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HOUSE BILL 104

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

INTRODUCED BY

James Roger Madalena

FOR THE INDIAN AFFAIRS COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; EXTENDING LOTTERY SCHOLARSHIP
ELIGIBILITY TO NEW MEXICO TRIBAL COLLEGES; AMENDING SECTIONS OF
THE NMSA 1978.

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

Section 1. Section 6-24-1 NMSA 1978 (being Laws 1995,
Chapter 155, Section 1) is amended to read:

"6-24-1. SHORT TITLE.--~~[Sections 1 through 34 of this
act]~~ Chapter 6, Article 24 NMSA 1978 may be cited as the "New
Mexico Lottery Act"."

Section 2. Section 6-24-4 NMSA 1978 (being Laws 1995,
Chapter 155, Section 4) is amended to read:

"6-24-4. DEFINITIONS.--As used in the New Mexico Lottery
Act:

A. "authority" means the New Mexico lottery

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1 authority;

2 B. "board" means the board of directors of the
3 authority;

4 C. "chief executive officer" means the chief
5 executive officer of the authority appointed by the board
6 pursuant to the New Mexico Lottery Act;

7 D. "lottery" means the New Mexico state lottery
8 established and operated by the authority pursuant to the New
9 Mexico Lottery Act;

10 E. "lottery contractor" means a person with whom
11 the authority has contracted for the purpose of providing goods
12 or services for the lottery;

13 F. "lottery game" means any variation of the
14 following types of games, but does not include any video
15 lottery game:

16 (1) an instant win game in which disposable
17 tickets contain certain preprinted winners that are determined
18 by rubbing or scraping an area or areas on the tickets to match
19 numbers, letters, symbols or configurations, or any combination
20 thereof, as provided by the rules of the game; provided, an
21 instant-win game may also provide for preliminary and grand
22 prize drawings conducted pursuant to the rules of the game; and

23 (2) an on-line lottery game in which a lottery
24 game is hooked up to a central computer via a
25 telecommunications system through which a player selects a

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1 specified group of numbers or symbols out of a predetermined
2 range of numbers or symbols and purchases a ticket bearing the
3 player-selected numbers or symbols for eligibility in a drawing
4 regularly scheduled in accordance with game rules;

5 G. "lottery retailer" means a person with whom the
6 authority has contracted for the purpose of selling tickets in
7 lottery games to the public;

8 H. "lottery vendor" means any person who submits a
9 bid, proposal or offer as part of a major procurement contract
10 and any person who is awarded a major procurement contract;

11 I. "major procurement contract" means a contract
12 for the procurement of any lottery game product or service
13 costing in excess of seventy-five thousand dollars (\$75,000),
14 including [~~but not limited to~~] major advertising contracts,
15 annuity contracts, prize payment agreements, consulting
16 services, equipment, tickets and other products and services
17 unique to the lottery, but not including materials, supplies,
18 equipment and services common to the ordinary operations of a
19 corporation;

20 J. "net revenues" means all lottery and nonlottery
21 revenues received by the authority less payments for lottery
22 prizes and operating expenses as provided in the New Mexico
23 Lottery Act; [~~and~~]

24 K. "tribal college" means any of the following
25 institutions:

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- 1 (1) southwestern Indian polytechnic institute;
- 2 (2) Crownpoint institute of technology;
- 3 (3) institute of American Indian arts; and
- 4 (4) the New Mexico campus of Dine college; and

5 [~~K-~~] L. "person" means an individual or any other
6 legal entity."

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

9 "21-1-4.3. TUITION SCHOLARSHIPS AUTHORIZED--CERTAIN
10 EDUCATIONAL INSTITUTIONS.--

11 A. To the extent that funds are made available by
12 the legislature from the lottery tuition fund, the boards of
13 regents of New Mexico state university, New Mexico institute of
14 mining and technology, eastern New Mexico university, western
15 New Mexico university, the university of New Mexico, New Mexico
16 highlands university, and northern New Mexico state school and
17 the governing bodies of southwestern Indian polytechnic
18 institute, Crownpoint institute of technology, the institute of
19 American Indian arts and Dine college in New Mexico shall award
20 tuition scholarships for qualified resident students attending
21 their respective institutions and branches of those
22 institutions.

23 B. Except as authorized in Subsection C of this
24 section, the tuition scholarships authorized in this section
25 shall apply only to full-time resident students who,

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1 immediately upon completion of a high school curriculum at a
2 public or accredited private New Mexico high school or a bureau
3 of Indian affairs school in New Mexico or upon receiving a
4 graduate equivalent diploma, are accepted for entrance to and
5 attend one of the state educational institutions or tribal
6 colleges set forth in this section or one of the branches of
7 those institutions. Each tuition scholarship shall be awarded
8 for up to four consecutive years beginning the second semester
9 of the recipient's first year of enrollment, provided that the
10 recipient has maintained residency in New Mexico and maintained
11 a grade point average of 2.5 or higher on a 4.0 scale during
12 [~~his~~] the first semester of full-time enrollment.

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

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1 maintain a grade point average of 2.5 or higher on a 4.0 scale
2 and attend the institution full time during the regular
3 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 a bureau of Indian
9 affairs school in New Mexico, or of receiving a graduate
10 equivalent diploma, begin service in the United States armed
11 forces; and

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

17 E. The [~~commission on~~] higher education department
18 shall prepare guidelines setting forth explicit student
19 continuing eligibility criteria and guidelines for
20 administration of the tuition scholarship program. Guidelines
21 shall be distributed to the board of regents of each
22 institution or tribal college to enable a uniform availability
23 of the resident student tuition scholarships."