

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL---First Year 2015

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND
NAABIK'ÍYÁTI'; SUPPORTING ARIZONA SENATE BILL 1220 ALLOWING
TUITION AND FEES OFFSET FOR DUAL-ENROLLMENT STUDENTS ATTENDING
TRIBAL COLLEGES FROM THE TRIBAL COLLEGE DUAL ENROLLMENT PROGRAM
FUND

WHEREAS:

- A. The Navajo Nation established the Health, Education and Human Services Committee (HEHS) as a Navajo Nation Council standing committee and as such empowered HEHS to review and recommend resolutions regarding education. 2 N.N.C. §§ 164 (A)(9), 400 (A), 401 (B)(6)(a) (2012); see also CO-45-12.
- B. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'íyáti' Committee to coordinate all state programs, i.e. Arizona Department of Education. 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(4) (2012); see also CO-45-12.
- C. The Navajo Nation has a government-to-government relationship with the State of Arizona.
- D. On February 24, 2015, Senate Bill 1220 sponsored by Senator Carlyle Begay went to the Senate Appropriations Committee and was passed. See Summary of Amendment to S.B. 1220 from Senate Appropriations attached as Exhibit A.
- E. From this point forward, the Bill will be assigned and presented to other Senate Committees for approval in an ongoing legislative process.

- F. Senate Bill 1220 establishes the Tribal College Dual Enrollment Program Fund by appropriating money from the State Lottery Fund to go to compensate tribal colleges for tuition and fees that are waived for state high school students attending classes at tribal colleges as part of a dual-enrollment program. See Senate Bill 1220 and Amendments attached as Exhibit B; see also Statement Released by Senator Begay attached as Exhibit C.
- G. This Bill will allow Navajo students to attend classes at local tribal colleges at reduced or no personal cost.
- H. As this Bill promotes and furthers the education of students attending classes in tribal areas, the Navajo Nation supports this initiative.

NOW THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation supports Arizona Senate Bill 1220 establishing the Tribal College Dual Enrollment Program Fund allowing for offset of tuition and fees for dual enrollment students attending tribal colleges.
- B. The Navajo Nation hereby authorizes the Navajo Nation President, the Navajo Nation Speaker, the Navajo Nation Chief Justice and their designees, to advocate for Senate Bill 1220.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 10 in favor, 0 oppose, 0 abstain, (Pursuant to 2 N.N.C. §700 (D), Two members from each Committee), this 26th day of March, 2015.



Honorable LoRenzo C. Bates, Chairperson
Naabik'iyáti' Committee

Motion: Honorable Tuchoney Slim, Jr.
Second: Honorable Jonathan Perry

AMENDED

ARIZONA STATE SENATE
RESEARCH STAFF



TO: MEMBERS OF THE SENATE

DATE: February 25, 2015

SUBJECT: Strike everything amendment to S.B. 1220, relating to tribal colleges; unclaimed lottery money

CAROLYN SPERONI
LEGISLATIVE RESEARCH ANALYST
APPROPRIATIONS COMMITTEE
Telephone: (602) 926 -3171
Facsimile: (602) 926 -3833

Purpose

Establishes the Tribal College Dual Enrollment Program Fund (Fund) and directs 15 percent of unclaimed state lottery prize money into the fund monthly.

Background

The State Lottery Fund established pursuant to A.R.S. § 5-571 receives revenue from the sale of lottery tickets or shares, including authorized games. The monies are used for Arizona Lottery operating costs and are distributed to beneficiaries according to statute.

Under current statute prize money is considered unclaimed on a winning ticket or share 180 days from the drawing or elimination of a game in which the prize was won. After the waiting period 70 percent of unclaimed prize money is held in the State Lottery Prize Fund for prizes in future games and 30 percent is transferred monthly into a Court Appointed Special Advocate Fund for abused and neglected children.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Redefines the unclaimed state lottery prize money allocation:
 - a) State Lottery Prize Fund allocation will decrease from 70 percent to 55 percent; and
 - b) directs 15 percent into the Fund monthly.
2. Establishes the Fund consisting of monies or property from unclaimed prizes, monies appropriated by the Legislature, gifts, grants and contributions from other public or private sources.
3. Requires monies in the Fund to be used to compensate tribal colleges for tuition and fees that are waived for state high school students attending classes at a tribal college, including classes at a tribal college campus or classes provided electronically.
4. Directs the Arizona Department of Education to administer the Fund.

