

1                                   **NAVAJO TRUST FUND AMENDMENTS**

2   2000 GENERAL SESSION

3   STATE OF UTAH

4                                   **Sponsor: Keele Johnson**

5 AN ACT RELATING TO STATE AFFAIRS; EXTENDING THE SUNSET DATE FOR THE  
6 NAVAJO TRUST FUND; AMENDING DEFINITIONS; ADDRESSING DUTIES OF THE  
7 TRUST ADMINISTRATOR; ADDRESSING EXPENDITURES FROM THE FUND;  
8 MODIFYING THE REQUIREMENTS OF THE NEEDS ASSESSMENT; AMENDING  
9 PROVISIONS RELATED TO THE DINEH COMMITTEE; AND MAKING TECHNICAL  
10 CHANGES.

11 This act affects sections of Utah Code Annotated 1953 as follows:

12 AMENDS:

13           **63-55-263**, as last amended by Chapters 13, 122 and 270, Laws of Utah 1998

14           **63-88-101**, as last amended by Chapter 4, Laws of Utah 1993

15           **63-88-102**, as last amended by Chapter 35, Laws of Utah 1997

16           **63-88-105**, as last amended by Chapter 35, Laws of Utah 1997

17           **63-88-106**, as last amended by Chapter 144, Laws of Utah 1994

18           **63-88-107**, as last amended by Chapter 243, Laws of Utah 1996

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

20           Section 1. Section **63-55-263** is amended to read:

21           **63-55-263. Repeal dates, Titles 63, 63A, and 63C.**

22           (1) (a) Title 63, Chapter 25a, Part 1, Commission on Criminal and Juvenile Justice, is  
23 repealed July 1, 2002.

24           (b) Title 63, Chapter 25a, Part 3, Sentencing Commission, is repealed January 1, 2002.

25           (2) The Crime Victims' Reparations Board, created in Section 63-25a-404, is repealed July  
26 1, 2007.

27           (3) The Resource Development Coordinating Committee, created in Section 63-28a-2, is

28 repealed July 1, 2004.

29 (4) Title 63, Chapter 38c, State Appropriations and Tax Limitation Act, is repealed July  
30 1, 2005.

31 (5) Title 63, Chapter 75, Families, Agencies, and Communities Together for Children and  
32 Youth At Risk Act, is repealed July 1, 2001.

33 (6) Title 63, Chapter 88, Navajo Trust Fund, is repealed July 1, [2000] 2005.

34 (7) Sections 63A-4-204 and 63A-4-205, authorizing the Risk Management Fund to provide  
35 coverage to nonstate entities, are repealed July 1, 2001.

36 (8) Title 63A, Chapter 7, Utah Sports Authority Act, is repealed July 1, 2003.

37 (9) Title 63A, Chapter 10, State Olympic Coordination Act, is repealed July 1, 2003.

38 (10) The Utah Health Policy Commission, created in Title 63C, Chapter 3, is repealed July  
39 1, 2001.

40 [~~11) The Utah Pioneer Sesquicentennial Celebration Coordinating Council created in~~  
41 ~~Section 63C-5-102 is repealed June 30, 1998.~~]

42 Section 2. Section **63-88-101** is amended to read:

43 **63-88-101. Definitions.**

44 As used in this chapter:

45 (1) "Administrative expenditures" means:

46 (a) expenditures for professional services;

47 (b) expense reimbursement for the Dineh Committee; and

48 (c) expense reimbursement, salaries, and benefits for the trust administrator and [his] the  
49 trust administrator's staff.

50 (2) "Assessment" means [either] taking one of the following actions to assess the health,  
51 education, and general welfare needs of Navajos:

52 (a) a survey of [~~San Juan County~~] Navajos that includes:

53 (i) a random sample large enough to secure an accurate representation of their needs; and

54 (ii) a response rate large enough to provide an accurate representation of those needs; [~~or~~]

55 (b) at least three public hearings held to survey and solicit Navajo needs that are advertised  
56 for two weeks before the hearing by:

57 (i) announcements by the [~~chapters~~];

