

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 10:00 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 **5.7.20 NMAC - LEGISLATIVE LOTTERY SCHOLARSHIP PROGRAM**.

Amendments:

5.7.20.7 NMAC, DEFINITIONS;

5.7.20.10 NMAC, AMOUNT OF SCHOLARSHIP;

5.7.20.11 NMAC, ADMINISTRATION OF THE LEGISLATIVE LOTTERY SCHOLARSHIP

Purpose:

The purpose of the proposed rule changes are to restructure the Legislative Lottery Scholarship Program tuition scholarship amounts to accommodate for changes that were made to the program through the signing of Senate Bill 140 in the 2018 regular New Mexico legislative session.

Summary of proposed changes:

Amendments to 5.7.20.7 NMAC correct a minor non-substantive error by re-numbering subsection R to subsection P and subsection S to subsection Q;

Amendments to 5.7.20.10 NMAC modify the provisions related to the amount of scholarship. The amendments modify the scholarship to a flat amount depending on the sector of the institution a student attends. The proposed amended amounts are based upon changes to Sections 21-21N-1 et seq. NMSA 1978 through the signing of 2018 Senate Bill 140.

Amendments to 5.7.20.11 NMAC modify administration of the legislative lottery scholarship by the department. The amendment removes reference to setting the scholarship amount based on percentage of average tuition, so as to allow for flat award amounts, pursuant to statutory changes.

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 or 1-800-279-9777.

A public hearing will be held from 10:00 a.m. until 11:00 a.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. 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 6-24-1 et seq. NMSA 1978 and Sections 21-21N-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 ten (10) business days prior to the hearing.