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HOUSE BILL 410

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,  
2000**

INTRODUCED BY

Terry T. Marquardt

AN ACT

RELATING TO EDUCATION; CHANGING QUALIFICATIONS FOR LOTTERY  
TUITION SCHOLARSHIPS.

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

Section 1. Section 21-1-4.3 NMSA 1978 (being Laws 1996,  
Chapter 71, Section 3, as amended) is amended to read:

"21-1-4.3. TUITION SCHOLARSHIPS AUTHORIZED--CERTAIN  
EDUCATIONAL INSTITUTIONS.--

A. To the extent that funds are made available by  
the legislature from the lottery tuition fund, the boards of  
regents of New Mexico state university, New Mexico institute  
of mining and technology, eastern New Mexico university,  
western New Mexico university, the university of New Mexico,  
New Mexico highlands university and northern New Mexico state  
school shall award tuition scholarships for qualified  
resident students attending their respective institutions and

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1 branches of those institutions.

2 B. Except as authorized in Subsection C of this  
3 section, the tuition scholarships authorized in this section  
4 shall apply only to full-time resident students who,  
5 immediately upon completion of a high school curriculum at a  
6 public or accredited private New Mexico high school or upon  
7 receiving a graduate equivalent diploma, are accepted for  
8 entrance to and attend one of the state educational  
9 institutions set forth in this section or one of the branches  
10 of those institutions. Each tuition scholarship shall be  
11 awarded for up to four consecutive years beginning the second  
12 semester of the recipient's first year of enrollment;  
13 provided that the recipient has maintained residency in New  
14 Mexico and maintained a grade point average of 2.5 or higher  
15 on a 4.0 scale during his first semester of full-time  
16 enrollment.

17 C. The tuition scholarships authorized in this  
18 section shall also apply to full-time resident students who,  
19 immediately upon completion of a high school curriculum at a  
20 public or accredited private New Mexico high school or upon  
21 receiving a graduate equivalent diploma, attend a two-year  
22 public post-secondary educational institution in New Mexico  
23 and who, upon the completion of that curriculum or at the end  
24 of two years, whichever is sooner, transfer to one of the  
25 post-secondary state educational institutions set forth in  
this section. Those students shall be eligible for a tuition  
scholarship for two consecutive years; provided that those

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1 students maintain residency in New Mexico, maintain a grade  
2 point average of 2.5 or higher on a 4.0 scale and attend the  
3 institution full time during the regular academic year.

4 D. The tuition scholarships authorized in this  
5 section shall also apply to full-time resident students who:

6 (1) within one hundred twenty days of  
7 completion of a high school curriculum at a public or  
8 accredited private New Mexico high school, or of receiving a  
9 graduate equivalent diploma, begin service in the United  
10 States armed forces; and

11 (2) within one hundred twenty days of  
12 completion of honorable service or medical discharge from the  
13 service are accepted for entrance to and attend one of the  
14 state educational institutions set forth in this section.

15 E. The commission on higher education shall  
16 prepare guidelines setting forth explicit student continuing  
17 eligibility criteria and guidelines for administration of the  
18 tuition scholarship program. The guidelines shall include a  
19 provision making a student ineligible for a tuition  
20 scholarship in a semester in which he is enrolled in a  
21 remedial education course. Guidelines shall be distributed  
22 to the board of regents of each institution to enable a  
23 uniform availability of the resident student tuition  
24 scholarships."

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

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

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1           A. It ~~[shall be]~~ is the duty of the community  
2 college board to determine financial and educational policies  
3 of the community college. The community college board shall  
4 provide for the management of the community college and  
5 execution of these policies by selecting a competent  
6 president for the community college, and, upon the  
7 president's recommendation, the board shall employ other  
8 administrative personnel, instructional staff or other  
9 personnel as may be needed for the operation, maintenance and  
10 administration of the community college.

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

18           C. To the extent that funds are made available by  
19 the legislature from the lottery tuition fund, the community  
20 college board shall award tuition scholarships for qualified  
21 resident students attending their respective institutions.

22           D. The tuition scholarships authorized in this  
23 section shall apply only to full-time resident students who,  
24 immediately upon completion of a high school curriculum at a  
25 public or accredited private New Mexico high school or upon  
receiving a graduate equivalent diploma, are accepted for  
entrance to and attend a community college. Each tuition

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1 scholarship shall be awarded for up to two consecutive years  
2 beginning the second semester of the recipient's first year  
3 of enrollment; provided that the recipient has maintained  
4 residency in New Mexico and maintained a grade-point average  
5 of 2.5 or higher on a 4.0 scale during his first semester of  
6 full-time enrollment.

7 E. The commission on higher education shall  
8 prepare guidelines setting forth explicit student continuing  
9 eligibility criteria and guidelines for administration of the  
10 tuition scholarship program. The guidelines shall include a  
11 provision making a student ineligible for a tuition  
12 scholarship in a semester in which he is enrolled in a  
13 remedial education course. Guidelines shall be distributed  
14 to community college boards to enable a uniform availability  
15 of the resident student tuition scholarship."

16 Section 3. Section 21-16-10.1 NMSA 1978 (being Laws  
17 1996, Chapter 71, Section 6, as amended) is amended to read:

18 "21-16-10.1. TUITION SCHOLARSHIPS AUTHORIZED.--

19 A. To the extent that funds are made available by  
20 the legislature from the lottery tuition fund, the board of a  
21 technical and vocational institute shall award tuition  
22 scholarships for qualified resident students attending a  
23 technical and vocational institute.

24 B. The tuition scholarships authorized in this  
25 section shall apply only to full-time resident students who,  
immediately upon completion of a high school curriculum at a  
public or accredited private New Mexico high school or upon

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1 receiving a graduate equivalent diploma, are accepted for  
2 entrance to and attend a technical and vocational institute.  
3 Each tuition scholarship shall be awarded for up to two  
4 consecutive years beginning the second semester of the  
5 recipient's first year of enrollment; provided that the  
6 recipient has maintained residency in New Mexico and  
7 maintained a grade-point average of 2.5 or higher on a 4.0  
8 scale during his first semester of full-time enrollment with  
9 renewal of an additional two years upon transfer.

10 C. The commission on higher education shall  
11 prepare guidelines setting forth explicit student continuing  
12 eligibility criteria and guidelines for administration of the  
13 tuition scholarship program. The guidelines shall include a  
14 provision making a student ineligible for a tuition  
15 scholarship in a semester in which he is enrolled in a  
16 remedial education course. Guidelines shall be distributed  
17 to the boards of technical and vocational institutes to  
18 enable a uniform availability of the resident student tuition  
19 scholarships."

20 Section 4. APPLICABILITY.--The provisions of this act  
21 apply to academic year 2000-2001 and subsequent years.