



30 (b) In making an appointment under Subsection (2)(a), the governor shall ensure that  
31 the Diné Advisory Committee includes:

32 (i) two registered members of the Aneth Chapter of the Navajo Nation who reside in  
33 San Juan County, Utah;

34 (ii) one registered member of the Blue Mountain Diné who resides in San Juan County,  
35 Utah;

36 (iii) one registered member of the Mexican Water Chapter of the Navajo Nation who  
37 resides in San Juan County, Utah;

38 (iv) one registered member of the Naatsis'áán Chapter of the Navajo Nation who  
39 resides in San Juan County, Utah;

40 (v) subject to Subsection (4), two members who reside in San Juan County, Utah, one  
41 of whom is a registered member of the Oljato Chapter of the Navajo Nation, and one of whom  
42 is a registered member of either the Oljato Chapter or the Dennehotso Chapter of the Navajo  
43 Nation;

44 (vi) one registered member of the Red Mesa Chapter of the Navajo Nation who resides  
45 in San Juan County, Utah; and

46 (vii) one registered member of the Teec Nos Pos Chapter of the Navajo Nation who  
47 resides in San Juan County, Utah.

48 (3) (a) (i) Each chapter of the Utah Navajo Chapter, except the Aneth, Oljato, and  
49 Dennehotso chapters, shall submit to the governor the names of [~~three~~] two nominees to the  
50 Diné Advisory Committee chosen by the chapter.

51 (ii) The governor shall [~~select~~] appoint one of the [~~three~~] two persons whose names are  
52 submitted under Subsection (3)(a)(i) as that chapter's representative on the Diné Advisory  
53 Committee.

54 (b) (i) The Blue Mountain Diné shall submit to the governor the names of [~~three~~] two  
55 nominees to the Diné Advisory Committee.

56 (ii) The governor shall [~~select~~] appoint one of the [~~three~~] two persons whose names are  
57 submitted under Subsection (3)(b)(i) as the Blue Mountain Diné representative on the Diné

58 Advisory Committee.

59 (c) (i) The Aneth Chapter shall submit to the governor the names of [~~six~~] two nominees  
60 for each of the two positions to the Diné Advisory Committee [~~chosen by~~] representing the  
61 Aneth chapter.

62 (ii) The governor shall [~~select~~] appoint two of the [~~six~~] persons whose names are  
63 submitted under Subsection (3)(c)(i) to be the Aneth Chapter's representatives on the Diné  
64 Advisory Committee.

65 (d) (i) [~~The~~] Subject to Subsection (3)(d)(ii), the Oljato Chapter shall submit to the  
66 governor the names of [~~six~~] two nominees for each of the two positions to the Diné Advisory  
67 Committee [~~chosen by~~] representing the [~~chapter~~] Oljato Chapter and the Dennehotso Chapter.

68 [~~(ii) One of the six names submitted under Subsection (3)(d)(i) may be a registered~~  
69 ~~member of the Dennehotso Chapter.]~~

70 (ii) The Dennehotso Chapter may submit one nominee for purposes of the governor  
71 appointing a representative of the Oljato Chapter and the Dennehotso Chapter.

72 (iii) The governor shall [~~select~~] appoint two of the [~~six~~] persons whose names are  
73 submitted under Subsection (3)(d)(i) or (ii) to be the representatives on the Diné Advisory  
74 Committee of the Oljato Chapter and the Dennehotso [~~chapters~~] Chapter.

75 (e) Before submitting a name to the governor, a Utah Navajo Chapter and the Blue  
76 Mountain Diné shall ensure that the individual's whose name is submitted:

77 (i) is an enrolled member of the Navajo Nation;

78 (ii) resides in San Juan County, Utah;

79 (iii) is 21 years of age or older;

80 (iv) is not an officer of the chapter;

81 (v) has not been convicted of a felony; and

82 (vi) is not currently, or within the last 12 months has not been, an officer, director,  
83 employee, or contractor of a service provider that solicits, accepts, or receives a benefit from an  
84 expenditure of:

85 (A) the Division of Indian Affairs; or

86 (B) the fund.

87 (4) If both members appointed under Subsection [~~(2)(b)(vi)~~] (2)(b)(v) are registered  
88 members of the Oljato Chapter, the two members shall attend Dennehotso Chapter meetings as  
89 practicable.

