



North Dakota House of Representatives

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COMMITTEES:

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Madame Chair Larson and esteemed committee members, for the record, my name is Collette Brown, Representative of District 9, which proudly encompasses the Turtle Mountain Band of Chippewa Indians and the Spirit Lake Tribe. Today, I stand before you with great honor to introduce HB1455—a bill that champions fairness, respect, and collaboration within our legislative process. This bill is not just about policy; it is about strengthening the relationship between the state of North Dakota and the sovereign tribal nations within our borders. At its core, this bill is about tribal consultation.

Tribal consultation is more than a procedural step—it is a necessary bridge between state governance and the sovereign tribal governments we are privileged to work alongside. Under this bill, the Office of the Indian Affairs Commission will review legislation introduced each session to determine if it carries tribal implications. If a bill has a direct impact on a tribal nation within North Dakota, a consultation will take place before any hearing in a standing committee. This ensures that tribal governments are not mere spectators in decisions that affect them but are active participants in shaping policies that influence their people, economies, and cultures.

Why is this vital? First and foremost, tribal nations are sovereign governments. Just as North Dakota has legislative authority, so too do tribal nations. Their voices are not just valuable—they are essential. When legislation affects tribal communities, consultation is not an option; it is an obligation. It is a matter of respect, legal duty, and moral integrity. This bill ensures that tribal leaders have a seat at the table and that their perspectives shape policies that impact their futures.

Second, the consequences of our legislative decisions on tribal nations are profound. From healthcare and education to environmental protections and economic development, state laws often have far-reaching implications for tribal communities. Without proper consultation, well-intended legislation can inadvertently harm or exclude our tribal neighbors. By engaging tribal governments early, we gain access to their expertise and lived experiences—ensuring that our policies are well-informed, effective, and beneficial to all of North Dakota's citizens.

Now, let's consider the broader benefits of tribal consultation. It enhances the quality of our legislation. By seeking input from tribal governments, we can identify potential issues before they arise, crafting policies that are inclusive and effective.

It builds trust and strengthens relationships. A government that listens fosters an environment of mutual respect and cooperation. This process promotes meaningful dialogue, collaboration, and shared decision-making between the state and tribal governments.

It aligns with federal recognition of tribal sovereignty. The United States has long acknowledged the sovereign status of tribal nations. By adopting this consultation process, North Dakota affirms our commitment to self-determination, partnership, and adherence to federal principles that support tribal governance.

Additionally, this consultation process needs to be codified into law to ensure its consistency and enforceability. Without a legal requirement, consultation may occur inconsistently, at the discretion of legislators, rather than as a standard practice. Making this a legal mandate guarantees that every bill with tribal implications undergoes proper review and consultation, preventing oversight and fostering accountability. Furthermore, history has shown that voluntary consultation efforts often fall short, leaving tribal nations without a formal avenue to voice concerns before decisions are finalized. A legal framework ensures that tribal consultation is not left to chance but embedded as a fundamental part of the legislative process.

To clarify, when we speak of "direct impact," we mean any legislation that significantly affects tribal nations in a tangible way. This could include changes to how tribal lands are managed, policies affecting healthcare access for tribal members, or any measure that alters governance, resources, or cultural practices within tribal communities. These are not abstract concerns—these are real and pressing issues that deserve direct tribal input before decisions are made.

The significance of tribal consultation cannot be overstated. We are not just discussing policies that affect a fraction of our population. We are addressing measures that shape the cultural, economic, and social well-being of entire communities. It is both just and necessary to ensure that those most affected are included in the decision-making process.

In conclusion, tribal consultation is not simply best practice—it is a fundamental element of fairness, respect, and justice. It upholds the sovereignty of tribal governments and ensures that their voices are not only heard but valued. By supporting HB1455, we take a meaningful step toward a more inclusive, collaborative, and just government—one that acknowledges and honors the tribal nations within our state.

Let us move forward together. I urge this committee to give HB1455 a "Do Pass" recommendation. Let us lead by example in fostering a government that works with, not just for, the people it serves. Let us strengthen our partnership with North Dakota's tribal nations and build a future rooted in respect, dialogue, and shared progress.