



HOUSE BILL No. 4174

February 9, 1993, Introduced by Rep. Gagliardi and referred to the Committee on Higher Education.

A bill to amend the title and sections 1 and 2 of Act No. 174 of the Public Acts of 1976, entitled "An act to provide free tuition for North American Indians in public state community or public junior colleges, public colleges, or public universities," being sections 390.1251 and 390.1252 of the Michigan Compiled Laws; and to add section 2b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 1 and 2 of Act No. 174 of
2 the Public Acts of 1976, being sections 390.1251 and 390.1252 of
3 the Michigan Compiled Laws, are amended and section 2b is added
4 to read as follows:

5 TITLE

6 An act to provide free tuition for North American Indians in
7 public ~~state~~ community or public junior colleges, public

1 colleges, ~~or~~ public universities, AND CERTAIN FEDERAL TRIBALLY
2 CONTROLLED COMMUNITY COLLEGES; AND TO PRESCRIBE CERTAIN POWERS
3 AND DUTIES OF THE MICHIGAN COMMISSION ON INDIAN AFFAIRS.

4 Sec. 1. A public ~~state~~ community or ~~public~~ junior col-
5 lege, public college, or public university shall waive tuition
6 for A QUALIFYING COURSE FOR any North American Indian who
7 ~~qualifies for admission as a full time, part time, or summer~~
8 ~~school student, and is a legal resident of the state for not less~~
9 ~~than 12 consecutive months~~ HAS RESIDED CONTINUOUSLY IN THIS
10 STATE FOR THE 12 MONTHS IMMEDIATELY PRECEDING HIS OR HER APPLICA-
11 TION FOR THE TUITION WAIVER AND IS NOT CONSIDERED A RESIDENT OF
12 ANY OTHER STATE.

13 Sec. 2. For the purposes of this act: ~~—~~

14 (A) "North American Indian" means a person who is not less
15 than 1/4 quantum blood Indian as certified by the person's tribal
16 association and verified by the Michigan commission on Indian
17 Affairs.

18 (B) "QUALIFYING COURSE" MEANS A COURSE THAT IS APPLIED BY
19 THE COLLEGE OR UNIVERSITY TOWARD THE CREDITS NECESSARY FOR A
20 DEGREE OR CERTIFICATE OR IS TRANSFERABLE TO ANOTHER COLLEGE OR
21 UNIVERSITY TO BE APPLIED TOWARD THE CREDITS NECESSARY FOR A
22 DEGREE OR CERTIFICATE, OR A REMEDIAL COURSE THAT IS REQUIRED OR
23 RECOMMENDED BY THE COLLEGE OR UNIVERSITY FOR THE STUDENT.

24 (C) "REMEDIAL COURSE" MEANS A COURSE THAT IS NOT APPLIED
25 TOWARD THE CREDITS NECESSARY FOR A DEGREE OR CERTIFICATE BUT IS
26 INTENDED TO PREPARE A STUDENT TO ENROLL IN A COURSE THAT IS

1 APPLIED TOWARD THE CREDITS NECESSARY FOR A DEGREE OR
2 CERTIFICATE.

3 (D) "TUITION" MEANS TUITION AT THE RATE CHARGED TO RESIDENTS
4 OF THIS STATE AND ANY MANDATORY FEES THAT ARE CHARGED TO ALL STU-
5 DENTS ENROLLED IN THE COLLEGE OR UNIVERSITY OR IN THE QUALIFYING
6 COURSE.

7 SEC. 2B. (1) NOT LATER THAN JUNE 30, 1993, THE MICHIGAN
8 COMMISSION ON INDIAN AFFAIRS SHALL HAVE MET WITH THE GOVERNING
9 BODY OF EACH FEDERAL TRIBALLY CONTROLLED COMMUNITY COLLEGE
10 LOCATED IN THIS STATE TO SECURE AN AGREEMENT WITH THE FEDERAL
11 TRIBALLY CONTROLLED COMMUNITY COLLEGE THAT THE FEDERAL TRIBALLY
12 CONTROLLED COMMUNITY COLLEGE WILL WAIVE TUITION FOR NORTH
13 AMERICAN INDIANS ELIGIBLE FOR TUITION WAIVER UNDER THIS ACT AND
14 ACCEPT REIMBURSEMENT FOR THE TUITION WAIVED FROM THE COMMISSION
15 IN ACCORDANCE WITH THE COMMISSION'S REIMBURSEMENT PROCEDURES
16 UNDER THIS ACT OR OTHER PROCEDURES MUTUALLY AGREED TO BY THE FED-
17 ERAL TRIBALLY CONTROLLED COMMUNITY COLLEGE AND THE COMMISSION.

18 (2) BEGINNING JULY 1, 1993, THE MICHIGAN COMMISSION ON
19 INDIAN AFFAIRS SHALL REIMBURSE TO A FEDERAL TRIBALLY CONTROLLED
20 COMMUNITY COLLEGE THE TOTAL AMOUNT OF TUITION WAIVED BY THE FED-
21 ERAL TRIBALLY CONTROLLED COMMUNITY COLLEGE PURSUANT TO AN AGREE-
22 MENT UNDER SUBSECTION (1) IN ACCORDANCE WITH THE AGREEMENT.

23 (3) AS USED IN THIS SECTION, "FEDERAL TRIBALLY CONTROLLED
24 COMMUNITY COLLEGE" MEANS A TRIBALLY CONTROLLED COMMUNITY COLLEGE
25 RECOGNIZED UNDER THE TRIBALLY CONTROLLED COMMUNITY COLLEGE
26 ASSISTANCE ACT OF 1978, PUBLIC LAW 95-471, 92 STAT. 1325.