

**MINUTES OF THE
NATIVE AMERICAN LEGISLATIVE LIAISON COMMITTEE**
Tuesday, November 17, 2009 – 3:00 p.m. – Room 25 House Building

Members Present:

Sen. Kevin T. Van Tassell, Senate Chair
Rep. Jack R. Draxler, House Chair
Sen. Patricia W. Jones
Sen. Dennis E. Stowell
Rep. Douglas C. Aagard
Rep. Kay L. McIff
Rep. Jay F. Seegmiller
Rep. Christine F. Watkins
Rep. Mark A. Wheatley

Members Absent:

Rep. Michael E. Noel

Staff Present:

Mr. John Q. Cannon, Managing Policy Analyst
Ms. Patricia Owen, Associate General Counsel
Ms. Wendy Bangerter, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Draxler called the meeting to order at 3:00 p.m.

MOTION: Sen. Van Tassell moved to approve the minutes of the January 27, 2009 and September 3, 2009 meetings. The motion passed unanimously. Sen. Jones, Sen. Robles, Rep. Aagard, and Rep. Wheatley were absent for the vote.

Ms. Owen reported that following the Native American Summit (Summit) in September, issues of concern were referred to the departments and persons that had the best resources to seek resolutions to those issues.

2. Uintah Basin Revitalization Fund Annual Report

Ms. Owen distributed and reviewed a letter addressed to United States Senator Bob Bennett for the committee's consideration. The letter expressed the support of the president of the Senate, the speaker of the House of Representatives, and the Committee for congressional efforts to transfer the authority and resources related to the 37.5% of oil and gas royalties from the lands commonly known as the Aneth Extension, to a party other than the State of Utah. The Committee discussed the ramifications of supporting the proposal.

MOTION: Sen. Van Tassell moved to approve the letter and to direct that it be sent to Sen. Bennett. The motion passed unanimously. Sen. Stowell was absent for the vote.

Mr. John Harja, Assistant Director, Planning and Policy, Office of the Governor, reviewed the "Uintah Basin Revitalization Fund" previously distributed to the Committee. He distributed and discussed "Navajo & Uintah Basin Revitalization Funds - Legislative Report, FY 09."

Mr. Keith Heaton, Program Manager, Division of Housing, Department of Community and Culture, explained the impact of legislation enacted in 2007.

3. Navajo Revitalization Fund Annual Report

Mr. Harja referred to the annual report previously discussed. He explained issues related to the application and approval for capital projects. He explained the previous relationship with the now repealed Navajo Trust Fund. With the help of the Navajo Trust Fund no longer available, he expressed the need for additional money to administer the Navajo Revitalization Fund.

Mr. Keith Heaton, Program Manager, Department of Community and Culture, reviewed activities of the Navajo Revitalization Fund for 2009.

Committee discussion followed.

4. Utah Division of Indian Affairs and Native American Remains Review Committee Annual Reports

Mr. Cannon explained Utah Code, Title 9, Chapter 9, previously distributed to the Committee. He emphasized the mechanism set by statute for departments, the Utah Division of Indian Affairs, and tribal leaders to meet together and coordinate.

Mr. Forrest Cuch, Director, Utah Division of Indian Affairs, Department of Community and Culture, stated that the Division has had good cooperation from most of the departments with which it works. He asked for assistance in encouraging the Board of Regents to assign someone to work with the Division. He distributed a packet of materials and gave the annual report for the Division and the Native American Remains Review Committee. He reviewed several other projects being pursued.

Mr. Cuch noted that presentations are being given to schools and clubs, on a regular basis, regarding the recent documentaries on the histories of Utah Indian Tribes. He distributed the curriculum guide that was highlighted at the Summit.

Ms. Elizabeth Player, Utah Indian Curriculum Project, explained the curriculum project to educate Utah students about American Indian history. She discussed the inclusion of American Indian history in school's curriculum.

Following committee discussion, the chairs committed to invite the State Office of Education to respond to the feasibility of changing the state's core curriculum to require additional American Indian studies and to require American Indian studies as part of a teacher's certification.

5. Followup of Issues From the Committee Meeting at the Native American Summit

Ms. Lora Tom, Chair, Cedar Band Tribe of Utah, reported on efforts the Cedar Band of the Utah Paiute Tribe has made since the Summit regarding the Band's tax code.

Mr. Travis Neal Parachantz, CEO, Cedar Band Enterprises, Cedar Band Paiute Tribe of Utah, explained that a tax code was established because of efforts to develop a travel center.

Mr. Mark Echohawk, attorney, reviewed general background of the Paiute economic development efforts and explained that the Cedar Band has the opportunity to construct a travel center and that the Band is seeking certain tax exemptions.

Committee discussion followed.

Mr. Clarence Rockwell, Administrator, Utah Navajo Commission, distributed and discussed a list of Utah Navajo Housing Projects that were funded from allocations to the Navajo Trust Fund. He explained that some projects are incomplete. He asked if the Committee would consider taking additional money from the Utah Navajo Royalty Fund to fund the unfinished projects.

Mr. Harja discussed issues related to the request for funding.

Ms. Kim Hood, Executive Director, Department of Administrative Services and Administrator of the Utah Navajo Royalty Fund, discussed issues related to the request for funding.

Sen. Van Tassell recommended the chairs address these issues with the governor and legislative leaders.

6. Other Items / Adjourn

MOTION: Rep. Aagard moved to adjourn the meeting. The motion passed. Sen. Jones and Sen. Stowell were absent for the vote.

Chair Draxler adjourned the meeting at 4:52 p.m.