

REFERENCE TITLE: shared revenue; Navajo technical college

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SB 1437

Introduced by
Senators Hale: Aguirre, Alvarez, Burton Cahill, Garcia, Landrum Taylor

AN ACT

AMENDING SECTION 42-5031.01, ARIZONA REVISED STATUTES; RELATING TO STATE SHARED REVENUES.

(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 ~~colleges~~ COLLEGE CAMPUSES in this state that are
16 owned, operated or chartered by each qualifying Indian tribe on its own
17 Indian reservation. Before receiving any monies under this section, a
18 qualifying Indian tribe shall enter into a compact with this state WITH
19 RESPECT TO EACH COLLEGE OR COLLEGE CAMPUS, signed by the governor, to account
20 for the use of monies distributed pursuant to this section. The compact
21 shall:

22 1. Be for a term of at least ten years. After a hearing and review of
23 the compact by the joint legislative budget committee held during the last
24 year of the compact's term, a compact may be renewed for an additional term
25 of up to ten years.

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

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

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

37 C. Notwithstanding subsection A of this section, the state treasurer
38 shall ~~not~~ transmit ~~in any fiscal year more~~ ONE-TENTH OF THE TRANSACTION
39 PRIVILEGE TAX REVENUE PURSUANT TO THIS ARTICLE FROM ALL SOURCES LOCATED ON
40 THE RESERVATION, BUT NOT LESS than one million seven hundred fifty thousand
41 dollars IN THAT FISCAL YEAR. ~~or more less than one-tenth of transaction~~
42 ~~privilege tax revenues received pursuant to this article from all sources~~
43 ~~located on the reservation, whichever is less.~~

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