

2025 HOUSE POLITICAL SUBDIVISIONS

HB 1455

2025 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

HB 1455
2/7/2025

A BILL for an Act to create and enact a new section to chapter 54-36 of the North Dakota Century Code, relating to the review of legislative measures by the Indian affairs commission and tribal consultation.

10:29 a.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Bolinske, Davis, Hager, Hatlestad, Heilman, Klemin, Motschenbacher, Ostlie, Toman, Warrey

Discussion Topics:

- Tribal Members
- Tribal Culture
- North Dakota Tribal related Bills

10:29 a.m. Representative Collette Brown, North Dakota Legislature, testified in support and submitted testimony #36141.

10:44 a.m. Brad Hawk, Executive Director of North Dakota Indian Affairs, answered committee questions.

10:57 a.m. Representative Lisa Finley-DeVille, North Dakota Legislature, testified in support and submitted testimony #36129.

Additional written testimony:

Erika Red Tomahawk, Tribal-State Policy Coordinator for North Dakota Native Vote, submitted testimony in favor #34909

Jamie Azure, Chairman of the Turtle Mountain Band of Chippewa, submitted testimony in favor #36225

10:59 a.m. Chairman Longmuir closed the hearing.

Sierra Schartz Committee Clerk for Wyatt Armstrong, Committee Clerk



North Dakota Native Vote
919 S 7th Street
Suite 603
Bismarck, ND 58504

February 4, 2025

Testimony of Erika Red Tomahawk,
Tribal-State Policy Coordinator North Dakota Native Vote
In Support for HB 1455

Dear Chairman Longmuir, Vice-Chairman Fegley, and members of the Political Subdivisions Committee,

I am writing to express my support for House Bill 1455, a critical step toward ensuring Native American communities in North Dakota are seen, heard, and respected in the legislative process.

This requires the Indian Affairs Commission to review all bills introduced each session to assess whether they impact tribal communities. If they do, the Commission will consult directly with tribal leaders before any hearings. This is not just about compliance - it's about fostering genuine collaboration between the state and tribal nations, and giving tribal governments a seat at the table where decisions are made.

By mandating this proactive consultation, HB 1455 ensures that tribal sovereignty is respected and that Native voices are woven into the fabric of policy-making. The result? Better laws, stronger partnerships, and a more unified North Dakota where all communities have a stake in our shared future.

This bill is an important step forward in creating a more inclusive, transparent, and just process for all North Dakotans. I respectfully ask the committee to give a **“Do Pass” recommendation on HB 1455** and help make sure tribal voices are heard and valued within our state's legislative process. Thank you for your time and consideration.

Kind regards,
Erika Red Tomahawk

Testimony of Representative Lisa Finley-DeVile

In support of House Bill 1455

Chairman Longmuir and members of the House Political Subdivisions committee, my name is Representative Lisa Finley- DeVile, representing District 4 A, which includes the MHA Nation. I'm testifying in support of House Bill 1455, which establishes a process for reviewing legislative measures that impact North Dakota's tribal nations and ensures consultation with tribal leaders.

Thank you for the opportunity to speak today. As a co-sponsor of HB 1455, I believe it is vital that we ensure tribal voices are considered when decisions impacting our communities are made.

As someone who works closely with our communities, I know how often critical decisions can be made without proper consultation or input to our State's five tribes. HB 1455 requires that the Indian Affairs Commission conduct a review of proposed legislation and determine if there may be any implications that would invoke steps for consultation with tribal leaders prior to committee hearings.

This bill is about respect and partnership. It's about acknowledging that tribal nations are sovereign governments and ensuring they have a seat at the table in shaping policy that impacts the lives of their constituents. When we communicate and collaborate, we make better decisions—not just for tribal communities but for the entire state.

I'm proud to co-sponsor this bill because it reflects our shared commitment to do better. It's a step toward stronger relationships, better policies, and a future where all voices are part of the conversation. I respectfully ask for your support and a do pass recommendation.

Thank you for your time.



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Collette Brown

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COMMITTEES:

Industry, Business and Labor
Government and Veterans Affairs

February 6, 2025

Chairman Longmuir and Committee members, for the record my name is Collette Brown, District 9 Representative which encompasses the TMBCI and the Spirit Lake Tribe. Today I have the honor of introducing my fourth bill before you, HB1455, to advocate for a crucial step in ensuring fairness, respect, and collaboration within the legislative process – a step that will profoundly impact the relationship between the state and the tribal nations that we are so fortunate to have within our borders. This is the step of tribal consultation.

