

Conference Engrossed

FILED
MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
Senate
Fifty-second Legislature
Second Regular Session
2016

CHAPTER 148

SENATE BILL 1220

AN ACT

AMENDING SECTION 42-5031.01, ARIZONA REVISED STATUTES; RELATING TO INDIAN TRIBAL COLLEGE COMPACTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 42-5031.01, Arizona Revised Statutes, is amended to
3 read:

4 42-5031.01. Distribution of revenues for Indian tribal
5 postsecondary educational institutions:
6 definition

7 A. Subject to subsection C of this section, each month the state
8 treasurer shall transmit to the treasurer or other designated depository of
9 each qualifying Indian tribe the amount of transaction privilege tax revenues
10 received pursuant to this article in the preceding month from all sources
11 located on the Indian reservation established for the qualifying Indian tribe
12 as determined pursuant to section 42-5029, subsection A, paragraph 3.

13 B. The monies distributed pursuant to this section are for the
14 exclusive purpose of supporting the maintenance, renewal and capital expenses
15 of one or more community college campuses in this state that are owned,
16 operated or chartered by each qualifying Indian tribe on its own Indian
17 reservation. Before receiving any monies under this section, a qualifying
18 Indian tribe shall enter into an initial compact with this state on or before
19 September 1, 2017, signed by the governor, to account for the use of monies
20 distributed pursuant to this section. The compact shall:

21 1. Be for a term of at least ~~ten~~ TWENTY years. After a hearing and
22 review of the compact by the joint legislative budget committee held during
23 the ~~last year~~ FOURTH YEAR PRIOR TO THE EXPIRATION of the compact's term, a
24 compact may be AMENDED AND renewed for an additional term of ~~up to ten~~ AT
25 LEAST TWENTY years WITH THE CONSENT OF THIS STATE, SIGNED BY THE GOVERNOR,
26 AND THE QUALIFYING INDIAN TRIBE, SIGNED BY THE CHAIRMAN, PRESIDENT OR
27 GOVERNOR OF THE QUALIFYING INDIAN TRIBE.

28 2. Require the monies to be used primarily for capital needs,
29 including maintenance and renewal of existing facilities at designated
30 community college campuses on the qualifying Indian tribe's own reservation
31 in this state.

32 3. Provide for audits by the auditor general of the use of the
33 monies. The auditor general shall submit copies of each audit to the joint
34 legislative budget committee.

35 4. If necessary, provide for reimbursement to the department of
36 revenue of costs associated with implementing this section, not to exceed one
37 hundred fifty thousand dollars, from revenues that would otherwise be paid to
38 the qualifying Indian tribe pursuant to this section.

39 C. Notwithstanding subsection A of this section, the state treasurer
40 shall not transmit in any fiscal year more than the sum of the following
41 amounts:

42 1. With respect to a single community college, one million seven
43 hundred fifty thousand dollars or more than ten percent of transaction
44 privilege tax revenues received pursuant to this article from all sources
45 located on the reservation, whichever is less.

1 2. With respect to an additional technical college located on the same
2 Indian reservation, eight hundred seventy-five thousand dollars or more than
3 five percent of transaction privilege tax revenues received pursuant to this
4 article from all sources located on the reservation, whichever is less.

5 D. For the purposes of this section, "qualifying Indian tribe" means
6 an Indian tribe that owns, operates and charters any community college or
7 postsecondary educational institution located on its own reservation in this
8 state.

9 Sec. 2. Saving clause

10 The amendment of section 42-5031.01, subsection B, paragraph 1, Arizona
11 Revised Statutes, by this act does not affect the ten-year term of, or the
12 terms, conditions, rights and responsibilities appurtenant to, any compact
13 between this state and any Indian tribe in effect on the effective date of
14 this act.

APPROVED BY THE GOVERNOR MAY 11, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 11, 2016.

Passed the House March 30, 2016,

Passed the Senate February 29, 2016,

by the following vote: 50 Ayes,

by the following vote: 28 Ayes,

6 Nays, 4 Not Voting

2 Nays, 0 Not Voting

[Signature]
Acting Speaker of the House
Pro Tempore

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

S.B. 1220

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 7, 20 16,

by the following vote: 52 Ayes,

2 Nays, 6 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate April 28, 20 16,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 9th day of May, 2016,

at 10:07 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 11th day of

May, 20 16,

at 8:37 o'clock A. M.

[Signature]

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 11th day of May, 20 16,

at 2:20 o'clock P. M.

[Signature]
Secretary of State

S.B. 1220