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 2 INTRODUCED BY House BILL NO. 544
 3 MERCER BY REQUEST OF THE COMMITTEE ON INDIAN AFFAIRS Storall
 4 Simmons McCam Weldon Heavy Runner
 5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE BOARD OF REGENTS TO

6 PROVIDE FINANCIAL ASSISTANCE TO NONBENEFICIARY STUDENTS ATTENDING TRIBALLY
 7 CONTROLLED COMMUNITY COLLEGES IN MONTANA; PROVIDING REQUIREMENTS FOR RECEIPT OF
 8 MONEY; PROVIDING FOR A REVERSION OF UNSPENT FUNDS TO THE GENERAL FUND; AND PROVIDING
 9 AN IMMEDIATE EFFECTIVE DATE."

11 WHEREAS, seven tribally controlled community colleges exist in the State of Montana; and

12 WHEREAS, the tribal community colleges provide a quality, low-cost, and accessible college
 13 program to Indian and non-Indian students each year; and

14 WHEREAS, approximately 450 of these students are nonbeneficiary students who do not qualify
 15 for financial support through the Bureau of Indian Affairs or under the Tribally Controlled Community
 16 College Assistance Act of 1978; and

17 WHEREAS, the tribal community colleges currently subsidize the costs of providing services to
 18 nonbeneficiary students, allowing them to continue their educations at a lower cost to the state; and

19 WHEREAS, without support, tribal community colleges will not be able to serve nonbeneficiary
 20 students without increasing student fees, which may result in students dropping out of college.

22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

24 NEW SECTION. Section 1. Appropriation. (1) There is appropriated from the general fund to the
 25 board of regents \$1.4 million for the biennium ending June 30, 1997, to provide financial assistance to
 26 tribally controlled community colleges for enrolled nonbeneficiary students.

27 (2) Each tribal community college shall apply for this assistance to the board of regents. Except
 28 as provided in subsection (6), the money appropriated in subsection (1) must be distributed on a prorated
 29 basis according to the nonbeneficiary student enrollment in each tribal community college during the
 30 previous year.

1 (3) An expenditure from this appropriation is contingent upon the tribal community college:

2 (a) being accredited or being a candidate for accreditation by the northwest association of schools
3 and colleges;

4 (b) entering into a contract or a state-tribal cooperative agreement, pursuant to Title 18, chapter
5 11, with the board of regents to provide the board with information relating to eligibility of nonbeneficiary
6 students and documentation on the curriculum to ensure that the content and quality of courses offered
7 by the tribal community college are consistent with the standards adopted by the Montana university
8 system; and

9 (c) filing with the board of regents evidence that the college's enrollment of Indian students is at
10 least 51% as required by the Tribally Controlled Community College Assistance Act of 1978, 25 U.S.C.
11 1804.

12 (4) It is the intent of the legislature that the appropriation in subsection (1) be considered an
13 amount in addition to the Montana university system budget appropriation for the biennium ending June
14 30, 1997.

15 (5) All funds appropriated under subsection (1) that are unspent revert to the general fund.

16 (6) Prior to receiving money pursuant to subsection (1), each tribal community college shall:

17 (a) grant to nonbeneficiary students who have been residents of Montana for at least 1 year prior
18 to enrollment at the tribal community college fee waivers in the same percentage as the number of Indian
19 students who are receiving fee waivers to attend a unit of the university system; and

20 (b) subtract the costs of nonbeneficiary fee waivers granted under subsection (6)(a) from the total
21 amount of prorated money to be distributed.

22
23 **NEW SECTION. Section 2. Effective date.** [This act] is effective on passage and approval.

24
25 **NEW SECTION. Section 3. Notification of tribal governments.** The secretary of state shall send
26 a copy of [this act] to the tribal chairperson of each of the seven Montana reservations and to the
27 presidents of the seven Montana tribally controlled community colleges.

28 -END-

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28 (2) Each tribal community college shall apply for this assistance to the board of regents. Except
29 as provided in subsection (6), the money appropriated in subsection (1) must be distributed on a prorated
30 basis according to the RESIDENT nonbeneficiary student enrollment in each tribal community college during

1 the previous year. TO QUALIFY, A RESIDENT NONBENEFICIARY STUDENT MUST MEET THE RESIDENCY
 2 REQUIREMENTS AS PRESCRIBED FOR THE MONTANA UNIVERSITY SYSTEM BY THE BOARD OF
 3 REGENTS. THE DISTRIBUTION TO ANY STUDENT IS LIMITED TO A MAXIMUM OF \$1,500 EACH YEAR
 4 PER FULL-TIME EQUIVALENT STUDENT. ANY REMAINING BALANCE IN THIS APPROPRIATION ON JUNE
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