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HOUSE BILL 81

**47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006**

INTRODUCED BY

Thomas C. Taylor

AN ACT

RELATING TO HIGHER EDUCATION; INCREASING ELIGIBILITY FOR  
TUITION SCHOLARSHIPS FROM THE LOTTERY TUITION FUND TO INCLUDE  
MILITARY DEPENDENTS OF NEW MEXICO RESIDENTS; AMENDING CERTAIN  
SECTIONS OF THE NMSA 1978.

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

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1 highlands university and northern New Mexico [~~state school~~]  
2 college shall award tuition scholarships for qualified resident  
3 students attending their respective institutions and branches  
4 of those institutions.

5 B. Except as authorized in [~~Subsection C~~]  
6 Subsections C and D of this section, the tuition scholarships  
7 authorized in this section shall apply only to full-time  
8 resident students who [~~immediately upon completion of a high~~  
9 ~~school curriculum at a public or accredited private New Mexico~~  
10 ~~high school or upon receiving a graduate equivalent diploma,~~  
11 ~~are accepted for entrance to and attend one of the state~~  
12 ~~educational institutions set forth in this section or one of~~  
13 ~~the branches of those institutions]:~~

14 (1) have completed:

15 (a) a high school curriculum at a public  
16 New Mexico high school;

17 (b) a high school curriculum at an  
18 accredited private New Mexico high school;

19 (c) an equivalent high school curriculum  
20 at any high school and are the dependents of New Mexico  
21 residents who are paying New Mexico income taxes but who, as a  
22 result of service in the United States armed forces, are  
23 stationed outside of New Mexico at completion; or

24 (d) any requirements for a graduate  
25 equivalent diploma and have received the diploma; and

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1                                   (2) immediately upon completion of the  
2 requirements of Paragraph (1) of this subsection, are accepted  
3 for entrance to and attend one of the state educational  
4 institutions set forth in this section or one of the branches  
5 of those institutions.

6                   C. Each tuition scholarship shall be awarded for up  
7 to four consecutive years beginning the second semester of the  
8 recipient's first year of enrollment, provided that the  
9 recipient has maintained residency in New Mexico and maintained  
10 a grade point average of 2.5 or higher on a 4.0 scale during  
11 ~~[his]~~ the recipient's first semester of full-time enrollment.

12                   ~~[E-]~~ D. The tuition scholarships authorized in this  
13 section shall also apply to full-time resident students who  
14 ~~[immediately upon completion of a high school curriculum at a~~  
15 ~~public or accredited private New Mexico high school or upon~~  
16 ~~receiving a graduate equivalent diploma]~~ meet any of the  
17 requirements of Paragraph (1) of Subsection B of this section,  
18 who attend a two-year public post-secondary educational  
19 institution in New Mexico and who, upon the completion of that  
20 curriculum or at the end of two years, whichever is sooner,  
21 transfer to one of the post-secondary state educational  
22 institutions set forth in this section. Those students shall  
23 be eligible for a tuition scholarship for two consecutive  
24 years, provided that those students maintain residency in New  
25 Mexico, maintain a grade point average of 2.5 or higher on a

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1 4.0 scale and attend the institution full time during the  
2 regular academic year.

3 ~~[D.]~~ E. The tuition scholarships authorized in this  
4 section shall also apply to full-time resident students who:

5 (1) meet any of the requirements of Paragraph  
6 (1) of Subsection B of this section and within one hundred  
7 twenty days of completion ~~[of a high school curriculum at a~~  
8 ~~public or accredited private New Mexico high school, or of~~  
9 ~~receiving a graduate equivalent diploma]~~ of those requirements  
10 begin service in the United 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.]~~ F. The ~~[commission on]~~ higher education  
16 department shall prepare guidelines setting forth explicit  
17 student continuing eligibility criteria and guidelines for  
18 administration of the tuition scholarship program. Guidelines  
19 shall be distributed to the board of regents of each  
20 institution to enable a uniform availability of the resident  
21 student tuition scholarships."

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

24 "21-13-10. BOARD DUTIES.--

25 A. It is the duty of the community college board to

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

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

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

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

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(1) have completed:

(a) a high school curriculum at a public New Mexico high school;

(b) a high school curriculum at an accredited private New Mexico high school;

(c) an equivalent high school curriculum at any high school and are the dependents of New Mexico residents who are paying New Mexico income taxes but who, as a result of service in the United States armed forces, are stationed outside of New Mexico at completion; or

(d) any requirements for a graduate equivalent diploma and have received the diploma; and

(2) immediately upon completion of the requirements of Paragraph (1) of this subsection, are accepted for entrance to and attend a New Mexico community college.

E. Each tuition scholarship shall be awarded for up to two consecutive years beginning the second semester of the recipient's first year of enrollment, provided that the recipient has maintained residency in New Mexico and maintained a grade point average of 2.5 or higher on a 4.0 scale during [his] the recipient's first semester of full-time enrollment.

~~[E.]~~ F. The ~~[commission on]~~ higher education department shall prepare guidelines setting forth explicit student continuing eligibility criteria and guidelines for administration of the tuition scholarship program. Guidelines

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1 shall be distributed to community college boards to enable a  
2 uniform availability of the resident student tuition  
3 scholarships."

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

6 "21-16-10.1. TUITION SCHOLARSHIPS AUTHORIZED.--

7 A. To the extent that funds are made available by  
8 the legislature from the lottery tuition fund, the board of a  
9 technical and vocational institute shall award tuition  
10 scholarships for qualified resident students attending a  
11 technical and vocational institute.

12 B. The tuition scholarships authorized in this  
13 section shall apply only to full-time resident students who  
14 [~~immediately upon completion of a high school curriculum at a~~  
15 ~~public or accredited private New Mexico high school or upon~~  
16 ~~receiving a graduate equivalent diploma, are accepted for~~  
17 ~~entrance to and attend a technical and vocational institute~~]:

18 (1) have completed:

19 (a) a high school curriculum at a public  
20 New Mexico high school;

21 (b) a high school curriculum at an  
22 accredited private New Mexico high school;

23 (c) an equivalent high school curriculum  
24 at any high school and are the dependents of New Mexico  
25 residents who are paying New Mexico income taxes but who, as a

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1 result of service in the United States armed forces, are  
2 stationed outside of New Mexico at completion; or

3 (d) any requirements for a graduate  
4 equivalent diploma and have received the diploma; and

5 (2) immediately upon completion of the  
6 requirements of Paragraph (1) of this subsection, are accepted  
7 for entrance to and attend a New Mexico technical and  
8 vocational institute.

9 C. Each tuition scholarship shall be awarded for up  
10 to two consecutive years beginning the second semester of the  
11 recipient's first year of enrollment, provided that the  
12 recipient has maintained residency in New Mexico and maintained  
13 a grade point average of 2.5 or higher on a 4.0 scale during  
14 [his] the recipient's first semester of full-time enrollment  
15 with renewal of an additional two years upon transfer.

16 [G.] D. The [~~commission on~~] higher education  
17 department shall prepare guidelines setting forth explicit  
18 student continuing eligibility criteria and guidelines for  
19 administration of the tuition scholarship program. Guidelines  
20 shall be distributed to the boards of technical and vocational  
21 institutes to enable a uniform availability of the resident  
22 student tuition scholarships."