

The Native American Affairs' Policy

Sec. 6. 1. The DNAA shall develop and implement a policy that:

- (a) Promotes effective communication and collaboration between a state agency and Indian Tribes;
- (b) Promotes positive government-to-government relations between this State and Indian Tribes;
- (c) Promotes cultural competency in providing effective services to Indian Tribes; and
- (d) Establishes a method for notifying employees of a state agency of the provisions of sections 2 to 8, inclusive, of this act, and the policy that the Commission develops pursuant to this section.

Sec. 6. 2. In the process of developing the policy pursuant to subsection 1, the DNAA shall consult with representatives of Indian Tribes and of state agencies.

The Native American Affairs' List

Sec. 6. 6. The DNAA shall publish on its Internet website an accurate list of the names and contact information for the leaders of the Indian Tribes and for the Tribal liaison of each state agency that communicates with Indian tribes on a regular basis.

State Agencies

Sec. 6. 3. A state agency shall make a reasonable effort to collaborate with Indian tribes in the development and implementation of policies, agreements and programs of the state agency that directly affect Indian tribes.

Sec. 6. 4. Each state agency that communicates with Indian tribes on a regular basis shall designate a Tribal liaison who reports directly to the office of the head of the agency.

Sec. 6. 4. The tribal liaison shall:

- (a) Assist the head of the state agency with ensuring the implementation of the policy developed pursuant to subsection 1;
- (b) Serve as a contact person who shall maintain ongoing communication between the state agency and affected Indian tribes; and
- (c) Ensure that training is provided to the staff of the state agency pursuant to subsection 2 of section 7 of this act.

Nothing in this subsection precludes a Tribal liaison from providing or facilitating additional training.

Sec. 6. 5. If a representative of an Indian tribe, on tribal business, contacts a state agency to resolve an issue with a policy, agreement or program of the state agency that affects that Indian tribe, the Tribal liaison of the state agency shall notify the head of the state agency of the issue. The head of the state agency, or his or her designee, and the tribal liaison must follow the policy developed pursuant to subsection 1 to attempt to resolve the issue in collaboration with the Indian Tribe.

Governor State-Tribal Summit

Sec. 7. 1. At least once each year, the Governor shall meet with the leaders of Indian Tribes in a state-tribal summit to address matters of mutual concern.

DHRM Training

Sec 7.2. All heads of a state agency, state agency managers, and employees who have ongoing communication with Indian Tribes shall complete a training provided by the Division of Human Resource Management of the Department of Administration in consultation with the DNAA.

Sec 7.2. Such training must be designed to support:

- (a) The promotion of effective communication and collaboration between state agencies and Indian Tribes;
- (b) The development of positive government-to-government relations between this State and Indian Tribes; and
- (c) Cultural competency in providing effective services to Indian Tribes.

"Regular Basis" Agency Report

Sec 7.3. On or before July 1 of each year, each state agency that communicates with Indian Tribes on a regular basis shall submit a report to the DNAA on the activities of the state agency pursuant to sections 2 to 8, inclusive, of this act. The report must include:

- (a) The name and contact information of each person in the state agency who is responsible for developing and implementing programs of the state agency that directly affect Indian tribes;
- (b) Any actions taken or planned by the state agency to carry out the policy implemented pursuant to section 6 of this act;
- (c) A certification by the Division of Human Resource Management of the Department of Administration of the number of managers and employees of the state agency who have completed the training required pursuant to subsection 2;
- (d) A description of current and planned programs and services provided to or directly affecting Indian Tribes and the amount of funding for each program; and
- (e) A description of the method the state agency established for notifying employees of the state agency of the provisions of sections 2 to 8, inclusive, of this act.

Sec. 9. Notwithstanding the provisions of section 7 of this act, the initial report submitted by each state agency pursuant to subsection 3 of section 7 of this act must be submitted on or before July 1, 2020.

Native American Affairs Report

Sec 7.4. The DNAA shall periodically submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature:

- (a) A compilation of the reports submitted pursuant to subsection 3; and
- (b) A report on the activities and any findings and recommendations of the DNAA.

Definitions

Sec. 2. As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3.5 to 5, inclusive, of this act have the meanings ascribed to them in those sections.

Sec. 3. (Deleted by amendment.)

Sec. 3.5. "Agreement" means a written agreement or a written contract of a state agency.

Sec. 4. "Indian Tribe" means a federally recognized American Indian tribe pursuant to 25 C.F.R. §§ 83.1 to 83.12, inclusive.

Sec. 4.3. "Policy" means an official public policy of a state agency that creates a common practice relating to a class of issues.

Sec. 4.7. "Program" means an official program of a state agency.

Sec. 5. "State agency" means an agency, bureau, board, commission, department or division of the Executive Department of State Government.

Review

Sec. 8. The provisions of sections 2 to 8, inclusive, of this act do not establish a private right of action against a state agency or a right of review of an action of a state agency.