

BEARS EARS VISITOR CENTER ADVISORY COMMITTEE

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Doug Owens

Senate Sponsor: _____

Cosponsor: Phil Lyman

LONG TITLE

General Description:

This bill provides for an advisory committee to study a Bears Ears visitor center.

Highlighted Provisions:

This bill:

- ▶ creates the advisory committee;
- ▶ specifies powers and duties of the advisory committee, including contracting with a consultant;
- ▶ provides for the repeal of the advisory committee; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2022:

- ▶ to the Legislature - Senate as a one-time appropriation:
 - from the General Fund, \$2,300;
- ▶ to the Legislature - House of Representatives as a one-time appropriation:
 - from the General Fund, \$4,700; and
- ▶ to the Department of Heritage and Arts - Indian Affairs as a one-time appropriation:
 - from the General Fund, \$6,800.

Other Special Clauses:



27 None

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **63I-2-209**, as enacted by Laws of Utah 2020, Fifth Special Session, Chapter 12

31 ENACTS:

32 **9-9-112**, Utah Code Annotated 1953



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

35 Section 1. Section **9-9-112** is enacted to read:

36 **9-9-112. Bears Ears Visitor Center Advisory Committee.**

37 (1) Utah extends an invitation to the Navajo Nation, the Ute Mountain Ute Tribe, the
38 Hopi Nation, the Zuni Tribe, and the Ute Indian Tribe of the Uintah Ouray to form an advisory
39 committee for the purpose of exploring the feasibility, location, functions, and other important
40 matters surrounding the creation of a visitor center at Bears Ears.

41 (2) As used in this section:

42 (a) "Advisory committee" means the Bears Ears Visitor Center Advisory Committee
43 created by this section.

44 (b) "Bears Ears" means the Bears Ears National Monument.

45 (3) There is created the Bears Ears Visitor Center Advisory Committee consisting of
46 the following eight members:

47 (a) five voting members as follows:

48 (i) a representative of the Navajo Nation, appointed by the Navajo Nation;

49 (ii) a representative of the Ute Mountain Ute Tribe, appointed by the Ute Mountain Ute
50 Tribe;

51 (iii) a representative of the Hopi Nation, appointed by the Hopi Nation;

52 (iv) a representative of the Zuni Tribe, appointed by the Zuni Tribe; and

53 (v) a representative of the Ute Indian Tribe of the Uintah Ouray, appointed by the Ute
54 Indian Tribe of the Uintah Ouray; and

55 (b) subject to Subsection (4), three nonvoting members as follows:

56 (i) one member of the Senate, appointed by the president of the Senate; and

57 (ii) two members of the House of Representatives, appointed by the speaker of the

58 House of Representatives.

59 (4) At least one of the three legislative members appointed under Subsection (3)(b)
60 shall be from a minority party.

61 (5) The advisory committee may select from the advisory committee members the chair
62 or other officers of the advisory committee.

63 (6) (a) If a vacancy occurs in the membership of the advisory committee appointed
64 under Subsection (3), the member shall be replaced in the same manner in which the original
65 appointment was made.

66 (b) A member appointed under Subsection (3) serves until the member's successor is
67 appointed and qualified.

68 (7) (a) A majority of the voting members of the advisory committee constitutes a
69 quorum.

70 (b) The action of a majority of a quorum constitutes an action of the advisory
71 committee.

72 (8) (a) The salary and expenses of an advisory committee member who is a legislator
73 shall be paid in accordance with Section [36-2-2](#) and Legislative Joint Rules, Title 5, Legislative
74 Compensation and Expenses.

75 (b) An advisory committee member who is not a legislator may not receive
76 compensation or benefits for the member's service on the advisory committee, but may receive
77 per diem and reimbursement for travel expenses incurred as an advisory committee member at
78 the rates established by the Division of Finance under:

79 (i) Sections [63A-3-106](#) and [63A-3-107](#); and

80 (ii) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
81 [63A-3-107](#).

82 (9) The advisory committee may invite the United States Forest Service, the Bureau of
83 Land Management, the Division of Parks and Recreation, and the Utah Office of Tourism
84 within the Governor's Office of Economic Development, to serve as technical advisors to the
85 advisory committee.

86 (10) The Division of Indian Affairs shall staff the advisory committee.

87 (11) The advisory committee shall study and make recommendations concerning:

88 (a) the need for a visitor center associated with Bears Ears;

89 (b) the feasibility of a visitor center associated with Bears Ears, including investigating:
 90 (i) potential locations for the visitor center;
 91 (ii) purposes for the visitor center; and
 92 (iii) sources of funding to build and maintain the visitor center;
 93 (c) whether a visitor center will increase visitorship to Bears Ears; and
 94 (d) whether a visitor center at Bears Ears could function as a repository of traditional
 95 knowledge and practices.

96 (12) The advisory committee may contract with one or more consultants to conduct
 97 work related to the issues raised in Subsection (11).

98 (13) The advisory committee shall hold at least one public hearing to obtain public
 99 comment on the creation of a Bears Ears visitor center.

100 (14) The advisory committee shall report the advisory committee's recommendations to
 101 the Economic Development and Workforce Services Interim Committee by no later than the
 102 November 2021 interim meeting of the Economic Development and Workforce Services
 103 Interim Committee. The recommendations shall include whether additional meetings of the
 104 advisory committee are necessary for the advisory committee to complete the duties of the
 105 advisory committee.

106 Section 2. Section **63I-2-209** is amended to read:

107 **63I-2-209. Repeal dates -- Title 9.**

108 (1) Section [9-9-112](#), Bears Ears Visitor Center Advisory Committee, is repealed
 109 November 30, 2022.

110 (2) Title 9, Chapter 6, Part 9, COVID-19 Cultural Assistance Grant Program, is
 111 repealed June 30, 2021.

112 Section 3. **Appropriation.**

113 The following sums of money are appropriated for the fiscal year beginning July 1,
 114 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for
 115 fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
 116 Act, the Legislature appropriates the following sums of money from the funds or accounts
 117 indicated for the use and support of the government of the state of Utah.

118 ITEM 1

119 To Legislature - Senate

120	<u>From General Fund, One-time</u>	<u>\$2,300</u>
121	<u>Schedule of Programs:</u>	
122	<u>Administration</u>	<u>\$2,300</u>
123	<u>ITEM 2</u>	
124	<u>To Legislature - House of Representatives</u>	
125	<u>From General Fund, One-time</u>	<u>\$4,700</u>
126	<u>Schedule of Programs:</u>	
127	<u>Administration</u>	<u>\$4,700</u>
128	<u>ITEM 3</u>	
129	<u>To Department of Heritage and Arts - Indian Affairs</u>	
130	<u>From General Fund, One-time</u>	<u>\$6,800</u>
131	<u>Schedule of Programs:</u>	
132	<u>Indian Affairs</u>	<u>\$6,800</u>
133	<u>The Legislature intends that an appropriation provided under these items be used for</u>	
134	<u>expenses relating to the per diem and reimbursement for travel expenses incurred by the Bears</u>	
135	<u>Ears Visitor Center Advisory Committee as described in Section 9-9-112. It is the intent of the</u>	
136	<u>Legislature that the appropriations be nonlapsing.</u>	