58 (A) Utah Navajo Chapters, if allowed by the chapter; and

- 59           (B) Blue Mountain Dine';
- 60           (ii) notice posted in the chapter buildings and other public locations, if allowed by the
- 61 chapter;
- 62           (iii) notice of the meeting announced on the radio or television; and
- 63           (iv) notice of the meeting published at least once per week for two consecutive weeks in
- 64 any newspapers of general circulation within the Navajo community[-:]; or
- 65           (c) a physical inventory:
- 66           (i) conducted by the Office of Trust Administrator;
- 67           (ii) coordinated with:
- 68           (A) each Utah Navajo Chapter;
- 69           (B) the Blue Mountain Dine'; and
- 70           (C) other sources; and
- 71           (iii) conducted to determine needs including:
- 72           (A) the number and capacity of public facilities;
- 73           (B) the extent of graveled and paved:
- 74           (I) roads; or
- 75           (II) air strips;
- 76           (C) the inventory of water resources;
- 77           (D) the extent of residential electrical power distribution; and
- 78           (E) the number and condition of housing units.
- 79           ~~[(8) "Prioritized list of needs"]~~ (3) "Assessment analysis results" means the [list created
- 80 by] analysis:
- 81           (a) of the results of the assessment required by Section 63-88-105; and
- 82           (b) that is developed by the Dineh Committee and the trust administrator [that is required
- 83 by] in accordance with Section [63-88-104] 63-88-105.
- 84           (4) "Blue Mountain Dine'" means the off-reservation Navajo community organization
- 85 known as the Blue Mountain Dine'.
- 86           (5) "Board of trustees" or "board" means the board of trustees created in Section
- 87 63-88-103.
- 88           ~~[(3)]~~ (6) "Business enterprise" means a sole proprietorship, partnership, corporation, or
- 89 other private entity organized to provide goods or services for a profit.

90 (7) "Capital" means an investment by the owner of a business enterprise:

91 (a) in:

92 (i) cash;

93 (ii) equipment;

94 (iii) land; or

95 (iv) other assets similar to that described in Subsections (7)(a)(i) through (iii); and

96 (b) that is pledged to be used in the operation of the business enterprise.

97 [(4)] (8) "Dineh Committee" means the Dineh Committee created in Section 63-88-107.

98 [(5)] (9) "Income" means all revenues from investments made by the state treasurer of the  
99 trust fund principal.

100 [(7)] (10) "Navajos" means San Juan County, Utah Navajos.

101 (11) "Office of Trust Administrator" means the office created in Section 63-88-104.

102 [(6)] (12) "Principal" means:

103 (a) the balance of the trust fund as of February 26, 1992[;]; and

104 (b) all revenue to the trust fund from whatever source except income as defined in  
105 Subsection [(5)] (9).

106 [(9)] (13) "Service provider" means any [~~business enterprise, private nonprofit~~  
107 organization, or government entity] of the following that provides goods or services to Navajos[-];

108 (a) a business enterprise;

109 (b) a private nonprofit organization; or

110 (c) a government entity.

111 [(10)] (14) "Trust administrator" means the professional trust administrator appointed as  
112 provided in this [part] chapter.

113 [(11)] (15) "Trust fund" or "fund" means the Navajo Trust Fund created by Section  
114 63-88-102.

115 (16) "Utah Navajo Chapter" means the following chapters of the Navajo Nation:

116 (a) Aneth Chapter;

117 (b) Mexican Water Chapter;

118 (c) Navajo Mountain Chapter;

119 (d) Oljato Chapter;

120 (e) Dennehotso Chapter;

121 (f) Red Mesa Chapter; and

122 (g) Teec Nos Pos Chapter.

123 Section 3. Section **63-88-102** is amended to read:

124 **63-88-102. Trust Fund -- Creation -- Oversight.**

125 (1) There is created an expendable trust fund entitled the "Navajo Trust Fund."

126 (2) The fund consists of:

127 (a) revenues received by the state that represent the 37-1/2% of the net oil royalties from  
128 the Aneth Extension of the Navajo Indian Reservation required by P.L. 72-403, 47 Stat. 1418, to  
129 be paid to the state;

130 (b) monies received by the trust administrator or Dineh Committee from any contracts  
131 executed by:

132 (i) the trust administrator;

133 (ii) the board; or

134 (iii) the Dineh Committee;

135 (c) appropriations made to the fund by the Legislature, if any;

136 (d) income as defined in Subsection 63-88-101~~(5)~~(9); and

137 (e) other revenues received from other sources.

138 (3) The Division of Finance shall account for the receipt and expenditures of fund monies.

139 (4) (a) The state treasurer shall invest fund monies by following the procedures and  
140 requirements of Title 51, Chapter 7, State Money Management Act.

141 (b) (i) The fund shall earn interest.