90 (5) (a) Except as provided in Subsection (5)(b) and other than the amount authorized  
91 by this section for Diné Advisory Committee member expenses, a person appointed to the Diné  
92 Advisory Committee may not solicit, accept, or receive any benefit from an expenditure of:

93 (i) the Division of Indian Affairs;

94 (ii) the fund; or

95 (iii) the Division of Indian Affairs or fund as an officer, director, employee, or  
96 contractor of a service provider that solicits, accepts, or receives a benefit from the expenditure  
97 of:

98 (A) the Division of Indian Affairs; or

99 (B) the fund.

100 (b) A member of the Diné Advisory Committee may receive a benefit from an  
101 expenditure of the fund if:

102 (i) when the benefit is discussed by the Diné Advisory Committee:

103 (A) the member discloses that the member may receive the benefit;

104 (B) the member physically leaves the room in which the Diné Advisory Committee is  
105 discussing the benefit; and

106 (C) the Diné Advisory Committee approves the member receiving the benefit by a  
107 unanimous vote of the members present at the meeting discussing the benefit;

108 (ii) a Utah Navajo Chapter requests that the benefit be received by the member;

109 (iii) the member is in compliance with the ethics and conflict of interest policy required  
110 under Subsection [51-10-204\(2\)\(c\)](#);

111 (iv) (A) the expenditure from the fund is made in accordance with this chapter; and

112 (B) the benefit is no greater than the benefit available to members of the Navajo Nation  
113 residing in San Juan County, Utah; and

114 (v) the member is not receiving the benefit as an officer, director, employee, or  
115 contractor of a service provider.

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

119 (ii) The governor shall, at the time of appointment or reappointment, adjust the length  
120 of terms to ensure that the terms of committee members are staggered so that approximately  
121 half of the Diné Advisory Committee is appointed every two years.

122 (iii) The terms of the Aneth Chapter's representatives appointed under Subsection  
123 (3)(c)(ii) shall be staggered in accordance with this Subsection (6) so that only one position is  
124 appointed by the governor in a year.

125 (iv) The terms of the Oljato Chapter's and the Dennehotso Chapter's representatives  
126 appointed under Subsection (3)(d) shall be staggered in accordance with this Subsection (6) so  
127 that only one position is appointed by the governor in a year.

128 (b) Except as provided in Subsection (6)(c), a committee member shall serve until the  
129 committee member's successor is appointed and qualified.

130 (c) If a committee member is absent from three consecutive committee meetings, or if  
131 the committee member violates the ethical or conflict of interest policies established by statute  
132 or the Diné Advisory Committee:

- 133 (i) the committee member's appointment is terminated;
- 134 (ii) the position is vacant; and
- 135 (iii) the governor shall appoint a replacement.

136 (d) When a vacancy occurs in the membership for any reason, the governor shall  
137 appoint a replacement for the unexpired term according to the procedures of this section.

138 (e) The governor may appoint an individual to more than one term on the Diné  
139 Advisory Committee.

140 (7) (a) The committee members shall select a chair and vice chair from committee  
141 membership each two years subsequent to the appointment of new committee members.

142 (b) Five members of the Diné Advisory Committee is a quorum for the transaction of  
143 business.

144 (c) The Diné Advisory Committee shall:

145 (i) comply with Title 52, Chapter 4, Open and Public Meetings Act;

146 (ii) ensure that its meetings are held at or near:

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

148 (B) other places in Utah that the Diné Advisory Committee considers practical and  
149 appropriate; and

150 (iii) ensure that its meetings are public hearings at which a resident of San Juan  
151 County, Utah, may appear and speak.

152 (8) A committee member may not receive compensation or benefits for the committee  
153 member's service, but may receive per diem and travel expenses in accordance with<sup>[:]</sup> policy  
154 adopted by the board.

155 [~~(a) Section 63A-3-106;~~]

156 [~~(b) Section 63A-3-107; and~~]

157 [~~(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and~~  
158 ~~63A-3-107.]~~

159 (9) The trust administrator shall staff the Diné Advisory Committee.

160 (10) The Diné Advisory Committee shall advise the trust administrator about the  
161 expenditure of fund money.