

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 July 8, 2019. 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 **5.7.19 NMAC, REDUCED TUITION FOR SENIOR CITIZENS.**

Amendments:

5.7.19.3 NMAC, STATUTORY AUTHORITY
5.7.19.6 NMAC, OBJECTIVE
5.7.19.7 NMAC, DEFINITIONS
5.7.19.8 NMAC, ELIGIBILITY REQUIREMENTS
5.7.19.9 NMAC, ADMINISTRATION OF PROGRAM

Purpose:

The purpose of the proposed rule change is to increase the number of credit hours a senior citizen student who is a resident of New Mexico can take at the reduced tuition rate of five dollars per credit hour. Pursuant to H.B. 128, 54th Leg., 1st Sess. (N.M. 2019), the number of credit hours was increased from six to ten. The Department also proposes to remove a cap within rule that sets the maximum number of students allowed to register for non-credit courses under the provisions of the Senior Citizens Reduced Tuition Act (the Act).

Summary of proposed changes:

The amendment to Section 5.7.19.3 NMAC updates the statutory authority citation.

The amendments to Section 5.7.19.7 NMAC correct the reference to the Act and increase the maximum number of credit hours a participating student may take from six to ten per semester.

The amendment to Section 5.7.19.7 NMAC corrects the reference to the Act.

The amendment to Section 5.7.19.8 clarifies that a student must be a New Mexico resident according to the criteria in 5.7.18 NMAC. The amendments combine and modify several of the provisions within the Section for better clarity. Clarifying terms are added and grammatical changes are made.

The amendment to 5.7.19.9 NMAC proposes to remove the provision from the rule that limits the senior citizen student discount to a maximum of two students for each noncredit course.

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 “Events” section. To request that a copy of the proposed rule be sent to you by mail or e-mail, please contact HigherEd.Info@state.nm.us or (505)476-8411.

A public hearing will be held from 11:00 a.m. until 11:30 a.m. at NMHED on July 8, 2019. 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 HigherEd.Info@state.nm.us. Written comments must be received no later than 4:00 p.m. on June 28, 2019.** 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 Sections 21-21D-1 through 21-21D-5, 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 (505) 476-8411 or email HigherEd.Info@state.nm.us ten (10) business days prior to the hearing.