STRIKER MEMO - Amended

S.B. 1220

Page 2

5. Stipulates that monies are subject to legislative appropriation.
6. Requires the State Treasurer to invest and divest monies in the Fund. Directs any interest earned into the Fund.
7. Makes technical corrections.
8. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Adopted the strike everything amendment.

Senate Action

APPROP 2/24/2015 DPA/SE 6-0-2

CS/RH/lis

REFERENCE TITLE: technical correction; education; interstate compact

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

SB 1220

Introduced by
Senator Begay

AN ACT

AMENDING SECTION 15-1901, ARIZONA REVISED STATUTES; RELATING TO INTERSTATE
COMPACTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-1901, Arizona Revised Statutes, is amended to
3 read:

4 15-1901. Authority of governor to enter compact; terms of
5 compact for education; termination of state's
6 participation

7 The governor is authorized in the name of this state to join with other
8 states legally joining in the compact for education, which compact shall be
9 in the following form:

10 COMPACT FOR EDUCATION

11 ARTICLE I-PURPOSE AND POLICY

12 Section A. It is the purpose of this compact to:

13 1. Establish and maintain close cooperation and understanding among
14 executive, legislative, professional educational and lay leadership on a
15 nationwide basis at the state and local levels.

16 2. Provide a forum for the discussion, development, crystallization
17 and recommendation of public policy alternatives in the field of education.

18 3. Provide a clearinghouse of information on matters relating to
19 educational problems and how they are being met in different places
20 throughout the nation, so that the executive and legislative branches of
21 state government and of local communities may have ready access to the
22 experience and record of the entire country and so that both lay and
23 professional groups in the field of education may have additional avenues for
24 the sharing of experience and the interchange of ideas in the formation of
25 public policy in education.

26 4. Facilitate the improvement of state and local educational systems
27 so that they will be able to meet adequate and desirable goals in a society
28 which requires continuous qualitative and quantitative advance in educational
29 opportunities, methods and facilities.

30 Section B. It is the policy of this compact to encourage and promote
31 local and state initiative in the development, maintenance, improvement and
32 administration of educational systems and institutions in a manner which will
33 accord with the needs and advantages of diversity among localities and
34 states.

35 Section C. The party states recognize that each has an interest in the
36 quality and quantity of education furnished in each of the other states, as
37 well as in the excellence of its own educational systems and institutions,
38 because of the highly mobile character of individuals within the nation and
39 because the products and services contributing to the health, welfare and
40 economic advancement of each state are supplied in significant part by
41 persons educated in other states.

42 ARTICLE II-STATE DEFINED

43 ~~As used in~~ FOR THE PURPOSES OF this compact, "state" means a state,
44 territory or possession of the United States, the District of Columbia or the
45 Commonwealth of Puerto Rico.

ARTICLE III-THE COMMISSION

Section A. The education commission of the states, hereinafter called "the commission", is hereby established. The commission shall consist of seven members representing each party state. Four shall be members of the state legislature, two selected by the president of the senate and two selected by the speaker of the house of representatives and serving in such manner as the legislature may determine and three shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing the state shall, by virtue of their training, experience, knowledge or affiliations, be in a position collectively to reflect broadly the interests of the state government, higher education, the state education system, local education and lay and professional public and nonpublic educational leadership. Of the gubernatorial appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be, not to exceed ten, nonvoting commissioners selected by the steering committee for terms of one year. The nonvoting commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

Section B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to article IV and adoption of the annual report pursuant to section J of this article.

Section C. The commission shall have a seal.

Section D. The commission shall elect annually, from among its members, a chairman, who shall be a governor, a vice-chairman and a treasurer. The commission shall provide for the appointment of an executive director. The executive director shall serve at the pleasure of the commission and, together with the treasurer and such other personnel as the commission may deem appropriate, shall be bonded in such amount as the commission shall determine. The executive director shall be the secretary.

1 Section E. Irrespective of the civil service, personnel or other merit
2 system laws of any of the party states, the executive director, subject to
3 the approval of the steering committee, shall appoint, remove or discharge
4 such personnel as may be necessary for the performance of the functions of
5 the commission and shall fix the duties and compensation of such personnel.
6 The commission in its bylaws shall provide for the personnel policies and
7 programs of the commission.

8 Section F. The commission may borrow, accept or contract for the
9 services of personnel from any party jurisdiction, the United States or any
10 subdivision or agency of such governments, or from any agency of two or more
11 of the party jurisdictions or their subdivisions.