Tribal consultation, as outlined in the proposed measure, serves as a bridge between the state legislature and the sovereign tribal governments of North Dakota. In each legislative session, the office of the Indian Affairs Commission will review every bill introduced to determine if it pertains to matters that may have tribal implications. If the bill has any direct effect on a tribal nation within the state's borders, a consultation will take place before any hearing in the standing committee. This process ensures that tribal governments are not merely informed after decisions are made but are actively and directly involved in the policy-making process.

So why is this important?

First, tribal nations are sovereign governments. Just as the state has its own legislative authority, so too do tribal nations. Their input is not just valuable – it is essential. When a measure has a direct impact on their communities, economies, or cultures, it is not just a courtesy to consult with them – it is a moral and legal obligation. This consultation ensures that the voices of tribal governments are heard, their concerns addressed, and their contributions recognized. It provides a forum for dialogue, collaboration, and compromise that respects the authority of tribal leaders and their right to participate in the decisions that affect their people.

Second, the impact of legislation on tribal nations is significant. Whether we are discussing healthcare, education, environmental protections, or economic development, the decisions made here often have far-reaching consequences for tribal communities. Many bills, if passed without consultation, could inadvertently harm or overlook the needs of our tribal neighbors. This consultation process guarantees that tribal nations could provide their expertise and experiences, helping us craft better, more effective policies that benefit everyone in North Dakota.

Now, let us consider the benefits of tribal consultation

It improves the quality of our legislation. By actively engaging tribal governments early in the process, we can avoid potential missteps and create policies that are both more informed and more inclusive. It builds trust between the state and tribal nations.

Consultation fosters an atmosphere of respect, understanding, and cooperation. It creates an environment where both governments – state and tribal – can work toward common goals and mutual benefits.

It honors the federal government's recognition of tribal sovereignty. The United States government has acknowledged the sovereignty of tribal nations, and by consulting with tribal governments, we follow the spirit of those federal policies that promote self-determination and partnership.

Moreover, let's take a moment to clarify what direct impact means. This term refers to a bill or measure that would have a significant and tangible impact on tribal nations. If a legislative measure directly affects a tribe's people, governance, resources, or cultural practices in a meaningful way, it qualifies as having a substantial direct effect. For example, a law that changes how tribal lands are managed or alters access to healthcare for tribal communities would likely have a substantial direct effect. This is why it is vital that such bills are reviewed, and tribal consultation is triggered before any decisions are made in the legislative process.

The importance of matters with tribal implications cannot be overstated. We are not simply talking about laws that affect a small group of people. These are measures that directly impact the cultural, economic, and social fabric of our tribal communities. These measures may alter the distribution of power between the state and tribal governments or affect the well-being of tribal citizens. It is only right that we include those most affected in the conversation.

In conclusion, tribal consultation is not just a good practice – it is an essential element in the pursuit of fairness, respect, and justice. It ensures that we honor the sovereignty of tribal governments and empowers tribal nations to have a seat at the table where decisions that affect their future are made. By adopting this process, we will move closer to a truly inclusive government – one where the voices of all people, including tribal nations, are heard and valued.

Let us commit to this process, send a do pass on HB1455 to let us strengthen our relationship with the tribal nations of North Dakota, and let us lead by example in fostering collaboration and mutual respect.

House Bill 1455
February 7, 2025
Testimony in Favor
Jamie S. Azure, Chairman

I am Jamie Azure, Chairman of the Turtle Mountain Band of Chippewa. The Turtle Mountain Band of Chippewa Indians and I submit this testimony in favor of House Bill 1455. When measures affect Tribes, either favorably or adversely a seat at the table allows for our perspectives to be heard. The Turtle Mountains have a large population and State Bills widely affect our community and membership.

This Bill is a start to continuing our congenial relationships with the State of North Dakota and its agencies. As a general, rule we govern ourselves and our community but often State action can change the way we interact with agencies. In order to continue productive relationships, it is in the State's and the Tribes' best interest to move forward in a cooperative way. This bill accomplishes this goal.

We appreciate your consideration of our perspectives.

2025 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

HB 1455
2/13/2025

A BILL for an Act to create and enact a new section to chapter 54-36 of the North Dakota Century Code, relating to the review of legislative measures by the Indian affairs commission and tribal consultation.

9:59 a.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Bolinske, Hager, Hatlestad, Heilman, Klemin, Motschenbacher, Ostlie

Members Absent: Representatives Davis, Toman, Warrey

Discussion Topics:

- Responsibilities of the Indian Affairs Committee
- Committee action

10:01 a.m. Representative Klemin moved to Amend and strike "before the standing committee hearing on the measure" on page 1 lines 12 and 13.

