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HOUSE BILL 438

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Thomas A. Garcia

AN ACT

RELATING TO HIGHER EDUCATION; CREATING THE MILITARY WAR VETERAN SCHOLARSHIP FUND; MAKING AN APPROPRIATION.

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

SECTION 1. A new section of Chapter 21, Article 21E NMSA 1978 is enacted to read:

"[NEW MATERIAL] MILITARY WAR VETERAN SCHOLARSHIP FUND--
PURPOSE--ADMINISTRATION--DISBURSEMENTS.--

A. There is created in the state treasury the "military war veteran scholarship fund". The fund shall consist of all money appropriated to the fund and any grants, gifts and bequests made to the fund. Any money in the fund from grants, gifts or bequests shall not revert to the general fund at the end of any fiscal year.

B. The higher education department shall administer

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1 the fund and shall make disbursements from the fund to
2 reimburse post-secondary educational institutions under the
3 exclusive control of the state for any tuition payments,
4 required student fees and book allowances and to non-state
5 colleges in New Mexico in an amount equal to the highest
6 tuition, required student fees and book allowances at a state
7 institution for military war veteran students, including
8 students who have already received a baccalaureate degree and
9 post-secondary students who are enrolled in a program of study
10 leading to a master's degree, who are attending post-secondary
11 educational institutions pursuant to Article 9, Section 14 of
12 the constitution of New Mexico and who are in compliance with
13 the educational institution's satisfactory academic progress
14 requirements. A financial aid officer may exercise
15 professional judgment when special circumstances exist to
16 adjust the cost of attendance or expected family contribution
17 or to modify other factors to make the program responsive to a
18 student's special financial circumstances; provided that
19 documentation exists in the student's file within the
20 parameters authorized for this program.

21 C. A military war veteran may apply to the
22 veterans' services department for a scholarship. The veterans'
23 services department shall determine the eligibility of an
24 applicant and certify approved applicants to the higher
25 education department. The higher education department shall

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1 pay by voucher to the appropriate post-secondary educational
2 institution an amount not exceeding the amount of the
3 scholarship for an approved military war veteran. Money in the
4 fund shall be allocated in the order that applications are
5 received and approved.

6 D. The higher education department and the
7 veterans' service department may adopt rules and procedures as
8 necessary or appropriate to implement the provisions of this
9 section.

10 E. As used in this section, "military war veteran"
11 means a person who has been honorably discharged from the armed
12 forces of the United States; who was a resident of New Mexico
13 at the original time of entry into the armed forces or who has
14 lived in New Mexico for ten years or more; and who has been
15 awarded a southwest Asia service medal, global war on terror
16 service medal, Iraq campaign medal, Afghanistan campaign medal
17 or any other medal issued for service in the armed forces of
18 the United States in support of any United States military
19 campaign or armed conflict as defined by congress or
20 presidential executive order or any other campaign medal issued
21 for service after August 1, 1990 in the armed forces of the
22 United States during periods of armed conflict as defined by
23 congress or by executive order."

24 SECTION 2. APPROPRIATION.--One hundred fifty thousand
25 dollars (\$150,000) is appropriated from the general fund to the

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1 military war veteran scholarship fund for expenditure in fiscal
2 year 2012 to carry out the provisions of this act. Any
3 unexpended or unencumbered balance remaining at the end of
4 fiscal year 2012 shall revert to the general fund.

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