

3rd Sub. H.B. 387
BOARDS AND COMMISSIONS AMENDMENTS

Senator **Daniel Hemmert** proposes the following amendments:

1. Page 2, Line 49:

49 {~~the Spinal Cord and Brain Injury Rehabilitation Fund Advisory Committee;~~}

2. Page 4, Lines 104 through 106:

104 17-16-21, as last amended by Laws of Utah 2018, Chapter 347

105 {~~26-54-103, as last amended by Laws of Utah 2017, Chapter 261~~}

106 30-1-34, as last amended by Laws of Utah 2018, Chapter 347

3. Page 14, Line 408 through Page 16, Line 467:

408 collected by a county officer.

{~~409 Section 4. Section 26-54-103 is amended to read:~~

410 ~~26-54-103. Spinal Cord and Brain Injury Rehabilitation Fund Advisory~~

411 ~~Committee -- Creation -- Membership -- Terms -- Duties.~~

412 ~~(1) There is created a Spinal Cord and Brain Injury Rehabilitation Fund Advisory~~
413 ~~Committee.~~

414 ~~(2) The advisory committee [shall be] is composed of [eight] six members as follows:~~

415 ~~(a) the executive director of the Department of Health, or the executive director's~~
416 ~~designee;~~

417 ~~(b) two survivors, or family members of a survivor of a traumatic brain injury,~~
418 ~~appointed by the governor;~~

419 ~~(c) two survivors, or family members of a survivor of a traumatic spinal cord injury,~~
420 ~~appointed by the governor; and~~

421 ~~(d) one traumatic brain injury or spinal cord injury professional appointed by the~~
422 ~~governor who, at the time of appointment and throughout the professional's term on the~~
423 ~~committee, does not receive a financial benefit from the fund[;];~~

424 ~~[(e) a member of the House of Representatives appointed by the speaker of the House~~
425 ~~of Representatives; and]~~

426 ~~[(f) a member of the Senate appointed by the president of the Senate.]~~

427 ~~(3) (a) The term of advisory committee members shall be four years. If a vacancy~~
428 ~~occurs in the committee membership for any reason, a replacement shall be appointed for the~~
429 ~~unexpired term in the same manner as the original appointment.~~

430 ~~(b) The committee shall elect a chairperson from the membership.~~

431 ~~—— (c) A majority of the committee constitutes a quorum at any meeting, and, if a quorum~~
432 ~~is present at an open meeting, the action of the majority of members shall be the action of the~~
433 ~~advisory committee.~~

434 ~~—— (d) The terms of the advisory committee shall be staggered so that members appointed~~
435 ~~under Subsections (2)(b) and (d) shall serve an initial two-year term and members appointed~~
436 ~~under [Subsections (2)(c) and (e)] Subsection (2)(c) shall serve four-year terms. Thereafter,~~
437 ~~members appointed to the advisory committee shall serve four-year terms.~~

438 ~~—— (4) The advisory committee shall comply with the procedures and requirements of:~~

439 ~~—— (a) Title 52, Chapter 4, Open and Public Meetings Act;~~
440 ~~—— (b) Title 63G, Chapter 2, Government Records Access and Management Act; and~~
441 ~~—— (c) Title 63G, Chapter 3, Utah Administrative Rulemaking Act.~~

442 ~~—— (5) [(a)] A member [who is not a legislator] may not receive compensation or benefits~~
443 ~~for the member's service, but, at the executive director's discretion, may receive per diem and~~
444 ~~travel expenses as allowed in:~~

445 ~~—— [(i)] (a) Section 63A-3-106;~~
446 ~~—— [(ii)] (b) Section 63A-3-107; and~~
447 ~~—— [(iii)] (c) rules adopted by the Division of Finance according to Sections 63A-3-106~~
448 ~~and 63A-3-107.~~

449 ~~—— [(b) Compensation and expenses of a member who is a legislator are governed by~~
450 ~~Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.]~~

451 ~~—— (6) The advisory committee shall:~~

452 ~~—— (a) adopt rules and procedures in accordance with Title 63G, Chapter 3, Utah~~
453 ~~Administrative Rulemaking Act, that establish priorities and criteria for the advisory committee~~
454 ~~to follow in recommending distribution of money from the fund to assist qualified IRC~~
455 ~~501(c)(3) charitable clinics;~~

456 ~~—— (b) identify, evaluate, and review the quality of care available to people with spinal~~
457 ~~cord and brain injuries through qualified IRC 501(c)(3) charitable clinics;~~

458 ~~—— (c) explore, evaluate, and review other possible funding sources and make a~~
459 ~~recommendation to the Legislature regarding sources that would provide adequate funding for~~
460 ~~the advisory committee to accomplish its responsibilities under this section; and~~

461 ~~—— (d) submit an annual report, not later than November 30 of each year, summarizing the~~
462 ~~activities of the advisory committee and making recommendations regarding the ongoing needs~~
463 ~~of people with spinal cord or brain injuries to:~~

464 ~~—— (i) the governor;~~
465 ~~—— (ii) the Health and Human Services Interim Committee; and~~
466 ~~—— (iii) the Health and Human Services Appropriations Subcommittee. }~~

467 Section 5. Section **30-1-34** is amended to read: