

## NOTICE OF PROPOSED RULEMAKING

**NOTICE IS HEREBY GIVEN** that the New Mexico Higher Education Department (NMHED or department) will hold a public rulemaking hearing on June 29, 2018. The hearing will begin at 11:00 a.m. and will be held at NMHED located at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505. The purpose of the rulemaking hearing is to take public comment regarding proposed amendments to **5.7.6 NMAC - FIRE FIGHTER AND PEACE OFFICER SURVIVORS SCHOLARSHIP**.

### **Amendments:**

5.7.6.2 NMAC, SCOPE

5.7.6.7 NMAC, DEFINITIONS;

5.7.6.9 NMAC, DURATION OF SCHOLARSHIP;

5.7.6.10 NMAC, AMOUNT OF SCHOLARSHIP;

5.7.6.11 NMAC, ADMINISTRATION OF FIRE FIGHTER AND PEACE OFFICER SURVIVORS SCHOLARSHIP;

5.7.6.12 NMAC, TERMINATION OF SCHOLARSHIP

### **Purpose:**

The purpose of the proposed rule change is to modify eligibility requirements for the Fire Fighter and Peace Officer Survivors Scholarship. The proposed amendments are based upon changes that were made to the program through the signing of House Bill 55 in the 2018 regular New Mexico legislative session. The program was modified to statutorily expand benefits covered by the scholarship. The program was statutorily modified to increase benefit eligibility to a term of six years.

### **Summary of proposed changes:**

Amendment to 5.7.6.2 NMAC modifies the scope to align with new statutory requirements.

Amendments to 5.7.6.7 NMAC modify the definition of cost of attendance and research institution according to the statutory changes. Any defined terms that are not used within the body of the rule were removed.

Amendments to 5.7.6.9 NMAC modify the duration of the scholarship term from five to six academic years, pursuant to statutory changes.

Amendments to 5.7.6.10 NMAC modify the scholarship amounts to include eligible costs pursuant to statutory changes.

Amendments to 5.7.6.11 NMAC modify administrative procedures for the department in setting award amounts consistent with the new statutory provisions.

Amendments to 5.7.6.12 NMAC add clarifying language about termination of the scholarship.

Non-substantive renumbering changes are made throughout the rule.

**Details for Obtaining a Copy, Public Hearing and Comments:** The proposed rule is available at NMHED located at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505-2100. The proposed rule is also posted on the NMHED website and may be accessed at <http://www.hed.state.nm.us/> under the "Recent Posting" section. To request that a copy of the proposed rule be sent to you by mail or e-mail, please contact [fin.aid@state.nm.us](mailto:fin.aid@state.nm.us) or 1-800-279-9777.

A public hearing will be held from 11:00 a.m. until 12:00 p.m. at NMHED on June 29, 2018. Any person who is or may be affected by this proposed rule may appear and testify. **Interested persons may submit written comments to NMHED at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505 or [fin.aid@state.nm.us](mailto:fin.aid@state.nm.us). Written comments must be received no later than 5:00 p.m. on June 28, 2018.** Please note that any written 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 9-25-8 NMSA 1978, Sections 21-21F-1 et seq. NMSA 1978.

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 1-800-279-9777 or email [fin.aid@state.nm.us](mailto:fin.aid@state.nm.us) ten (10) business days prior to the hearing.