

1 **AMERICAN INDIAN-ALASKA NATIVE RELATED AMENDMENTS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4

5 **LONG TITLE**

6 **General Description:**

7 This bill addresses American Indian-Alaska Native issues.

8 **Highlighted Provisions:**

9 This bill:

- 10 ▶ requires the establishment of an office on American Indian-Alaska Native health
- 11 issues with the liaison as administrative head;
- 12 ▶ corrects citations for repeal dates; and
- 13 ▶ makes technical and conforming amendments.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **9-9-104.6**, as last amended by Laws of Utah 2019, Chapter 246

21 **26-7-2.5**, as enacted by Laws of Utah 2011, Chapter 192

22 **63I-1-209**, as last amended by Laws of Utah 2019, Chapter 246

23 **63I-1-226**, as last amended by Laws of Utah 2019, Chapters 67, 136, 246, 289, 455 and
24 last amended by Coordination Clause, Laws of Utah 2019, Chapter 246

25 **63I-1-253**, as last amended by Laws of Utah 2019, Chapters 90, 136, 166, 173, 246,
26 325, 344 and last amended by Coordination Clause, Laws of Utah 2019, Chapter
27 246

28

29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **9-9-104.6** is amended to read:

31 **9-9-104.6. Participation of state agencies in meetings with tribal leaders --**

32 **Contact information.**

33 (1) For at least three of the joint meetings described in Subsection 9-9-104.5(2)(a), the
34 division shall coordinate with representatives of tribal governments and the entities listed in
35 Subsection (2) to provide for the broadest participation possible in the joint meetings.

36 (2) The following may participate in all meetings described in Subsection (1):

37 (a) the chairs of the Native American Legislative Liaison Committee created in Section
38 36-22-1;

39 (b) the governor or the governor's designee;

40 (c) [(†)] the American [~~Indian-Alaskan~~] Indian-Alaska Native Health Liaison appointed
41 in accordance with Section 26-7-2.5; [or]

42 [~~(ii) if the American Indian-Alaskan Native Health Liaison is not appointed, a~~
43 ~~representative of the Department of Health appointed by the executive director of the~~
44 ~~Department of Health;~~]

45 (d) the American [~~Indian-Alaskan~~] Indian-Alaska Native Public Education Liaison
46 appointed in accordance with Section 53F-5-604; and

47 (e) a representative appointed by the chief administrative officer of the following:

48 (i) the Department of Human Services;

49 (ii) the Department of Natural Resources;

50 (iii) the Department of Workforce Services;

51 (iv) the Governor's Office of Economic Development;

52 (v) the State Board of Education; and

53 (vi) the State Board of Regents.

54 (3) (a) The chief administrative officer of the agencies listed in Subsection (3)(b) shall:

55 (i) designate the name of a contact person for that agency that can assist in coordinating
56 the efforts of state and tribal governments in meeting the needs of the Native Americans
57 residing in the state; and

58 (ii) notify the division:

59 (A) who is the designated contact person described in Subsection (3)(a)(i); and

60 (B) of any change in who is the designated contact person described in Subsection
61 (3)(a)(i).

62 (b) This Subsection (3) applies to:

63 (i) the Department of Agriculture and Food;

- 64 (ii) the Department of Heritage and Arts;
 65 (iii) the Department of Corrections;
 66 (iv) the Department of Environmental Quality;
 67 (v) the Department of Public Safety;
 68 (vi) the Department of Transportation;
 69 (vii) the Office of the Attorney General;
 70 (viii) the State Tax Commission; and
 71 (ix) any agency described in Subsections (2)(c) through (e).

72 (c) At the request of the division, a contact person listed in Subsection (3)(b) may
 73 participate in a meeting described in Subsection (1).

74 (4) (a) A participant under this section who is not a legislator may not receive
 75 compensation or benefits for the participant's service, but may receive per diem and travel
 76 expenses as allowed in:

- 77 (i) Section 63A-3-106;
 78 (ii) Section 63A-3-107; and
 79 (iii) rules made by the Division of Finance according to Sections 63A-3-106 and
 80 63A-3-107.

81 (b) Compensation and expenses of a participant who is a legislator are governed by
 82 Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
 83 Section 2. Section **26-7-2.5** is amended to read:

84 **26-7-2.5. American Indian-Alaska Native Health Office -- Duties.**

85 (1) As used in this section:

86 (a) "Health care" means care, treatment, service, or a procedure to improve, maintain,
 87 diagnose, or otherwise affect an individual's physical or mental condition.

88 (b) "Liaison" means the American [~~Indian-Alaskan~~] Indian-Alaska Native Health
 89 Liaison appointed under this section.

90 (2) [~~Subject to budget constraints, the~~] The executive director shall:

91 (a) establish an office to address health care of Utah's American Indian-Alaska Native
 92 population on and off reservations; and

93 (b) appoint an individual as the American [~~Indian-Alaskan~~] Indian-Alaska Native
 94 Health Liaison who serves as the administrative head of the office under the supervision of the

95 executive director.

96 (3) The [~~liaison~~] office shall on behalf of the executive director and the department:

97 (a) promote and coordinate collaborative efforts between the department and Utah's
98 American Indian-Alaska Native population to improve the availability and accessibility of
99 quality health care impacting Utah's American Indian-Alaska Native populations on and off
100 reservations;

101 (b) interact with the following to improve health disparities for Utah's American
102 Indian-Alaska Native populations:

103 (i) tribal health programs;

104 (ii) local health departments;

105 (iii) state agencies and officials; and

106 (iv) providers of health care in the private sector;

107 (c) facilitate education, training, and technical assistance regarding public health and
108 medical assistance programs to Utah's American Indian-Alaska Native populations; and

109 (d) staff an advisory board by which Utah's tribes may consult with state and local
110 agencies for the development and improvement of public health programs designed to address
111 improved health care for Utah's American Indian-Alaska Native populations on and off the
112 reservation.

