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HOUSE BILL 639

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY
MICHAEL OLGUIN

AN ACT

RELATING TO EDUCATION; AUTHORIZING AN INCREASE IN THE NUMBER OF SCHOLARSHIPS FOR NEW MEXICO RESIDENTS ENROLLED IN CERTAIN STATE EDUCATIONAL INSTITUTIONS; AUTHORIZING THE ESTABLISHMENT AND GRANTING OF SCHOLARSHIPS AT CERTAIN TWO-YEAR PUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS; MAKING AN APPROPRIATION.

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

Section 1. Section 21-1-2 NMSA 1978 (being Laws 1970, Chapter 9, Section 1, as amended by Laws 1989, Chapter 44, Section 3 and by Laws 1989, Chapter 45, Section 3 and also by Laws 1989, Chapter 68, Section 1) is amended to read:

"21-1-2. MATRICULATION, [~~AND~~] TUITION AND REQUIRED FEES. --

A. Except as otherwise provided in this section, the boards of regents of the university of New Mexico, New Mexico state university, New Mexico highlands university, western New

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1 Mexico university, eastern New Mexico university, New Mexico
2 military institute and New Mexico institute of mining and
3 technology and the governing board of New Mexico junior college
4 shall establish and charge matriculation fees, [~~and~~] tuition and
5 other required fees as follows:

6 (1) each student shall be charged a
7 matriculation fee of not less than five dollars (\$5.00) upon
8 enrolling in each institution;

9 (2) each student who is a resident of New
10 Mexico shall be charged [~~a~~] tuition [~~fee~~] and required fees of
11 not less than twenty dollars (\$20.00) a year;

12 (3) each student who is not a resident of New
13 Mexico shall be charged [~~a~~] tuition [~~fee~~] and required fees of
14 not less than fifty dollars (\$50.00) a year;

15 (4) each student shall be charged [~~a~~] tuition
16 [~~fee~~] and required fees of not less than ten dollars (\$10.00)
17 for each summer session; and

18 (5) each student may be charged [~~a~~] tuition
19 [~~fee~~] and required fees for extension courses.

20 B. Except as otherwise provided in this section, the
21 board of regents of northern New Mexico state school shall
22 establish and charge each student a matriculation fee, [~~and a~~]
23 tuition [~~fee~~] and required fees.

24 C. The board of regents or governing board of each
25 institution may establish and grant [~~gratis~~] scholarships to

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1 students who are residents of New Mexico ~~[by waiving]~~ in an
2 amount not to exceed the matriculation fee or tuition and
3 required fees or both. Scholarships awarded by the board of
4 regents or governing board shall be called legislative
5 scholarships. The number of legislative scholarships
6 established and granted shall not exceed ~~[three]~~ five percent of
7 the preceding fall semester enrollment in each institution and
8 shall not be established and granted for summer sessions. ~~[The~~
9 ~~president of each institution shall select and recommend to the~~
10 ~~board of regents of his institution, as recipients of~~
11 ~~scholarships, students who possess good moral character and~~
12 ~~satisfactory initiative, scholastic standing and personality.]~~
13 Legislative scholarship recipients shall have demonstrated
14 successful academic performance and maintain satisfactory
15 scholastic standing. At least thirty-three and one-third
16 percent of the ~~[gratis]~~ scholarships established and granted by
17 each board of regents or governing board each year shall be
18 granted on the basis of financial need.

19 D. The commission on higher education may adopt
20 guidelines to assist institutions in the administration of the
21 legislative scholarships program.

22 ~~[D.]~~ E. The board of regents or governing board of
23 each institution set out in this subsection may establish and
24 grant, in addition to ~~[those]~~ legislative scholarships provided
25 for in Subsection C of this section, athletic scholarships, ~~[by~~

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1 ~~wai~~ving] tuition and required fees. In no event shall the board
2 of regents or governing board of any institution be allowed to
3 [~~wai~~ve the] award scholarships for tuition and required fees for
4 more than the number of athletic scholarships set out in this
5 subsection and in no event shall more than seventy-five percent
6 of the [~~wai~~vers granted] scholarships awarded be for out-of-
7 state residents:

8 (1) the board of regents of the university of
9 New Mexico may grant up to the equivalent of two hundred ninety-
10 three athletic scholarships for tuition and required fees;

11 (2) the board of regents of New Mexico state
12 university may grant up to the equivalent of two hundred seventy
13 athletic scholarships for tuition and required fees;

14 (3) the boards of regents of New Mexico
15 highlands university, eastern New Mexico university and western
16 New Mexico university may each grant up to the equivalent of one
17 hundred forty athletic scholarships for tuition and required
18 fees; and

19 (4) the governing board of New Mexico junior
20 college [~~board~~] may grant up to the equivalent of fifty-two
21 athletic scholarships for tuition and required fees.