10:02 a.m. Representative Heilman seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	A
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nathan Toman	A
Representative Jonathan Warrey	A

10:05 a.m. Motion passed 10-0-3

10:06 a.m. Representative Klemin moved a Do Pass as Amended.

10:06 a.m. Representative Heilman seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	N
Representative Jim Jonas	Y
Representative Macy Bolinske	N
Representative Jayme Davis	A
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	N
Representative Mitch Ostlie	Y
Representative Nathan Toman	A
Representative Jonathan Warrey	A

10:09 a.m. Motion passed 7-3-3

10:09 a.m. Representative Klemin will carry the bill.

10:09 a.m. Chairman Longmuir closed the hearing.

Wyatt Armstrong, Committee Clerk

February 13, 2025

RMT 2/13/25
1 of 2

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

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 legislative measures 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 legislative measures - Tribal consultation.**

- 8 1. Each legislative session, the director of the Indian affairs commission shall review
9 each measure introduced to the legislative assembly and determine if the measure
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 ~~before the standing committee~~
13 ~~hearing on the measure.~~
- 14 3. For purposes of this section:
- 15 a. "Consult" means the direct and interactive involvement of the North Dakota tribal
16 governments in the development of policy on matters with tribal implications,
17 which includes a proactive, affirmative process of identifying and seeking input
18 from appropriate tribal governments and considering the tribal governments' input
19 as a necessary and integral part of the decisionmaking process.

- 1 b. "Matters with tribal implications" means a legislative measure that has a
- 2 substantial direct effect on one or more tribal nations within the geographical
- 3 boundaries of the state or on the distribution of power and responsibilities
- 4 between the state and tribal governments.

**REPORT OF STANDING COMMITTEE
HB 1455**

Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **AMENDMENTS** ([25.0932.01001](#)) and when so amended, recommends **DO PASS** (7 YEAS, 3 NAYS, 3 ABSENT OR EXCUSED AND NOT VOTING). HB 1455 was placed on the Sixth order on the calendar.

2025 SENATE JUDICIARY

HB 1455

2025 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee Peace Garden Room, State Capitol

HB 1455
4/2/2025

A BILL for an Act to create and enact a new section to chapter 54-36 of the North Dakota Century Code, relating to the review of legislative measures by the Indian affairs commission and tribal consultation.

9:00 a.m. Chair Larson opened the meeting.

Members present:

Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

Discussion Topics:

- Tribal consultation process
- Sovereignty of tribal nations
- Communication between state and tribal governments

9:01 a.m. Representative Brown introduced the bill and submitted testimony #44555.

9:16 a.m. Ross Garelick Bell, Lobbyist, testified in favor.

9:17 a.m. Brad Hawk, Executive Director, Indian Affairs, testified as neutral.

9:29 a.m. Chair Larson closed the hearing.

9:33 a.m. Senator Castaneda moved verbal amendment, line 9 replace each measure with all legislation.

9:33 a.m. Senator Cory seconded.

Senators	Vote
Senator Diane Larson	N
Senator Bob Paulson	Y
Senator Ryan Braunberger	N
Senator Jose L. Castaneda	Y
Senator Claire Cory	Y
Senator Larry Luick	Y
Senator Janne Myrdal	N

Motion Passed 4-3-0.

9:34 a.m. Senator Luick moved a Do Not Pass as amended.

9:34 a.m. Senator Myrdal seconded the motion.

Senators	Vote
Senator Diane Larson	N
Senator Bob Paulson	Y
Senator Ryan Braunberger	N
Senator Jose L. Casteneda	N
Senator Claire Cory	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion Passed 4-3-0.

9:40 a.m. Senator Luick will carry the bill.

9:41 a.m. Chair Larson closed the hearing.

Kendra McCann, Committee Clerk

April 2, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

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4/2/25
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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 ~~legislative measures~~ introduced legislation by the Indian
3 affairs commission 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 ~~legislative measures~~ introduced legislation - Tribal consultation.**

8 1. Each legislative session, the director of the Indian affairs commission shall review
9 ~~each measure~~ all legislation introduced to the legislative assembly and determine if the
10 ~~measure~~ legislation 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

- 1 boundaries of the state or on the distribution of power and responsibilities
- 2 between the state and tribal governments.

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1455**

Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS** ([25.0932.02001](#)) and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). Engrossed HB 1455 was placed on the Sixth order on the calendar. This bill does not affect workforce development.



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Collette Brown

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COMMITTEES:

Industry, Business and Labor
Government and Veterans Affairs

April 2, 2025

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.