142 (ii) The state treasurer shall deposit all interest or other revenue earned from investment  
143 of the fund back into the fund.

144 (5) The state auditor shall:

145 (a) conduct an annual audit of the fund's finances, internal controls, and compliance with  
146 statutes, rules, policies, and regulations according to the procedures and requirements of Title 67,  
147 Chapter 3, Auditor; and

148 (b) deliver a copy of that audit report to the:

149 (i) board;

150 (ii) trust administrator;

151 (iii) Dineh Committee;

152 (iv) Office of Legislative Research and General Counsel for presentation to the Native  
153 American Legislative Liaison Committee, created in Section 36-22-1;

154 (v) governor's office;

155 (vi) Division of Indian Affairs;

156 (vii) U.S. Bureau of Indian Affairs;

157 (viii) Navajo Nation; and

158 (ix) U.S. Secretary of the Interior.

159 Section 4. Section **63-88-105** is amended to read:

160 **63-88-105. Trust administrator -- Duties.**

161 (1) Under the direction of the board, the trust administrator shall:

162 (a) review the documents and decisions highlighting the history of the trust fund,  
163 including:

164 (i) the Nelson report, prepared as part of the Bigman v. Utah Navajo Development Council  
165 Inc. C77-0031;

166 (ii) the November 1991 performance audit of the Utah Navajo Trust Fund by the  
167 legislative auditor general;

168 (iii) *Sakezzie v. Utah Indian Affairs Commission*, 198 F. Supp. 218 (1961);

169 (iv) *Sakezzie v. Utah Indian Affairs Commission*, 215 F. Supp. 12 (1963); and

170 (v) the September 8, 1977, consent decree, the stipulation dated November 29, 1984,  
171 modifying the consent decree, and the court's memorandum opinion dated September 25, 1978,

172 in *Bigman v. Utah Navajo Development Council, Inc.*, C77-0031;

173 (b) review all potential sources of trust fund revenues [~~and~~];

174 (c) prepare annual projections of monies that will be available for Navajo programs;

175 [~~(e)~~] (d) identify all property owned by the trust [~~and~~] fund;

176 (e) establish and maintain a record system to retain records relating to the [~~trust's~~] trust  
177 fund's property;

178 [~~(d)~~] (f) review all existing and proposed programs financed by the trust fund [~~and~~];

179 (g) evaluate whether or not [~~they~~] the programs described in Subsection (1)(f) are the most  
180 practical and cost-efficient means to provide the desired benefit to [~~Utah~~] Navajos;

181 [~~(e)~~] (h) consult regularly with the administrators of all programs financed by the trust fund  
182 to obtain [~~at least quarterly~~] progress reports on all programs;

183           ~~[(f)]~~ (i) attend all meetings of;

184           (i) the Dineh Committee; and

185           (ii) the board of trustees;

186           ~~[(g)]~~ (j) establish written policies identifying expenses payable from the fund for Dineh

187 Committee members;

188           ~~[(h)]~~ (k) certify that all expenditures from the trust fund;

189           (i) comply with the state's fiduciary responsibilities as trustee of the fund; and

190           (ii) are consistent with this section;

191           ~~[(i)]~~ (l) make an annual report;

192           (i) to the;

193           (A) board[~~;~~];

194           (B) the governor[~~;~~]; and

195           (C) the Native American Legislative Liaison Committee, created in Section 36-22-1[~~;~~];

196 and

197           (ii) that:

198           ~~[(i)]~~ (A) identifies the source and amount of all revenue received by the fund;

199           ~~[(ii)]~~ (B) identifies the recipient, purpose, and amount of all expenditures from the fund;

200           ~~[(iii)]~~ (C) identifies specifically each of the fund's investments and the actual return and

201 the rate of return from each investment; and

202           ~~[(iv)]~~ (D) recommends any necessary statutory changes to;

203           (A) improve administration of the fund; or ~~[to]~~

204           (B) protect the state from liability as trustee;

205           ~~[(j)]~~ (m) establish, in conjunction with the state treasurer, the state auditor, and the

206 Division of Finance, appropriate accounting practices for all trust fund receipts, expenditures, and

207 investments according to generally accepted accounting principles;

208           ~~[(k)]~~ (n) provide summary records of trust fund receipts, expenditures, and investments

209 to the board and to the Dineh Committee at each of their meetings;

210           ~~[(l)]~~ (o) pay administrative expenses from the fund;

211           ~~[(m)]~~ (p) report monthly to the board about;

212           (i) the trust administrator's activities; and

213           (ii) the status of the trust fund; and

214 ~~[(n)]~~ (q) call additional meetings of the Dineh Committee when necessary.

