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HOUSE BILL 22

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Jimmie C. Hall

AN ACT

RELATING TO HIGHER EDUCATION; ENACTING THE HIGHER EDUCATION
FINANCE ACT AND PROVIDING PERFORMANCE OUTCOME MEASURES FOR
FUNDING PUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS;
PROVIDING FOR A STEERING COMMITTEE AND HIGHER EDUCATION
DEPARTMENT RULEMAKING AND REPORTING REQUIREMENTS; REPEALING AND
ENACTING SECTIONS OF THE NMSA 1978.

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

SECTION 1. A new section of Chapter 21 NMSA 1978 is
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the
"Higher Education Finance Act"."

SECTION 2. A new section of Chapter 21 NMSA 1978 is
enacted to read:

"[NEW MATERIAL] DEFINITIONS.--As used in the Higher

1 Education Finance Act:

2 A. "at-risk" means a student identified by the end
3 of the first semester following enrollment as being at greater
4 risk for not receiving an award;

5 B. "award" means a degree or certificate issued by
6 a:

7 (1) community college within five semesters of
8 a student's enrollment; and

9 (2) four-year institution within ten semesters
10 of a student's enrollment;

11 C. "branch community college" means a branch
12 community college created pursuant to the provisions of Chapter
13 21, Article 14 NMSA 1978;

14 D. "community college" means an independent
15 community college established pursuant to the Community College
16 Act or a technical and vocational institute established
17 pursuant to the Technical and Vocational Institute Act and
18 excludes a branch community college;

19 E. "department" means the higher education
20 department;

21 F. "four-year institution" means eastern New Mexico
22 university, western New Mexico university, New Mexico highlands
23 university or northern New Mexico college; and

24 G. "research institution" means the university of
25 New Mexico, branch community colleges created by the university

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1 of New Mexico, New Mexico state university, branch community
2 colleges created by New Mexico state university or New Mexico
3 institute of mining and technology."

4 SECTION 3. A new section of Chapter 21 NMSA 1978 is
5 enacted to read:

6 "[NEW MATERIAL] HIGHER EDUCATION STEERING COMMITTEE.--

7 A. The "higher education steering committee" is
8 created. The committee shall be composed of:

9 (1) the secretary of higher education or the
10 secretary's designee, who shall serve as the chair;

11 (2) the secretary of finance and
12 administration or the secretary's designee;

13 (3) the secretary of workforce solutions or
14 the secretary's designee;

15 (4) one representative of a community college;

16 (5) one representative of a four-year
17 institution;

18 (6) one representative of a research
19 institution; and

20 (7) one representative of the legislative
21 finance committee.

22 B. The committee shall meet at the call of the
23 chair but no less than annually.

24 C. Committee members shall receive no per diem,
25 mileage, reimbursement of expenses or other compensation,

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1 perquisite or allowance for committee service."

2 SECTION 4. A new section of Chapter 21 NMSA 1978 is
3 enacted to read:

4 "[NEW MATERIAL] DEPARTMENT RULEMAKING--FUNDING
5 CRITERIA.--By July 1, 2016, the department shall promulgate
6 rules for implementation of the provisions of the Higher
7 Education Finance Act and post the rules on the department's
8 website."

9 SECTION 5. A new section of Chapter 21 NMSA 1978 is
10 enacted to read:

11 "[NEW MATERIAL] INSTRUCTION AND GENERAL SUPPORT--FUNDING
12 FOR PERFORMANCE ON OUTCOME MEASURES.--At least ten percent of
13 the annual appropriation for instruction and general support
14 from the general fund for a research institution, four-year
15 institution or community college shall be based on a
16 calculation of the average of the prior three years'
17 performance on outcome measures for:

18 A. a research institution based on:

19 (1) twenty-three percent for research
20 institution outcome measures set forth in department rule;

21 (2) twenty percent for all awards;

22 (3) fifteen percent for completed student
23 credit hours;

24 (4) fifteen percent for achievement of
25 institutional mission as determined by the department in

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1 consultation with the higher education steering committee;

2 (5) thirteen and one-half percent for awards
3 in science, technology, engineering, math, health or major
4 workforce needs fields identified by the department; and

5 (6) thirteen and one-half percent for awards
6 granted to at-risk students;

7 B. a four-year institution based on:

8 (1) twenty-three percent for four-year
9 institution outcome measures set forth in department rule;

10 (2) twenty percent for all awards;

11 (3) fifteen percent for completed student
12 credit hours;

13 (4) fifteen percent for achievement of
14 institutional mission as determined by the department in
15 consultation with the higher education steering committee;

16 (5) thirteen and one-half percent for awards
17 in science, technology, engineering, math, health or major
18 workforce needs fields identified by the department; and

19 (6) thirteen and one-half percent for awards
20 granted to at-risk students; and

21 C. a community college based on:

22 (1) twenty-three percent for community college
23 outcome measures set forth in department rule;

24 (2) twenty percent for all awards;

25 (3) fifteen percent for completed student

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1 credit hours;

2 (4) fifteen percent for achievement of
3 institutional mission as determined by the department in
4 consultation with the higher education steering committee;

5 (5) thirteen and one-half percent for awards
6 in science, technology, engineering, math, health or major
7 workforce needs fields identified by the department; and

8 (6) thirteen and one-half percent for awards
9 granted to at-risk students."

10 SECTION 6. A new section of Chapter 21 NMSA 1978 is
11 enacted to read:

12 "[NEW MATERIAL] RECOMMENDATION--REPORTING.--

13 A. By July 1 of each year, each public post-
14 secondary educational institution shall provide data and
15 information required by department rule or requested by the
16 department for the development of funding recommendations
17 pursuant to the provisions of the Higher Education Finance Act.

18 B. By November 1 of each year, the department shall
19 report to the legislative finance committee and the department
20 of finance and administration on the higher education
21 department's:

22 (1) implementation of the Higher Education
23 Finance Act;

24 (2) assessment of the performance on outcome
25 measures and calculation of the average of the prior three

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1 years' performance on outcome measures for each public post-
2 secondary educational institution;

3 (3) recommendations developed with input from
4 the higher education steering committee for annual
5 appropriation amounts for the following fiscal year; and

6 (4) recommendations, if any, developed with
7 input from the higher education steering committee for changes
8 to the outcome measures or rules for the implementation of the
9 Higher Education Finance Act."

10 SECTION 7. REPEAL.--Sections 21-2-5.1 and 21-14-9 NMSA
11 1978 (being Laws 1988, Chapter 164, Section 1 and Laws 1973,
12 Chapter 371, Section 1, as amended) are repealed.