12 Section G. The commission may accept for any of its purposes and
13 functions under this compact any and all donations and grants of money,
14 equipment, supplies, materials and services, conditional or otherwise, from
15 any state, the United States or any other governmental agency or from any
16 person, firm, association, foundation or corporation and may receive, utilize
17 and dispose of the same. Any donation or grant accepted by the commission
18 pursuant to this section or services borrowed pursuant to section F of this
19 article shall be reported in the annual report of the commission. The report
20 shall include the nature, amount and conditions of the donation, grant or
21 services borrowed and the identity of the donor or lender.

22 Section H. The commission may establish and maintain such facilities
23 as may be necessary for the transacting of its business. The commission may
24 acquire, hold and convey real and personal property and any interest therein.

25 Section I. The commission shall adopt bylaws for the conduct of its
26 business and shall have the power to amend and rescind such bylaws. The
27 commission shall publish its bylaws in convenient form and shall file a copy
28 of the bylaws and a copy of any amendment to the bylaws with the appropriate
29 agency or officer in each of the party states.

30 Section J. The commission annually shall make to the governor and
31 legislature of each party state a report covering the activities of the
32 commission for the preceding year. The commission may make such additional
33 reports as it may deem desirable.

34 Section K. Arizona's participation in the commission established by
35 this article ends on July 1, 2020 pursuant to section 41-3103.

36 ARTICLE IV-POWERS

37 In addition to authority conferred on the commission by other
38 provisions of the compact, the commission shall have authority to:

39 1. Collect, correlate, analyze and interpret information and data
40 concerning educational needs and resources.

41 2. Encourage and foster research in all aspects of education, but with
42 special reference to the desirable scope of instruction, organization,
43 administration and instructional methods and standards employed or suitable
44 for employment in public educational systems.

1 3. Develop proposals for adequate financing of education as a whole
2 and at each of its many levels.

3 4. Conduct or participate in research of the types referred to in this
4 article in any instance where the commission finds that such research is
5 necessary for the advancement of the purposes and policies of this compact,
6 utilizing fully the resources of national associations, regional compact
7 organizations for higher education and other agencies and institutions, both
8 public and private.

9 5. Formulate suggested policies and plans for the improvement of
10 public education as a whole, or for any segment of public education, and make
11 recommendations with respect thereto available to the appropriate
12 governmental units, agencies and public officials.

13 6. Do such other things as may be necessary or incidental to the
14 administration of any of its authority or functions pursuant to this compact.

15 ARTICLE V-COOPERATION WITH FEDERAL GOVERNMENT

16 Section A. If the laws of the United States specifically so provide,
17 or if administrative provision is made therefor within the federal
18 government, the United States may be represented on the commission by not to
19 exceed ten representatives. Any representative or representatives of the
20 United States shall be appointed and serve in such manner as may be provided
21 by or pursuant to federal law and may be drawn from any one or more branches
22 of the federal government, but no such representative shall have a vote on
23 the commission.

24 Section B. The commission may provide information and make
25 recommendations to any executive or legislative agency or officer of the
26 federal government concerning the common educational policies of the states
27 and may advise with any such agencies or officers concerning any matter of
28 mutual interest.

29 ARTICLE VI-COMMITTEES

30 Section A. To assist in the expeditious conduct of its business when
31 the full commission is not meeting, the commission shall elect a steering
32 committee of thirty-two members which, subject to the provisions of this
33 compact and consistent with the policies of the commission, shall be
34 constituted and function as provided in the bylaws of the commission.
35 One-fourth of the voting membership of the steering committee shall consist
36 of governors, one-fourth shall consist of legislators and the remainder shall
37 consist of other members of the commission. A federal representative on the
38 commission may serve with the steering committee, but without vote. The
39 voting members of the steering committee shall serve for terms of two years,
40 except that members elected to the first steering committee of the commission
41 shall be elected as follows: sixteen for one year and sixteen for two years.
42 The chairman, vice-chairman and treasurer of the commission shall be members
43 of the steering committee and, anything in this section to the contrary
44 notwithstanding, shall serve during their continuance in these offices.
45 Vacancies in the steering committee shall not affect its authority to act,

1 but the commission at its next regularly ensuing meeting following the
2 occurrence of any vacancy shall fill it for the unexpired term. No person
3 shall serve more than two terms as a member of the steering committee,
4 provided that service for a partial term of one year or less shall not be
5 counted toward the two term limitation.

6 Section B. The commission may establish advisory and technical
7 committees composed of state, local and federal officials and private persons
8 to advise it with respect to any one or more of its functions. Any advisory
9 or technical committee may, on request of the states concerned, be
10 established to consider any matter of special concern to two or more of the
11 party states.