113 (4) The liaison shall annually report the [~~liaison's~~] office's activities and
114 accomplishments to the Native American Legislative Liaison Committee created in Section
115 36-22-1.

116 Section 3. Section **63I-1-209** is amended to read:

117 **63I-1-209. Repeal dates, Title 9.**

118 [~~(1)~~] In relation to the Native American Legislative Liaison Committee, on July 1,
119 2022:

120 [~~(a)~~] (1) Subsection 9-9-104.6(2)(a) is repealed;

121 [~~(b)~~] (2) Subsection 9-9-104.6(4)(a), the language that states "who is not a legislator" is
122 repealed; and

123 [~~(c)~~] (3) Subsection 9-9-104.6(4)(b), related to compensation of legislative members, is
124 repealed.

125 [~~(2)~~] In relation to the American Indian and Alaska Native Education State Plan Pilot

126 ~~Program, on July 1, 2022:]~~

127 ~~[(a) Subsection 26-7-2.5(4), related to the American Indian-Alaskan Native Public~~
128 ~~Education Liaison, is repealed; and]~~

129 ~~[(b) Subsection 9-9-104.6(2)(d) is repealed.]~~

130 Section 4. Section **63I-1-226** is amended to read:

131 **63I-1-226. Repeal dates, Title 26.**

132 (1) Section 26-1-40 is repealed July 1, 2022.

133 (2) Subsection 26-7-2.5(4), related to the Native American Legislative Liaison
134 Committee, is repealed July 1, 2022.

135 ~~[(2)]~~ (3) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed
136 July 1, 2025.

137 ~~[(3)]~~ (4) Section 26-10-11 is repealed July 1, 2020.

138 ~~[(4)]~~ (5) Subsection 26-18-417(3) is repealed July 1, 2020.

139 ~~[(5)]~~ (6) Subsection 26-18-418(2), the language that states "and the Mental Health
140 Crisis Line Commission created in Section 63C-18-202" is repealed July 1, 2023.

141 ~~[(6)]~~ (7) Section 26-18-419.1 is repealed December 31, 2019.

142 ~~[(7)]~~ (8) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
143 2024.

144 ~~[(8)]~~ (9) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
145 2024.

146 ~~[(9)]~~ (10) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is
147 repealed July 1, 2024.

148 ~~[(10)]~~ (11) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July
149 1, 2024.

150 ~~[(11)]~~ (12) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and
151 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2023.

152 ~~[(12)]~~ (13) Subsection 26-61a-108(2)(e)(i), related to the Native American Legislative
153 Liaison Committee, is repealed July 1, 2022.

154 ~~[(13)]~~ (14) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is
155 repealed July 1, 2026.

156 Section 5. Section **63I-1-253** is amended to read:

157 **63I-1-253. Repeal dates, Titles 53 through 53G.**

158 The following provisions are repealed on the following dates:

159 (1) Subsection 53-6-203(1)(b)(ii), regarding being 19 years old at certification, is
160 repealed July 1, 2022.

161 (2) Subsection 53-13-104(6), regarding being 19 years old at certification, is repealed
162 July 1, 2022.

163 (3) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

164 (4) Section 53B-18-1501 is repealed July 1, 2021.

165 (5) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

166 (6) Section 53B-24-402, Rural residency training program, is repealed July 1, 2020.

167 (7) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money
168 from the Land Exchange Distribution Account to the Geological Survey for test wells, other
169 hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.

170 (8) Section 53E-3-515 is repealed January 1, 2023.

171 (9) In relation to a standards review committee, on January 1, 2023:

172 (a) in Subsection 53E-4-202(8), the language that states "by a standards review
173 committee and the recommendations of a standards review committee established under
174 Section 53E-4-203" is repealed; and

175 (b) Section 53E-4-203 is repealed.

176 (10) In relation to the SafeUT and School Safety Commission, on January 1, 2023:

177 (a) Subsection 53B-17-1201(1) is repealed;

178 (b) Section 53B-17-1203 is repealed;

179 (c) Subsection 53B-17-1204(2) is repealed;

180 (d) Subsection 53B-17-1204(4)(a), the language that states "in accordance with the
181 method described in Subsection (4)(c)" is repealed; and

182 (e) Subsection 53B-17-1204(4)(c) is repealed.

183 (11) Section 53F-2-514 is repealed July 1, 2020.

184 (12) Section 53F-5-203 is repealed July 1, 2024.

185 (13) Section 53F-5-212 is repealed July 1, 2024.

186 (14) Section 53F-5-213 is repealed July 1, 2023.

187 (15) Subsections 53F-5-604(2)(b) and (3), related to the Native American Legislative

188 Liaison Committee, is repealed July 1, 2022.

189 ~~[(15)]~~ (16) Title 53F, Chapter 5, Part 6, American Indian and ~~[Alaskan]~~ Alaska Native
190 Education State Plan Pilot Program, is repealed July 1, 2022.

191 ~~[(16)]~~ (17) Section 53F-6-201 is repealed July 1, 2019.

192 ~~[(17)]~~ (18) Section 53F-9-501 is repealed January 1, 2023.

193 ~~[(18)]~~ (19) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
194 Commission, are repealed January 1, 2025.

195 ~~[(19)]~~ (20) Subsection 53G-8-211(4), regarding referrals of a minor to court for a class
196 C misdemeanor, is repealed July 1, 2020.