

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the New Mexico Higher Education Department (NMHED or Department) will hold a public video/telephonic rulemaking hearing on April 17, 2023. The hearing will begin at 9:00 a.m. and will be held via Microsoft Teams. The purpose of the hearing is to take public comment regarding repeal of **5.7.22 NMAC, LEGISLATIVE ENDOWMENT SCHOLARSHIP PROGRAM.**

Join via Microsoft Teams:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTQ2ZTkOGEtODM5Yi00MGQxLTgxMWItNGZiZDBhMjcxYTAw%40thread.v2/0?context=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%22c327f958-5970-4536-8f6b-03d48b60d29e%22%7d

Or call in (audio only)

+1 (505) 312-4308

Phone Conference ID: 645 972 642#

Purpose:

The proposed repeal of 5.7.22 NMAC is in alignment with the repeal of Sections 21-21J-1 through 21-21J-8 (being Laws 1995, Chapter 35, Sections 1 through 8). The Sections were repealed by the New Mexico Opportunity Scholarship Act or S.B.140, 55th Leg., 1st Sess. (N.M. 2022).

Summary of proposed rule:

The proposed repeal of 5.7.22 NMAC is in alignment with the repeal of Sections 21-21J-1 through 21-21J-8 (being Laws 1995, Chapter 35, Sections 1 through 8). The Sections were repealed by the New Mexico Opportunity Scholarship Act or S.B.140, 55th Leg., 1st Sess. (N.M. 2022). The Opportunity Scholarship program provides financial support to qualified New Mexico students who are enrolled at an eligible New Mexico public post-secondary educational institution or tribal college. The scholarship is intended to help defray the cost of tuition and fees. The Department established regulations and procedures for the program in 5.7.37 NMAC NEW MEXICO OPPORTUNITY SCHOLARSHIP PROGRAM effective 7/12/2022.

Details for Obtaining a Copy, Public Hearing and Comments: The proposed rule is also posted on the NMHED website and may be accessed at <http://www.hed.nm.gov> under the “Events” section. To request that a copy of the proposed rule be sent to you by mail or e-mail, please contact HigherEd.Info@hed.nm.gov or (505)476-8411.

A public hearing will be held on April 17, 2023 from 9:00 a.m. until 9:30 a.m. via Microsoft Teams. Any person who is or may be affected by this proposed rule may participate. **Interested persons may submit written comments to NMHED at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505 or HigherEd.Info@hed.nm.gov. Written comments must be received no later than 4:00 p.m. on April 15, 2023.** Please note that any written or verbal comments received will become part of the rulemaking record, be posted to the New Mexico Sunshine Portal, and be accessible to the public. If submitting written comments by email, please indicate in the subject line the number and section of each rule(s) for which you are providing comments. Oral comments will also be accepted at the rule hearing, subject to time limitations.

Legal authority for this rulemaking can be found in Section 9-25-1 et seq. NMSA 1978 and Chapter 42, Laws of 2022.

Any person with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or auxiliary aid or service to attend or participate in the hearing should contact (505) 476-8411 or email HigherEd.Info@hed.nm.gov ten (10) business days prior to the hearing.