22 [~~E.-~~] E. Notwithstanding the provisions of
23 Subsection [~~D~~] E of this section, in computing tuition credits
24 the commission on higher education shall accept the value of
25 [~~wai~~vers of] scholarships for tuition and required fees

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1 established by the boards of regents of the university of New
2 Mexico, New Mexico state university, eastern New Mexico
3 university, western New Mexico university and New Mexico
4 highlands university for athletes for the seventy-eighth fiscal
5 year and all fiscal years thereafter. In no event shall the
6 board of regents of any such institution be allowed to [~~wai~~
7 ~~ve~~] establish scholarships for tuition and required fees for
8 more than the number of athletic scholarships permitted that
9 institution by regulations and bylaws of the national collegiate
10 athletic association or the national association of intercol-
11 legiate athletics of which that institution is a member.

12 [F.] G. Matriculation fees, [~~and~~] tuition and
13 required fees shall be fixed and made payable as directed by the
14 board of regents or governing board of each institution,
15 collected by the officers of each institution and accounted for
16 as are other funds of the institutions. Matriculation fees
17 shall be charged only once for each institution in which a
18 student enrolls. "

19 Section 2. Section 21-13-10 NMSA 1978 (being Laws 1963,
20 Chapter 17, Section 9, as amended) is amended to read:

21 "21-13-10. BOARD DUTIES. --

22 A. It shall be the duty of the community college
23 board to determine financial and educational policies of the
24 community college. The community college board shall provide for
25 the management of the community college and execution of these

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1 policies by selecting a competent president for the community
2 college, and, upon the president's recommendation, the board
3 shall employ other administrative personnel, instructional staff
4 or other personnel as may be needed for the operation,
5 maintenance and administration of the community college.

6 B. The community college board shall have the power
7 to fix tuition and fee rates for resident and nonresident
8 students of the district, to accept gifts, to accept federal
9 aid, to purchase, hold, sell and rent property and equipment and
10 to promote the general welfare of the institution for the best
11 interest of educational service to the people of the community
12 college district.

13 C. The community college board may establish and
14 grant legislative scholarships to students who are residents of
15 New Mexico by granting the matriculation fee or tuition and
16 required fees, or both. The number of legislative scholarships
17 established and granted shall not exceed five percent of the
18 preceding fall semester enrollment in each institution and shall
19 not be established and granted for summer sessions. Legislative
20 scholarship recipients shall have demonstrated successful
21 academic performance and maintain satisfactory scholastic
22 standing. At least thirty-three and one-third percent of the
23 scholarships established and granted by each community college
24 board each year shall be granted on the basis of financial
25 need. "

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1 Section 3. A new Section 21-16-6.1 NMSA 1978 is enacted to
2 read:

3 "21-16-6.1. [NEW MATERIAL] MATRICULATION AND TUITION
4 FEES. --The board may establish and grant legislative
5 scholarships to students who are residents of New Mexico by
6 granting the matriculation fee or tuition and required fees, or
7 both. The number of legislative scholarships established and
8 granted shall not exceed five percent of the preceding fall
9 semester enrollment in each institution and shall not be
10 established and granted for summer sessions. Legislative
11 scholarship recipients shall have demonstrated successful
12 academic performance and maintain satisfactory scholastic
13 standing. At least thirty-three and one-third percent of the
14 scholarships established and granted by each board each year
15 shall be granted on the basis of financial need. "

16 Section 4. A new Section 21-17-4.2 NMSA 1978 is enacted to
17 read:

18 "21-17-4.2. [NEW MATERIAL] MATRICULATION AND TUITION
19 FEES. --The board may establish and grant legislative
20 scholarships to students who are residents of New Mexico by
21 granting the matriculation fee or tuition and required fees, or
22 both. The number of legislative scholarships established and
23 granted shall not exceed five percent of the preceding fall
24 semester enrollment in each institution and shall not be
25 established and granted for summer sessions. Legislative

. 110845. 1

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1 scholarships recipients shall have demonstrated successful
2 academic performance and maintain satisfactory scholastic
3 standing. At least thirty-three and one-third percent of the
4 scholarships established and granted by each board each year
5 shall be granted on the basis of financial need. "

6 Section 5. APPROPRIATION. --Two million one hundred sixteen
7 thousand dollars (\$2,116,000) is appropriated from the general
8 fund to the commission on higher education for expenditure in
9 fiscal year 1997 for the purpose of funding legislative
10 scholarships for New Mexico residents enrolled in certain public
11 post-secondary educational institutions. The commission on
12 higher education shall distribute this appropriation to
13 appropriate educational institutions on the same basis as
14 existing funds provided for that purpose. Any unexpended or
15 unencumbered balance remaining at the end of fiscal year 1997
16 shall revert to the general fund.

17 Section 6. EFFECTIVE DATE. --The effective date of the
18 provisions of this act is July 1, 1996.

State of New Mexico House of Representatives

FORTY- SECOND LEGISLATURE

SECOND SESSION, 1996

February 9, 1996

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

HOUSE BILL 639

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
APPROPRIATIONS AND FINANCE COMMITTEE.

Respectfully submitted,

Samuel F. Vigil, Chairman

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SECOND SESSION, 1996

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Adopted _____ Not Adopted _____

(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Weeks, SM Williams, Wright

Absent: Nicely

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