

9-9-104.5 Meetings with Tribal Leaders and Native American Indian organizations.

- (1) The division shall meet regularly with:
 - (a) elected officials of Indian Tribal Nations located in whole or in part in the state; or
 - (b) individuals designated by elected officials of the Indian Tribal Nations described in Subsection (1)(a).
- (2)
 - (a) Subject to Section 9-9-104.6, at least six times each year, the division shall coordinate and attend a joint meeting of the representatives of tribal governments listed in Subsection (2)(b) for the purpose of coordinating the efforts of state and tribal governments in meeting the needs of the Native American Indians residing in Utah.
 - (b)
 - (i) The representatives to be included in the meeting described in Subsection (2)(a) shall be elected officials, serve as representatives for their entire elected term, and be selected as follows:
 - (A) as a nonvoting member, an elected official of the Navajo Nation, Window Rock, Arizona, selected by the Navajo Nation, if the Navajo Nation chooses to select an elected official;
 - (B) the Navajo Nation council delegate that represents the Utah Navajo Chapters, as defined in Section 35A-8-1702, if the council delegate resides in San Juan County, Utah, or if the council delegate does not reside in San Juan County, Utah, a president of a Utah Navajo Chapter selected by the presidents of the Utah Navajo Chapters;
 - (C) an elected official of the Ute Indian Tribe of the Uintah and Ouray Reservation selected by the Uintah and Ouray Tribal Business Committee;
 - (D) an elected official of the Paiute Indian Tribe of Utah selected by the Paiute Indian Tribe of Utah Tribal Council;
 - (E) an elected official of the Northwestern Band of the Shoshone Nation that resides in Utah or Idaho selected by the Northwestern Band of the Shoshone Nation Tribal Council;
 - (F) an elected official of the Confederated Tribes of the Goshute selected by the Confederated Tribes of the Goshute Reservation Tribal Council;
 - (G) an elected official of the Skull Valley Band of Goshute Indians selected by the Skull Valley Band of Goshute Indian Tribal Executive Committee;
 - (H) as a nonvoting member, an elected official of the Ute Mountain Ute Tribe, Colorado, selected by the Ute Mountain Ute Tribal Nation, if the Ute Mountain Ute Tribal Nation chooses to select an elected official;
 - (I) an elected official of the Ute Mountain Ute Tribe that resides in Utah selected by the Ute Mountain Ute Tribal Council; and
 - (J) an elected official of the San Juan Southern Paiute Tribe, residing in Utah or Arizona, selected by the San Juan Southern Paiute Tribal Council.
 - (ii) Notwithstanding Subsection (2)(b)(i), if an elected official of an Indian Tribal Nation provides notice to the division, the Indian Tribal Nation may designate an individual other than the elected official selected under Subsection (2)(b)(i) to represent the Indian Tribal Nation at an individual meeting held under Subsection (2)(a).
 - (iii) A majority of voting members listed in Subsection (2)(b)(i) constitutes a quorum for purposes of a meeting held under Subsection (2)(a). An action of a majority of voting members present when a quorum is present constitutes action of the representatives for purposes of a meeting described in Subsection (2)(a).
 - (c)
 - (i) A meeting held in accordance with Subsection (2)(a) is subject to Title 52, Chapter 4, Open and Public Meetings Act.

- (ii) A meeting of representatives listed in Subsection (2)(b) is not subject to the requirements of Title 52, Chapter 4, Open and Public Meetings Act, notwithstanding whether it is held on the same day as a meeting held in accordance with Subsection (2)(a) if:
 - (A) the division does not coordinate the meeting described in this Subsection (2)(c)(ii);
 - (B) no state agency participates in the meeting described in this Subsection (2)(c)(ii);
 - (C) a representative receives no per diem or expenses under this section for attending the meeting described in this Subsection (2)(c)(ii) that is in addition to any per diem or expenses the representative receives under Subsection (2)(d) for attending a meeting described in Subsection (2)(a); and
 - (D) the meeting described in this Subsection (2)(c)(ii) is not held:
 - (I) after a meeting described in Subsection (2)(a) begins; and
 - (II) before the meeting described in Subsection (2)(c)(ii)(D)(I) adjourns.
- (d) A representative of a tribal government that attends a meeting held in accordance with Subsection (2)(a) may not receive compensation or benefits for the representative's service, but may receive per diem and travel expenses in accordance with:
 - (i) Section 63A-3-106;
 - (ii) Section 63A-3-107; and
 - (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (e) For a meeting described in Subsection (2)(a), only the individuals described in Subsection (2)(b) may receive per diem and expenses, as provided in Subsection (2)(d).
- (3) The division may meet as necessary with Native American Indian groups other than tribal governments representing the interests of Native American Indians who are citizens of the state residing on or off reservation land.

Amended by Chapter 203, 2013 General Session