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HOUSE BILL 811

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Edward C. Sandoval

AN ACT

RELATING TO EDUCATION; DIRECTING THE COMMISSION ON HIGHER
EDUCATION TO PROMULGATE RULES CONCERNING THE LOTTERY TUITION
SCHOLARSHIPS; DECLARING AN EMERGENCY.

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) 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

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1 school shall award tuition scholarships for qualified resident
2 students attending their respective institutions and branches
3 of those institutions.

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

19 C. The tuition scholarships authorized in this
20 section shall also apply to full-time resident students who,
21 immediately upon completion of a high school curriculum at a
22 public or accredited private New Mexico high school or upon
23 receiving a graduate equivalent diploma, attend a two-year
24 public post-secondary educational institution in New Mexico
25 and who, upon the completion of that curriculum or at the end

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1 of two years, whichever is sooner, transfer to one of the
2 post-secondary state educational institutions set forth in
3 this section. Those students shall be eligible for a tuition
4 scholarship for two consecutive years, provided that those
5 students maintain residency in New Mexico, [~~maintain~~] obtain a
6 grade-point average of 2.5 or higher on a 4.0 scale and attend
7 the institution full time during the regular academic year.

8 D. The commission on higher education shall
9 [~~prepare guidelines setting forth explicit student continuing~~
10 ~~eligibility criteria and~~] promulgate rules to implement the
11 provisions of the lottery tuition scholarships. The rules
12 shall include explicit initial and continuing student
13 eligibility criteria, probation provisions for initial and
14 continuing student eligibility and considerations for
15 professional judgment when special circumstances exist and
16 shall incorporate guidelines for administration of the tuition
17 scholarship program. Guidelines shall be distributed to the
18 board of regents of each institution to enable a uniform
19 availability of the resident student tuition scholarships."

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

22 "21-13-10. BOARD DUTIES. --

23 A. It [~~shall be~~] is the duty of the community
24 college board to determine financial and educational policies
25 of the community college. The community college board shall

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

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

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

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

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1 beginning the second semester of the recipient's first year of
2 enrollment, provided that the recipient has maintained
3 residency in New Mexico and [~~maintained~~] obtained a grade-
4 point average of 2.5 or higher on a 4.0 scale during his first
5 semester of full-time enrollment.

6 E. The commission on higher education shall
7 [~~prepare guidelines setting forth explicit student continuing~~
8 ~~eligibility criteria and~~] promulgate rules to implement the
9 provisions of the lottery tuition scholarships. The rules
10 shall include explicit initial and continuing student
11 eligibility criteria, probation provisions for initial and
12 continuing student eligibility and considerations for
13 professional judgment when special circumstances exist and
14 shall incorporate guidelines for administration of the tuition
15 scholarship program. Guidelines shall be distributed to
16 community college boards to enable a uniform availability of
17 the resident student tuition scholarship. "

18 Section 3. Section 21-16-10.1 NMSA 1978 (being Laws
19 1996, Chapter 71, Section 6) is amended to read:

20 "21-16-10.1. TUITION SCHOLARSHIPS AUTHORIZED. --

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

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1 B. The tuition scholarships authorized in this
2 section shall apply [~~only~~] to full-time resident students who,
3 immediately upon completion of a high school curriculum at a
4 public or accredited private New Mexico high school or upon
5 receiving a graduate equivalent diploma, are accepted for
6 entrance to and attend a technical and vocational institute.
7 Each tuition scholarship shall be awarded for up to two
8 consecutive years beginning the second semester of the
9 recipient's first year of enrollment, provided that the
10 recipient has maintained residency in New Mexico and
11 [~~maintained~~] obtained a grade-point average of 2.5 or higher
12 on a 4.0 scale during his first semester of full-time
13 enrollment.

14 C. The commission on higher education shall
15 [~~prepare guidelines setting forth explicit student continuing-~~
16 ~~eligibility criteria and~~] promulgate rules to implement the
17 provisions of the lottery tuition scholarships. The rules
18 shall include explicit initial and continuing student
19 eligibility criteria, probation provisions for initial and
20 continuing student eligibility and considerations for
21 professional judgment when special circumstances exist and
22 shall incorporate guidelines for administration of the tuition
23 scholarship program. Guidelines shall be distributed to the
24 boards of technical and vocational institutes to enable a
25 uniform availability of the resident student tuition

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1 scholarships. "

2 Section 4. Section 21-17-6.1 NMSA 1978 (being Laws 1996,
3 Chapter 71, Section 7) is amended to read:

4 "21-17-6.1. TUITION SCHOLARSHIPS AUTHORIZED. --

5 A. To the extent that funds are made available by
6 the legislature from the lottery tuition fund, the board of an
7 area vocational school shall award tuition scholarships for
8 qualified resident students attending its area vocational
9 school.

10 B. The tuition scholarships authorized in this
11 section shall apply [~~only~~] to full-time resident students who,
12 immediately upon completion of a high school curriculum at a
13 public or accredited private New Mexico high school or upon
14 receiving a graduate equivalent diploma, are accepted for
15 entrance to and attend an area vocational school. Each
16 tuition scholarship shall be awarded for up to two consecutive
17 years beginning the second semester of the recipient's first
18 year of enrollment, provided that the recipient has maintained
19 residency in New Mexico and [~~maintained~~] obtained a grade-
20 point average of 2.5 or higher on a 4.0 scale during his first
21 semester of full-time enrollment.

22 C. The commission on higher education shall
23 [~~prepare guidelines setting forth explicit student~~
24 ~~qualification criteria and~~] promulgate rules to implement the
25 provisions of the lottery tuition scholarships. The rules

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1 shall include explicit initial and continuing student
2 eligibility criteria, probation provisions for initial and
3 continuing student eligibility and considerations for
4 professional judgment when special circumstances exist and
5 shall incorporate guidelines for administration of the tuition
6 scholarship program. Guidelines shall be distributed to the
7 boards of all area vocational schools to enable a uniform
8 availability of the resident student tuition scholarships."

9 Section 5. EMERGENCY.--It is necessary for the public
10 peace, health and safety that this act take effect
11 immediately.

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 8, 1999
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8 Mr. Speaker:
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10 Your EDUCATION COMMITTEE, to whom has been referred
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12 HOUSE BILL 811
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14 has had it under consideration and reports same with
15 recommendation that it DO PASS, and thence referred to the
16 APPROPRIATIONS AND FINANCE COMMITTEE.

17 Respectfully submitted,
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22 Rick Miera, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 15 For 0 Against

Yes: 15

Excused: Stapleton

Absent: None

J: \99BillsWP\H0811

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FIRST SESSION, 1999

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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March 16, 1999

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Mr. President:

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Your EDUCATION COMMITTEE, to whom has been referred

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HOUSE BILL 811

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has had it under consideration and reports same with
recommendation that it DO PASS, and further recommends that it
now be referred to the FINANCE COMMITTEE.

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Respectfully submitted,

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Cynthia Nava, Chairman

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FORTY-FOURTH LEGISLATURE
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Adopted _____ Not

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(Chief Clerk)

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Date _____

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The roll call vote was 6 For 1 Against

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Yes: 6

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No: Adair

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Excused: Boitano, Gorham, Jennings

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Absent: None

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