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HOUSE BILL 104

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Ray Begaye

FOR THE INDIAN AFFAIRS COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; MAKING CERTAIN TRANSFER STUDENTS
ELIGIBLE FOR LOTTERY SCHOLARSHIPS; CLARIFYING CONTINUING
ELIGIBILITY.

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
highlands university and northern New Mexico [~~state school~~]

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

22 C. The tuition scholarships authorized in this
23 section shall also apply to full-time resident students who,
24 immediately upon completion of a high school curriculum at a
25 public or accredited private New Mexico high school or upon

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1 receiving a [~~graduate equivalent diploma~~] general educational
2 development certificate, attend a two-year public post-
3 secondary educational institution in New Mexico and who, upon
4 the completion of that curriculum or at the end of two years,
5 whichever is sooner, transfer to one of the [~~post-secondary~~]
6 state educational institutions set forth in this section.

7 Those students shall be eligible for a tuition scholarship for
8 two consecutive years [~~provided that those students~~] if they
9 maintain residency in New Mexico, maintain a grade point
10 average of 2.5 or higher on a 4.0 scale and attend the
11 institution full time during the regular academic year.

12 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 general educational development certificate, attend
17 an accredited post-secondary educational institution in another
18 state for at least one complete semester and who, within one
19 hundred twenty days of the last date of attendance at that
20 institution, transfer to one of the state educational
21 institutions set forth in this section or one of the branches
22 of those institutions. Those students shall be eligible for a
23 tuition scholarship for up to seven consecutive semesters
24 beginning the second semester of their enrollment at the
25 institution if they maintain residency in New Mexico, maintain

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1 a grade point average of 2.5 or higher on a 4.0 scale during
2 the first semester of full-time enrollment at the institution
3 and continue to maintain a grade point average of 2.5 or higher
4 on a 4.0 scale and attend the institution full time during the
5 regular academic year.

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

8 (1) within one hundred twenty days of
9 completion of a high school curriculum at a public or
10 accredited private New Mexico high school, or of receiving a
11 [~~graduate equivalent diploma~~] general educational development
12 certificate, begin service in the United States armed forces;
13 and

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

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

25 Section 2. Section 21-13-10 NMSA 1978 (being Laws 1963,

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1 Chapter 17, Section 9, as amended) is amended to read:

2 "21-13-10. BOARD DUTIES.--

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

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

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

23 D. The tuition scholarships authorized in this
24 section shall apply only to full-time resident students who,
25 immediately upon completion of a high school curriculum at a

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1 public or accredited private New Mexico high school or upon
2 receiving a [~~graduate equivalent diploma~~] general educational
3 development certificate, are accepted for entrance to and
4 attend a community college. Each tuition scholarship shall be
5 awarded for up to two consecutive years beginning the second
6 semester of the recipient's first year of enrollment, provided
7 that the recipient has maintained residency in New Mexico and
8 maintained a grade point average of 2.5 or higher on a 4.0
9 scale during [~~his~~] the first semester of full-time enrollment.

10 E. The tuition scholarships authorized in this
11 section shall also apply 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 general educational development certificate, attend
15 an accredited post-secondary educational institution in another
16 state for at least one complete semester and who, within one
17 hundred twenty days of the last date of attendance at that
18 institution, transfer to a community college. Those students
19 shall be eligible for a tuition scholarship for up to three
20 consecutive semesters beginning the second semester of their
21 enrollment at the community college if they maintain residency
22 in New Mexico, maintain a grade point average of 2.5 or higher
23 on a 4.0 scale during the first semester of full-time
24 enrollment at the community college and continue to maintain a
25 grade point average of 2.5 or higher on a 4.0 scale and attend

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1 the community college full time during the regular academic
2 year.

3 [E.] F. The [~~commission on~~] higher education
4 department shall prepare guidelines setting forth explicit
5 student continuing eligibility criteria and guidelines for
6 administration of the tuition scholarship program. Guidelines
7 shall be distributed to community college boards to enable a
8 uniform availability of the resident student tuition
9 scholarships."

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

12 "21-16-10.1. TUITION SCHOLARSHIPS AUTHORIZED.--

13 A. To the extent that funds are made available by
14 the legislature from the lottery tuition fund, the board of a
15 technical and vocational institute shall award tuition
16 scholarships for qualified resident students attending a
17 technical and vocational institute.

18 B. The tuition scholarships authorized in this
19 section shall apply only to full-time resident students who,
20 immediately upon completion of a high school curriculum at a
21 public or accredited private New Mexico high school or upon
22 receiving a [~~graduate equivalent diploma~~] general educational
23 development certificate, are accepted for entrance to and
24 attend a technical and vocational institute. 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 a grade point average of
4 2.5 or higher on a 4.0 scale during [~~his~~] the first semester of
5 full-time enrollment with renewal of an additional two years
6 upon transfer.

7 C. The tuition scholarships authorized in this
8 section shall also apply to full-time resident students who,
9 immediately upon completion of a high school curriculum at a
10 public or accredited private New Mexico high school or upon
11 receiving a general educational development certificate, attend
12 an accredited post-secondary educational institution in another
13 state for at least one complete semester and who, within one
14 hundred twenty days of the last date of attendance at that
15 institution, transfer to a technical and vocational institute.
16 Those students shall be eligible for a tuition scholarship for
17 up to three consecutive semesters beginning the second semester
18 of their enrollment at the technical and vocational institute
19 if they maintain residency in New Mexico, maintain a grade
20 point average of 2.5 or higher on a 4.0 scale during the first
21 semester of full-time enrollment at the institute and continue
22 to maintain a grade point average of 2.5 or higher on a 4.0
23 scale and attend the institute full time during the regular
24 academic year.

25 [~~G.~~] D. The [~~commission on~~] higher education

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1 department shall prepare guidelines setting forth explicit
2 student continuing eligibility criteria and guidelines for
3 administration of the tuition scholarship program. Guidelines
4 shall be distributed to the boards of technical and vocational
5 institutes to enable a uniform availability of the resident
6 student tuition scholarships."

7 Section 4. EFFECTIVE DATE.--The effective date of the
8 provisions of this act is July 1, 2007.

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