215 (2) In conjunction with the Dineh Committee and under the direction of the board, the trust  
216 administrator shall:

217 (a) ~~[before the beginning of each fiscal year,]~~ subject to Subsection (4), conduct ~~[an~~  
218 ~~annual]~~ an assessment at least every two years of the needs of Navajos ~~[in the areas of health,~~  
219 ~~education, and general welfare];~~

220 (b) before the beginning of each fiscal year, based ~~[upon]~~ on the ~~[annual]~~ assessment  
221 required by Subsection (2)(a), develop~~[- before the beginning of each fiscal year,]~~ assessment  
222 analysis results that allow the establishment of a [prioritized] list of the needs of Navajos for that  
223 year to be used for the annual budget;

224 (c) before the beginning of each fiscal year, develop and approve an annual budget for the  
225 trust fund;

226 (d) develop an ethics and conflict of interest policy ~~[for the trust administrator, the~~  
227 ~~administrator's employees, and the Dineh Committee]~~ that emphasizes the need to avoid even the  
228 appearance of conflict of interest or impropriety~~[:]~~ that is to apply to:

229 (i) the trust administrator;

230 (ii) the trust administrator's employees; and

231 (iii) the Dineh Committee;

232 (e) require the trust administrator, each of the trust administrator's employees, and each  
233 Dineh Committee member to sign and keep on file written documentation that acknowledges:

234 (i) their receipt of the ethics and conflict of interest policy described in Subsection (2)(d);  
235 and

236 (ii) their willingness to abide by [its] the provisions of the ethics and conflict of interest  
237 policy described in Subsection (2)(d); and

238 (f) make expenditures from the fund "for the health, education, and general welfare of the  
239 Navajo Indians, residing in San Juan County" as required by:

240 (i) P.L. 72-403, 47 Stat. 1418 (1933);

241 (ii) P.L. 90-306, 82 Stat. 121 (1968); and

242 (iii) this chapter.

243 (3) The trust administrator, under direction of the board, may:

244 (a) contract with public and private entities; and



245 (b) unless prohibited by law or the requirements of this chapter, acquire and hold monies  
246 and other property received in the administration of the trust fund.

247 (4) (a) Notwithstanding Subsection 63-88-101(2), the trust administrator shall ensure that  
248 at least every six years the assessment includes:

249 (i) a survey as described in Subsection 63-88-101(2)(a); or

250 (ii) public hearings as described in Subsection 63-88-101(2)(b).

251 (b) Subsection (2)(a) does not prohibit the trust administrator from conducting a physical  
252 inventory as defined in Subsection 63-88-101(2)(c) during the same year a survey or public hearing  
253 is required.

254 Section 5. Section **63-88-106** is amended to read:

255 **63-88-106. Expenditures from the trust fund.**

256 (1) (a) ~~[The]~~ Under the direction of the board of trustees, the trust administrator~~[, under~~  
257 ~~the direction of the board,]~~ may make expenditures to invest in business enterprises;

258 (i) as authorized and limited by this section[-]; and

259 (ii) giving consideration to the advice of the Dineh Committee.

260 (b) When making expenditures to invest in a business ~~[enterprises]~~ enterprise the trust  
261 administrator:

262 (i) may expend trust monies only on a business ~~[enterprises]~~ enterprise located in San Juan  
263 County;

264 (ii) may expend trust fund monies only:

265 (A) to invest in a joint business [enterprises] enterprise; and [only]

266 (B) when the other party's [cash] capital investment is larger than the trust fund's  
267 expenditure; and

268 (iii) may not continue to make expenditures to or in support of ~~[the]~~ a business enterprise  
269 if the business enterprise fails to show a profit within three years.

270 (2) (a) Before making any expenditures to a business enterprise or service provider from  
271 the trust fund, the trust administrator shall:

272 (i) comply with ~~[the provisions of]~~ Title 63, Chapter 56, Utah Procurement Code; and

273 (ii) review and approve the business enterprise's or service provider's entire budget.

274 (b) The trust administrator may require that a business enterprise or service provider  
275 modify its budget or meet other conditions precedent established by the trust administrator before

276 the business enterprise or service provider may receive expenditures from the trust fund.

