



OFFICE OF THE
Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

July 28, 1975

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BRUCE E. BABBITT
ATTORNEY GENERAL

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ARIZONA ATTORNEY GENERAL

Messrs. Richard A. Harvill and Sam Flake
Members of the Arizona Commission of the
Western Interstate Commission of Higher Education
Post Office Box 4446
University Station
Tucson, Arizona 85717

Dear Messrs. Harvill and Flake:

In your letter dated June 30, 1975, you requested this office's opinion concerning whether the Arizona Board of Regents or the Western Interstate Commission for Higher Education could expend funds appropriated by House Bill 2423 (Ch. 152, Laws of 1975) to the Board of Regents for the Western Interstate Commission for Higher Education for the payment of expenses of Arizona residents enrolling in educational institutions located outside the region consisting of the thirteen states which have entered into the Compact for Western Regional Cooperation in Higher Education.

A.R.S. § 15-761 authorized the Governor of Arizona, on the State's behalf, to enter into compacts with certain specified states for western regional cooperation in higher education. That section provides, in detail, the various provisions that may be made a part of such a compact. Pursuant thereto the Governor of Arizona entered into a compact which included all of those provisions. That compact, which created the Western Interstate Commission for Higher Education, is referred to as the Compact for Western Regional Cooperation in Higher Education.

Article VIII of that compact states, among other things, that it shall be the duty of the commission to enter into contracts with "any institutions in the region" to provide adequate services and facilities for higher education for the citizens of the respective compacting states. That article also defines the word "region" to mean the geographical limits of the several compacting states.

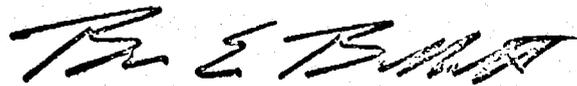
There is nothing in the Compact or in A.R.S. §§ 15-762 through 15-765, the other statutory provisions



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relating to the matters covered by the Compact, that suggests that the Commission or the Board of Regents may enter into contracts with educational institutions located outside the region, such as Kansas State University, nor do we find any other provision of law that would authorize the Commission or the Board to enter into such contracts. In fact, the language of the Compact indicates that the clear intent of the Legislature is to limit the operation of the Commission to the states specifically designated within the Compact. Therefore, it is our conclusion that the money appropriated to the Board may only be expended in the region contained within the parameters of the statute.

Sincerely,



BRUCE E. BABBITT
Attorney General

BEB:ASK:dl