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HOUSE BILL 69
47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005
INTRODUCED BY
Patricia A. Lundstrom

AN ACT
RELATING TO HIGHER EDUCATION; EXTENDING CERTAIN HIGHER
EDUCATION BENEFITS TO SPOUSES AND ALL CHILDREN OF DECEASED NEW
MEXICO MILITARY PERSONNEL AND STATE POLICEMEN; MAKING AN
APPROPRIATION.

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

Section 1. Section 28-14-1 NMSA 1978 (being Laws 1949, Chapter 170, Section 1, as amended by Laws 1975, Chapter 29, Section 1 and also by Laws 1975, Chapter 89, Section 1) is amended to read:

"28-14-1. USE OF FUNDS FOR SPOUSES AND CHILDREN OF DECEASED NEW MEXICO MILITARY PERSONNEL AND STATE POLICEMEN. --

A. The funds set aside under the provisions of [~~Sections 74-4-1 through 74-4-4 NMSA 1953~~] Chapter 28, Article 14 NMSA 1978 shall be used for the sole purposes of providing

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1 for [~~matricular~~] matriculation fees, board and room rent and
2 books and supplies for the use and benefit of the spouses and
3 children [~~not under sixteen and not over twenty six years of~~
4 ~~age~~] of:

5 (1) those persons who were residents of New
6 Mexico at the time of entry into military service and who
7 [~~entered~~] were in the military service of the United States
8 during [~~World War I or II or during~~] any action in which the
9 military forces of the United States [~~are~~] were engaged in
10 armed conflict and who were killed in action or died of other
11 cause during the conflict or as a result of [~~such~~] that
12 military service;

13 (2) deceased members of the national guard of
14 New Mexico [~~national guard~~] who were killed while on active
15 duty in the service of the state after having been called to
16 active duty by the governor; and

17 (3) deceased members of the New Mexico state
18 police who were killed while on active duty in the service of
19 the state.

20 B. The benefits enumerated in Subsection A of this
21 section [~~shall further be~~] are restricted to spouses and
22 children who are attending or who may attend a state
23 educational or training institution of a secondary or college
24 grade. Spouses and children shall be selected under the
25 provisions of Section [~~74-4-3 NMSA 1953~~] 28-14-3 NMSA 1978 and

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1 shall be admitted to state institutions of secondary or college
2 grade free of tuition. "

3 Section 2. Section 28-14-2 NMSA 1978 (being Laws 1949,
4 Chapter 170, Section 2, as amended) is amended to read:

5 "28-14-2. AMOUNTS PAYABLE TO INSTITUTIONS--ELIGIBILITY.--
6 The amounts due to any educational or training institution
7 pursuant to Chapter 28, Article 14 NMSA 1978 shall be payable
8 to those institutions on vouchers signed by the secretary of
9 veterans' services or the secretary's authorized
10 representative. The veterans' services department shall
11 determine the eligibility of spouses and children making
12 application for the benefits provided in Chapter 28, Article 14
13 NMSA 1978 and shall satisfy itself of the attendance of the
14 spouses and children and of the accuracy of charges submitted
15 to the department. [~~No staff of the department shall receive
16 any compensation for this service except as provided in the Per
17 Diem and Mileage Act.~~]"

18 Section 3. Section 28-14-3 NMSA 1978 (being Laws 1949,
19 Chapter 170, Section 3, as amended) is amended to read:

20 "28-14-3. SELECTION BY VETERANS' SERVICES DEPARTMENT.--
21 Spouses and children who are to receive the educational
22 benefits provided under Section 28-14-1 NMSA 1978 shall be
23 selected by the veterans' services department on the basis of
24 need and merit. Nominations shall be made by:

25 A. the department, for spouses and children of

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1 deceased veterans;

2 B. the adjutant general, for spouses and children
3 of deceased national guard of New Mexico members; and

4 C. the New Mexico state police board, for spouses
5 and children of deceased New Mexico state police members. "

6 Section 4. Section 28-14-4 NMSA 1978 (being Laws 1949,
7 Chapter 170, Section 4, as amended) is amended to read:

8 "28-14-4. MAXIMUM PAYMENTS. --Not more than three hundred
9 dollars (\$300) shall be paid pursuant to Chapter 28, Article 14
10 NMSA 1978, in addition to the free tuition, for any spouse or
11 child for one year. "

12 Section 5. APPROPRIATION. --Thirty thousand dollars
13 (\$30,000) is appropriated from the general fund to the
14 veterans' services department for expenditure in fiscal year
15 2006 for the purpose of providing the expanded benefits
16 provided for in this act. Any unexpended or unencumbered
17 balance remaining at the end of fiscal year 2006 shall revert
18 to the general fund.

19 Section 6. EFFECTIVE DATE. --The effective date of the
20 provisions of this act is July 1, 2005.

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