277 (3) The trust administrator shall make all expenditures from the trust fund that are not  
278 administrative expenditures by:

279 (a) preparing a written document that:

280 (i) defines specifically how the expenditure from the trust fund may be used ~~[and]~~;

281 (ii) establishes any conditions precedent to its use; and

282 ~~[(ii)]~~ (iii) requires the recipient of trust fund monies to provide the trust administrator with

283 ~~[regular financial]~~ progress reports detailing how ~~[the monies received from the trust fund]~~

284 program funds have been expended; and

285 (b) obtaining the signature of the recipient on that document before releasing any monies  
286 from the trust fund.

287 (4) The trust administrator shall:

288 (a) ~~[by following the procedures and requirements of Title 63, Chapter 46a, Administrative~~  
289 ~~Rulemaking Act,]~~ make rules in accordance with Subsection (6) that:

290 (i) establish policies and criteria for expenditure of the trust fund monies that take into  
291 account the ~~[prioritized list of needs]~~ assessment analysis results; and

292 (ii) establish performance ~~[policies and]~~ evaluation criteria with which to evaluate the  
293 success of expenditures from the trust fund after they are made;

294 (b) develop procedures, forms, and standards for persons seeking distribution of trust fund  
295 monies that implement the policies and criteria for expenditures established by rule;

296 (c) evaluate all requests for expenditures of trust fund monies against:

297 (i) the policies and criteria established by rule; and ~~[against]~~

298 (ii) the requestor's success in meeting performance evaluation criteria and goals in any  
299 prior receipt of trust fund monies;

300 (d) develop performance goals for each trust fund expenditure that implement the  
301 performance evaluation criteria established in rule; and

302 (e) monitor and evaluate each trust fund expenditure based upon ~~[those]~~ the performance  
303 goals and performance evaluation criteria created under this Subsection (4).

304 (5) The trust administrator may expend trust monies for per diem and expenses incurred  
305 by the Dineh Committee in performance of their official duties.

306 (6) The trust administrator shall make a rule described in Subsection (4)(a):

307 (a) in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act;

308 (b) with the input and recommendation of the Dineh Committee; and

309 (c) with the approval of the board of trustees.

310 Section 6. Section **63-88-107** is amended to read:

311 **63-88-107. Utah Dineh Committee.**

312 (1) There is created the Dineh Committee.

313 (2) (a) The governor with the advice and consent of the Senate shall in accordance with  
314 this section appoint nine members to the committee.

315 (b) [The] In making an appointment under Subsection (2)(a), the governor shall ensure  
316 that:

317 (i) each member of the committee is an individual:

318 (A) who is an enrolled member of the Navajo Nation; and

319 (B) whose name and tribal number are contained in the trust fund's population database;

320 and

321 (ii) the committee includes:

322 [(i)] (A) two [enrolled] registered members of the Aneth Chapter of the Navajo [tribe]  
323 Nation who reside in San Juan County, Utah;

324 [(ii)] (B) one [enrolled] registered member of the Blue Mountain Dine'[, an off-reservation  
325 chapter;] who resides in San Juan County, Utah;

326 [(iii)] (C) one [enrolled] registered member of the Mexican Water Chapter of the Navajo  
327 [tribe] Nation who resides in San Juan County, Utah;

328 [(iv)] (D) one [enrolled] registered member of the Navajo Mountain Chapter of the Navajo  
329 [tribe] Nation who resides in San Juan County, Utah;

330 [(v)] (E) subject to Subsection (11), two [enrolled] members [of] who reside in San Juan  
331 County, Utah:

332 (I) one of which shall be a registered member of the Oljato Chapter of the Navajo Nation;

333 and

334 (II) one of which shall be a registered member of either the Oljato Chapter or the  
335 Dennehotso Chapter of the Navajo [tribe who reside in Utah] Nation;

336 [(vi)] (F) one [enrolled] registered member of the Red Mesa Chapter of the Navajo [tribe]  
337 Nation who resides in San Juan County, Utah; and

338            [~~(vii)~~] (G) one [~~enrolled~~] registered member of the Teec Nos Pos Chapter of the Navajo  
339 [~~tribe~~] Nation who resides in San Juan County, Utah.

340            (3) (a) (i) Each of the Utah Navajo Chapters [~~identified in this subsection~~], except the  
341 Aneth [~~and~~], Oljato, and Dennehotso chapters, shall submit to the governor the names of three  
342 nominees to the Dineh Committee chosen by the chapter.

