

**Effective 7/1/2015**

**51-10-205 Expenditures from the fund.**

- (1)
  - (a) Under the direction of the board, the trust administrator may make expenditures from the fund in accordance with Subsection 51-10-204(2)(e).
  - (b) The board may enter into a cost sharing agreement with one or more governmental entities if the cost sharing agreement is recommended by at least four of the Utah Navajo Chapters.
- (2)
  - (a) Before making any expenditures from the fund to a service provider, the trust administrator shall:
    - (i) comply with Title 63G, Chapter 6a, Utah Procurement Code; and
    - (ii) review and approve the service provider's entire budget.
  - (b) The trust administrator may require that a service provider modify its budget or meet other conditions precedent established by the trust administrator before the service provider may receive expenditures from the fund.
- (3) The trust administrator shall make an expenditure from the fund that is not an administrative expenditure by:
  - (a) preparing a written document that:
    - (i) defines specifically how the expenditure from the fund may be used;
    - (ii) establishes any conditions precedent to use of the expenditure; and
    - (iii) requires the recipient of fund money to provide the trust administrator with progress reports detailing how the money has been expended; and
  - (b) obtaining the signature of the recipient on that document before releasing any money from the fund.
- (4) The trust administrator shall:
  - (a) make rules in accordance with Subsection (6) that:
    - (i) establish policies and criteria for expenditure of fund money; and
    - (ii) establish performance evaluation criteria with which to evaluate the success of expenditures from the fund after they are made;
  - (b) develop procedures, forms, and standards for persons seeking distribution of fund money that implement the policies and criteria established by rule;
  - (c) evaluate the requests for expenditures of fund money against:
    - (i) the policies and criteria established by rule; and
    - (ii) the requestor's success in meeting performance evaluation criteria and goals in any prior receipt of fund money;
  - (d) develop performance goals for each fund expenditure that implement the performance evaluation criteria established in rule; and
  - (e) monitor and evaluate each fund expenditure based upon the performance goals and performance evaluation criteria created under this Subsection (4).
- (5) The trust administrator may expend fund money for per diem and expenses incurred by the Diné Advisory Committee in performance of official duties.
- (6) The trust administrator shall make a rule described in Subsection (4)(a):
  - (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
  - (b) with the input and recommendation of the Diné Advisory Committee; and
  - (c) with the approval of the board.

Enacted by Chapter 319, 2015 General Session