12 Section C. The commission may establish such additional committees as
13 its bylaws may provide.

14 ARTICLE VII-FINANCE

15 Section A. The commission shall advise the governor or designated
16 officer or officers of each party state of its budget and estimated
17 expenditures for such period as may be required by the laws of that party
18 state. Each of the commissioner's budgets of estimated expenditures shall
19 contain specific recommendations of the amount or amounts to be appropriated
20 by each of the party states.

21 Section B. The total amount of appropriation requests under any budget
22 shall be apportioned among the party states. In making the apportionment,
23 the commission shall devise and employ a formula which takes equitable
24 account of the populations and per capita income levels of the party states.

25 Section C. The commission shall not pledge the credit of any party
26 state. The commission may meet any of its obligations in whole or in part
27 with funds available to it pursuant to article III, section G of this
28 compact, provided that the commission takes specific action setting aside
29 such funds prior to incurring an obligation to be met in whole or in part in
30 such manner. Except where the commission makes use of funds available to it
31 pursuant to article III, section G, the commission shall not incur any
32 obligation prior to the allotment of funds by the party states adequate to
33 meet the same.

34 Section D. The commission shall keep accurate accounts of all receipts
35 and disbursements. The receipts and disbursements of the commission shall be
36 subject to the audit and accounting procedures established by its bylaws.
37 All receipts and disbursements of funds handled by the commission shall be
38 audited yearly by a qualified public accountant, and the report of the audit
39 shall be included in and become part of the annual reports of the commission.

40 Section E. The accounts of the commission shall be open at any
41 reasonable time for inspection by duly constituted officers of the party
42 states and by any persons authorized by the commission.

43 Section F. Nothing contained herein shall be construed to prevent
44 commission compliance with laws relating to audit or inspection of accounts

1 by or on behalf of any government contributing to the support of the
2 commission.

3 ARTICLE VIII-ELIGIBLE PARTIES; ENTRY INTO AND WITHDRAWAL

4 Section A. This compact shall have as eligible parties all states,
5 territories and possessions of the United States, the District of Columbia
6 and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not
7 having a governor, the term "governor", as used in this compact, shall mean
8 the closest equivalent official of such jurisdiction.

9 Section B. Any state or other eligible jurisdiction may enter into
10 this compact, and it shall become binding when it has adopted the compact.

11 Section C. Any party state may withdraw from this compact by enacting
12 a statute repealing the compact. No withdrawal shall affect any liability
13 already incurred by or chargeable to a party state prior to the time of such
14 withdrawal.

15 ARTICLE IX-CONSTRUCTION AND SEVERABILITY

16 The provisions of this compact shall be severable and if any phrase,
17 clause, sentence or provision of this compact is declared to be contrary to
18 the constitution of any state or of the United States, or if the application
19 thereof to any government, agency, person or circumstance is held invalid,
20 the validity of the remainder of this compact and the applicability of the
21 compact to any government, agency, person or circumstance shall not be
22 affected thereby. If this compact shall be held contrary to the constitution
23 of any state participating therein, the compact shall remain in full force
24 and effect as to the state affected as to all severable matters.

COMMITTEE ON APPROPRIATIONS
SENATE AMENDMENTS TO S.B. 1220
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 5-568, Arizona Revised Statutes, is amended to
3 read:

4 5-568. Disposition of unclaimed prize money

5 Unclaimed prize money for the prize on a winning ticket or share shall
6 be retained for the person entitled to the prize for one hundred eighty days
7 after the drawing in which the prize was won in the case of a drawing prize
8 and for one hundred eighty days after the announced end of the game in
9 question in the case of a prize determined in any manner other than by means
10 of a drawing. If a claim is not made for the money within the applicable
11 period, THE MONEY SHALL BE TRANSFERRED IN THE FOLLOWING AMOUNTS:

12 1. ~~Seventy per cent~~ FIFTY-FIVE PERCENT of the prize money shall be
13 held in the state lottery prize fund for use as additional prizes in future
14 games ~~and~~.

15 2. ~~Thirty per cent~~ PERCENT shall be transferred monthly to the court
16 appointed special advocate fund established by section 8-524.

17 3. FIFTEEN PERCENT SHALL BE TRANSFERRED MONTHLY TO THE TRIBAL COLLEGE
18 DUAL ENROLLMENT PROGRAM FUND ESTABLISHED BY SECTION 15-244.01.