343            (ii) The governor shall select one of [~~those~~] the three persons submitted under Subsection  
344 (3)(a)(i) as that chapter's representative on the Dineh Committee.

345            (b) (i) The Blue Mountain Dine' shall submit to the governor the names of three nominees  
346 to the Dineh committee.

347            (ii) The governor shall select one of the three persons submitted under Subsection (3)(b)(i)  
348 as the Blue Mountain Dine' representative on the Dineh Committee.

349            [~~(b)~~] (c) (i) The Aneth [~~and Oljato Navajo chapters~~] Chapter shall [~~each~~] submit to the  
350 governor the names of six nominees to the Dineh Committee chosen by the chapter.

351            (ii) The governor shall select two of the six persons submitted [~~by each chapter~~] under  
352 Subsection (3)(c)(i) to be [~~that chapter's~~] the Aneth Chapter's representatives on the Dineh  
353 Committee.

354            (d) (i) The Oljato Chapter shall submit to the governor the names of six nominees to the  
355 Dineh Committee chosen by the chapter.

356            (ii) One of the six names submitted under Subsection (3)(d)(i) may be a registered member  
357 of the Dennehotso Chapter.

358            (iii) The governor shall select two of the six persons submitted under Subsection (3)(d)(i)  
359 to be the representatives on the Dineh Committee of the Oljato and Dennehotso chapters.

360            (4) The governor may not appoint any person who is currently, or who, within the last 12  
361 months, has been an officer, director, employee, or contractor of any business enterprise or service  
362 provider that solicits, accepts, or receives monies from:

363            (a) the Division of Indian Affairs; or [~~from~~]

364            (b) the trust fund established in this chapter.

365            (5) Other than the amount authorized by this section for Dineh Committee member  
366 expenses, a person appointed to the Dineh Committee may not solicit, accept, or receive any  
367 monies from:

368            (a) the Division of Indian Affairs;

369 (b) the trust fund; or

370 (c) as an officer, director, employee, or contractor of any business enterprise or service  
371 provider that solicits, accepts, or receives expenditures from;

372 (i) the Division of Indian Affairs; or

373 (ii) the trust fund.

374 (6) (a) (i) Except as required by Subsection (6)(a)(ii), as terms of current committee  
375 members expire, the governor shall appoint each new member or reappointed member to a  
376 four-year term.

377 (ii) Notwithstanding the requirements of Subsection (6)(a)(i), the governor shall, at the  
378 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
379 committee members are staggered so that approximately half of the committee is appointed every  
380 two years.

381 (b) Except as provided in Subsection (6)(c), committee members shall serve until their  
382 successors are appointed and qualified.

383 (c) (i) If a committee member is absent from three consecutive committee meetings, or if  
384 the committee member has violated the ethical or conflict of interest policies established by statute  
385 or by the committee, that member's appointment is terminated, the position is vacant, and the  
386 governor shall appoint a replacement.

387 (ii) When a vacancy occurs in the membership for any reason, the replacement shall be  
388 appointed for the unexpired term according to the procedures of this section.

389 (7) (a) The committee shall select a ~~[chairperson]~~ chair and a vice chair from its  
390 membership each two years subsequent to the appointment of new members.

391 (b) Five members of the committee are a quorum for the transaction of business.

392 (c) The committee shall:

393 (i) comply with the procedures and requirements of Title 52, Chapter 4, Open and Public  
394 Meetings;

395 (ii) ensure that all of its meetings are held ~~[on the Utah portion of the Navajo nation]~~ at  
396 or near:

397 (A) a chapter house or meeting hall of a Utah Navajo Chapter; or

398 (B) other places in Utah that the committee considers practical and appropriate; and

399 (iii) ensure that all of its meetings are public hearings at which any resident of San Juan

400 County may appear and speak.

401 (8) (a) Members shall receive no compensation or benefits for their services, but may  
402 receive per diem and expenses incurred in the performance of the member's official duties at the  
403 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107 from the  
404 trust fund.

405 (b) Members may decline to receive per diem and expenses for their service.

406 (9) The Office of Trust Administrator is staff to the committee.

407 (10) The committee shall advise the trust administrator about the expenditure of trust fund  
408 monies.

409 (11) If both members appointed under Subsection (2)(b)(ii)(E) are registered members of  
410 the Oljato Chapter, the two members shall attend Dennehotso Chapter meetings as practicable.

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**Legislative Review Note**

**as of 1-7-00 9:01 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**