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HOUSE BILL 475

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

INTRODUCED BY

Leo C. Watchman Jr.

AN ACT

RELATING TO HIGHER EDUCATION; CREATING THE NATIVE AMERICAN
SCHOLARSHIP FUND; PROVIDING FOR A DISTRIBUTION TO THE FUND OF
A PORTION OF REVENUE RECEIVED PURSUANT TO REVENUE-SHARING
AGREEMENTS BETWEEN TRIBES AND THE STATE; MAKING AN
APPROPRIATION.

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] FUND CREATED--ADMINISTRATION--PURPOSE.--

A. The "Native American scholarship fund" is
created in the state treasury. Money in the fund is
appropriated to the commission on higher education to award
scholarships to qualified Native American students residing
in New Mexico. Money appropriated to the Native American
scholarship fund shall not be expended but shall be invested

.131201.1

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1 by the commission on higher education in coordination with
2 the state investment council and the state treasurer's
3 office. Money in the fund at the end of a fiscal year shall
4 not revert. Income earned from investment of the fund shall
5 be expended by the commission on higher education for the
6 purpose of providing scholarships to Native American students
7 at two-year or four-year post-secondary educational
8 institutions. For purposes of this section, two-year or
9 four-year post-secondary educational institutions include
10 public educational institutions located in New Mexico or a
11 New Mexico campus or branch created by an Indian nation,
12 tribe or pueblo or by the federal government and accredited
13 by the north central accrediting association.

14 B. The commission on higher education shall
15 administer the Native American scholarship fund and make all
16 disbursements from the fund to scholarship recipients.

17 C. The commission on higher education shall
18 prepare guidelines setting forth explicit student eligibility
19 criteria and guidelines for administration of the Native
20 American scholarship program."

21 Section 2. [NEW MATERIAL] RECEIPTS PURSUANT TO REVENUE-
22 SHARING AGREEMENTS--TRANSFER TO THE NATIVE AMERICAN
23 SCHOLARSHIP FUND.--

24 A. Upon the receipt of a payment from an Indian
25 nation, tribe or pueblo pursuant to a revenue-sharing
agreement entered into pursuant to Section 11-13-2 NMSA 1978
or any other agreement that provides for the state to receive

.131201.1

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1 a share of the net win from Indian gaming revenue, an amount
2 equal to five percent of the payment received by the state
3 shall be transferred from the general fund to the Native
4 American scholarship fund.

5 B. The provisions of Subsection A of this section
6 apply to all payments received after the effective date of
7 this section, including those due, but not received, before
8 the effective date."

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