19 Sec. 2. Title 15, chapter 2, article 2, Arizona Revised Statutes, is
20 amended by adding section 15-244.01, to read:

21 15-244.01. Tribal college dual enrollment program fund

22 THE TRIBAL COLLEGE DUAL ENROLLMENT PROGRAM FUND IS ESTABLISHED
23 CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 5-568, OTHER MONIES
24 APPROPRIATED BY THE LEGISLATURE AND GIFTS, GRANTS, DEVISES AND OTHER
25 CONTRIBUTIONS OF MONEY OR PROPERTY FROM ANY LAWFUL PUBLIC OR PRIVATE SOURCE.

1 THE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE FUND. THE DEPARTMENT SHALL
2 DISTRIBUTE MONIES IN THE FUND TO PROVIDE CHOICE AND ACCESS TO HIGHER
3 EDUCATION FOR HIGH SCHOOL STUDENTS IN THIS STATE BY COMPENSATING TRIBAL
4 COLLEGES FOR TUITION AND FEES THAT ARE WAIVED TO ALLOW HIGH SCHOOL STUDENTS
5 TO ATTEND CLASSES AT TRIBAL COLLEGE CAMPUSES, INCLUDING CLASSES THAT ARE
6 PROVIDED ELECTRONICALLY BY THE TRIBAL COLLEGE TO HIGH SCHOOL
7 STUDENTS. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION. ON
8 NOTICE FROM THE DEPARTMENT, THE STATE TREASURER SHALL INVEST AND DIVEST
9 MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM
10 INVESTMENT SHALL BE CREDITED TO THE FUND."

11 Amend title to conform

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02/20/2015
01:53 PM
C: tdb

Arizona Senate Democrats

Senate
Democratic
Leader Katie
Hobbs



Assistant
Senate
Democratic
Leader Steve
Farley



Senate
Democratic
Whip Lupe
Contreras



Senate
Democratic
Whip Martin
Quezada



Tuesday, February 24, 2015

Senate Approps passes Begay bill to help Tribal students attain higher education

8+1 +1 Recommend this on Google

STATE CAPITOL, PHOENIX – Senator Carlyle Begay, LD7, released the following statement on the passage of his bill SB1220, including the strike-everything amendment that would create the Tribal College Dual Enrollment Program Fund.

Background

The strike-everything amendment to SB1220 would allow Arizona's Tribal colleges to help offset costs for dual-enrolled students. Dual enrollment permits a high school student to earn community college credit at both their high school and Tribal college. Arizona's three Tribal community colleges (Dine College, Navajo Technical University and Tohono O'odham Community College) each offer dual enrollment programs.

Tribal colleges would be reimbursed from the Tribal College Dual Enrollment Program Fund for tuition and fees that are waived for dual-enrolled students.

Senator Carlyle Begay:

"Dual enrollment proves advantageous for students in our Tribal communities. It allows them to ease the transition from high school to college and get a head start on a college career," said Senator Begay. "There is evidence that it also promotes high school graduation and improves a student's likelihood of remaining in college.

"We need to encourage more of these programs in rural and Tribal areas and this bill does just that."



Sen. Begay

Posted by Arizona Senate Democrats at 4:34 PM

No comments:

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Another district tells @dougducey
his budget does not put
#ClassroomsFirst. Read letter from
@ChandlerUnified board:
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Hank Stephenson
@hankdeanlight

13h

No str8 answers why
@kenclarkforaz's bill was
retroactively held. @LivingstonLD22
wouldn't comment. Robson only
said it's "part of dynamics."

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COMMITTEE REPORT

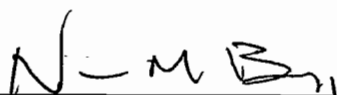
THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0086-15

An Action Relating to Health, Education and Human Services And Naabik'iyati; Supporting Arizona Senate Bill 1220 Allowing Tuition And Fees Offset For Dual-Enrollment Students Attending Tribal Colleges From The Tribal College Dual Enrollment Program Fund

Has had under consideration and report the same with the recommendation that it **PASS** with no amendment and no directive;

And therefore referred the same to the **NAABIK'IYATI COMMITTEE OF THE NAVAJO NATION COUNCIL**



Honorable Norman M. Begay, Vice-Chairperson
Health, Education and Human Services Committee

Dated: March 17, 2015

Main Motion

Motion: by: Honorable Amber Crotty

Seconded by: Honorable Tuchoney Slim, Jr.

Vote: 3 in favor: 0 Opposed and 0 Abstain