

1 HOUSE BILL 327

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO HIGHER EDUCATION; REQUIRING THE HIGHER EDUCATION
12 DEPARTMENT TO INCLUDE ALL PHYSICAL EDUCATION STUDENT CREDIT
13 HOURS FOR PURPOSES OF DETERMINING FUNDING FOR COMMUNITY
14 COLLEGES AND BRANCH COMMUNITY COLLEGES THAT PROVIDE PHYSICAL
15 EDUCATION.

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. Section 21-13-19 NMSA 1978 (being Laws 1968,
19 Chapter 70, Section 2, as amended) is amended to read:

20 "21-13-19. ENROLLMENT DEFINED--PAYMENTS.--

21 A. For those students in community colleges taking
22 college-level courses, full-time-equivalent students shall be
23 defined and computed by the higher education department in the
24 same manner in which it defines and computes full-time-
25 equivalent students for all other college-level programs within

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1 its jurisdiction.

2 B. No student shall be included in any calculations
3 made under the provisions of this section if the student is
4 enrolled in a course the cost of which is totally reimbursed
5 from federal, state or private sources.

6 C. The higher education department shall not
7 recommend an appropriation greater than three hundred
8 twenty-five dollars (\$325) for each full-time-equivalent
9 student for any community college that levies a tax at a rate
10 less than two dollars (\$2.00), unless a lower amount is
11 required by operation of the rate limitation provisions of
12 Section 7-37-7.1 NMSA 1978 upon a rate of at least two dollars
13 (\$2.00) on each one thousand dollars (\$1,000) of net taxable
14 value, as that term is defined in the Property Tax Code, or any
15 community college that reduces a previously authorized tax
16 levy, except as required by the operation of the rate
17 limitation provisions of Section 7-37-7.1 NMSA 1978.

18 D. The higher education department shall require
19 from the community college such reports as the department deems
20 necessary for the purpose of determining the number of full-
21 time-equivalent students at the community college eligible to
22 receive support under this section.

23 E. A community college board shall establish
24 tuition and fee rates for its respective institutions for full-
25 time, part-time, resident and nonresident students, as defined

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1 by the higher education department.

2 F. A community college board may establish and
3 grant gratis scholarships to students who are residents of New
4 Mexico in an amount not to exceed the matriculation fee or
5 tuition and fees, or both. The gratis scholarships are in
6 addition to the lottery tuition scholarships authorized in
7 Section 21-13-10 NMSA 1978 and shall be granted to the full
8 extent of available funds before lottery tuition scholarships
9 are granted. The number of scholarships established and
10 granted pursuant to this subsection shall not exceed three
11 percent of the preceding fall semester enrollment in each
12 institution and shall not be established and granted for summer
13 sessions. The president of each institution shall select and
14 recommend to the community college board of the president's
15 institution, as recipients of scholarships, students who
16 possess good moral character and satisfactory initiative,
17 scholastic standing and personality. All of the gratis
18 scholarships established and granted by each community college
19 board each year shall be granted on the basis of financial
20 need.

21 G. A student in a home school or private school who
22 meets the eligibility criteria in rules promulgated by the
23 public education department and higher education department may
24 apply for dual credit courses, provided that the student pays
25 the full cost of dual credit courses.

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1 H. The higher education department shall include
2 all physical education student credit hours for purposes of
3 determining funding for any community college that provides
4 physical education courses."

5 SECTION 2. Section 21-14-9 NMSA 1978 (being Laws 1973,
6 Chapter 371, Section 1, as amended) is amended to read:

7 "21-14-9. STATE SUPPORT--APPROPRIATION.--

8 A. The [~~commission on~~] higher education department
9 shall recommend an appropriation for each branch community
10 college [~~and junior college~~] based upon the college's financial
11 requirements in relation to its authorized program and its
12 available funds from non-general fund sources; provided that
13 the recommended appropriation shall be an amount not less than
14 three hundred twenty-five dollars (\$325) for each
15 full-time-equivalent student.

16 B. The [~~commission on~~] higher education department
17 shall not recommend an appropriation greater than three hundred
18 twenty-five dollars (\$325) for each full-time-equivalent
19 student for any branch community college that levies a tax at a
20 rate less than one dollar (\$1.00), unless a lower amount is
21 required by operation of the rate limitation provisions of
22 Section 7-37-7.1 NMSA 1978 upon a rate approved by the electors
23 of at least one dollar (\$1.00) on each one thousand dollars
24 (\$1,000) of net taxable value, as that term is defined in the
25 Property Tax Code, or any branch community college that reduces

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1 a previously authorized tax levy, except as required by the
2 operation of the rate limitation provisions of Section 7-37-7.1
3 NMSA 1978.

4 C. The higher education department shall include
5 all physical education student credit hours for purposes of
6 determining funding for any branch community college that
7 provides physical education courses."

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