Graves Protection and Repatriation Act, for the biennium~~
11 ~~beginning July 1, 2025, and ending June 30, 2027.~~

12 ~~2. The state historical society may use the funding provided under this section to:~~

13 ~~a. Provide grants to tribal entities to consult with museums, federal agencies, and~~
14 ~~institutions to facilitate the repatriation of Native American human remains,~~
15 ~~funerary objects, sacred objects, and objects of cultural patrimony.~~

16 ~~b. Provide grants to museums and cultural institutions for the purpose of improving~~
17 ~~the identification, inventory, and repatriation of Native American cultural items.~~

18 ~~c. Enhance state and tribal capacity to manage and oversee compliance efforts,~~
19 ~~including funding for staffing, training, and consultation with affected~~
20 ~~communities.~~

- ~~1 d. Conduct field surveys, inventories, and documentation of cultural items.~~
- ~~2 e. Pay for administrative, legal, and training costs related to compliance with federal~~
- ~~3 requirements and for the development of training materials and workshops.~~
- ~~4 3. The state historical society shall prioritize the use of funding for projects that directly~~
- ~~5 address the repatriation of culturally significant human remains and funerary objects,~~
- ~~6 provide consultation opportunities between tribes and institutions holding Native~~
- ~~7 American collections, and assist tribes in the development of long-term cultural~~
- ~~8 preservation plans.~~
- ~~9 4. The state historical society shall establish a timeline for the repatriation of~~
- ~~10 identified items to tribal communities.~~

**SECTION 1. APPROPRIATION - STATE HISTORICAL SOCIETY - NATIVE AMERICAN
GRAVE PROTECTION AND REPATRIATION COMPLIANCE.**

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the state historical society for the purpose of providing compliance with the federal Native American Graves Protection and Repatriation Act, for the biennium beginning July 1, 2025, and ending June 30, 2027.
2. The state historical society shall use the funds provided under this section to establish a compliance committee consisting of tribal historic preservation officers or their designees from each North Dakota tribe with an agreement pursuant to chapter 54-40.2. The committee must consist of representatives from the state historical society, Indian affairs commission, and the attorney general's office. Each tribe participating on the committee may provide matching funds of up to \$100,000 for committee efforts. All funds received for compliance efforts under this section must be placed into a separate account with oversight by the office of management and budget.
3. The committee must identify and prioritize compliance efforts for the repatriation of culturally significant human remains, funerary objects, sacred objects, and objects of cultural patrimony, including funding for staffing, training, and consultation with the tribal historic preservation offices. The compliance committee shall develop policies to facilitate meetings, grant usage, training, consultation, compliance timelines, training,

- 1 and documentation requirements that directly address the repatriation of culturally
- 2 significant items to North Dakota tribal nations.
- 3 4. The appropriation provided in this section does not authorize any new scientific study
- 4 of Native American ancestral remains or burial property, as outlined in the federal
- 5 Native American Graves Protection and Repatriation Act, nor may the funds be
- 6 appropriated for such studies.