



The Legislature
of the
State of New Mexico

49th Legislature, 1st Session

LAWS 2009

CHAPTER 275

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE

SUBSTITUTE FOR HOUSE BILL 622

Introduced by



CHAPTER 275

AN ACT

1
2 RELATING TO ECONOMIC DEVELOPMENT; ENACTING THE GREEN JOBS
3 ACT; PROVIDING FOR GREEN JOBS TRAINING PROGRAMS; CREATING A
4 FUND; PROVIDING PROCEDURES FOR IMPLEMENTING GRANTS TO HIGHER
5 EDUCATION INSTITUTIONS FOR GREEN JOBS TRAINING PROGRAMS.

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

8 Section 1. SHORT TITLE.--This act may be cited as the
9 "Green Jobs Act".

10 Section 2. DEFINITIONS.--As used in the Green Jobs Act:

- 11 A. "department" means the higher education
12 department;
- 13 B. "fund" means the green jobs fund;
- 14 C. "green industries" means industries that
15 contribute directly to preserving or enhancing environmental
16 quality by reducing waste and pollution or producing
17 sustainable products using sustainable processes and
18 materials and that provide opportunities for advancement
19 along a career track of increasing skills and wages. Green
20 industries include:

- 21 (1) energy system retrofits to increase
22 energy efficiency and conservation;
- 23 (2) production and distribution of biofuels,
24 including vehicle retrofits for biofuels;
- 25 (3) building design and construction that

1 meet the equivalent of best available technology in energy
2 and environmental design standards;

3 (4) organic and community food production;

4 (5) manufacture of products from nontoxic,
5 environmentally certified or recycled materials;

6 (6) manufacture and production of
7 sustainable technologies, including solar panels, wind
8 turbines and fuel cells;

9 (7) solar technology installation and
10 maintenance;

11 (8) recycling, green composting and large-
12 scale reuse of construction and demolition materials and
13 debris; and

14 (9) water retrofits to increase water
15 efficiency and conservation;

16 D. "green jobs training programs" means those
17 programs implemented by educational institutions related to
18 training individuals to work in green industries and to
19 ensure that appropriate support services are provided;

20 E. "support services" means those services that
21 provide trainees with the opportunity to participate in green
22 jobs training programs, including:

23 (1) child care;

24 (2) tuition;

25 (3) materials needed for training programs;

- 1 (4) counseling and mentoring services;
- 2 (5) internships; or
- 3 (6) job placement programs; and

4 F. "target populations" means disadvantaged
5 individuals, including:

- 6 (1) low-income individuals;
- 7 (2) veterans;
- 8 (3) formerly incarcerated, nonviolent
9 offenders;
- 10 (4) tribal and rural constituencies;
- 11 (5) workers adversely affected by changing
12 national or state energy policy;
- 13 (6) at-risk youth;
- 14 (7) unemployed youth and adults;
- 15 (8) high school dropouts; or
- 16 (9) single mothers.

17 Section 3. STATE PLAN FOR GREEN JOBS TRAINING
18 PROGRAMS.--

19 A. The department, in coordination with existing
20 apprenticeship programs administered by the department and
21 the public education department, shall develop a state plan
22 for the development of green jobs training programs with a
23 focus on rural and tribal communities no later than the end
24 of fiscal year 2010. This plan is intended to complement
25 existing apprenticeship programs and in no way replace such

1 programs currently funded with state money. The plan shall
2 include a schedule for funding and implementation that gives
3 priority to programs directed at target populations. The
4 department shall develop the plan:

5 (1) for coordination of a state research
6 program with the workforce solutions department in which
7 labor market data shall be collected and analyzed to track
8 work force trends from renewable energy and energy-efficiency
9 industries and energy-related initiatives;

10 (2) for a municipal and tribal energy
11 training partnership program in which the department shall
12 award competitive grants to higher education institutions in
13 partnerships with cities, towns, counties and tribes to
14 administer green jobs training programs; and

15 (3) for a pathways out of poverty program in
16 which the department shall award competitive grants to higher
17 education institutions in partnerships to administer green
18 jobs training programs directed specifically at disadvantaged
19 target populations.

20 B. The plan shall be followed by interested
21 higher education institutions in New Mexico, and the
22 institutions shall cooperate with the department in the
23 development and the implementation of the plan.

24 Section 4. GREEN JOBS FUND CREATED.--

25 A. The "green jobs fund" is created in the state

1 treasury and shall consist of money transferred to the fund
2 pursuant to the provisions of the federal Green Jobs Act of
3 2007 and other transfers, appropriations, distributions,
4 gifts, grants and donations to the fund made for the purpose
5 of funding green jobs training programs. Earnings of the
6 fund shall be credited to the fund. Balances in the fund at
7 the end of any fiscal year shall remain in the fund.

8 B. Money in the fund shall be administered by the
9 department of finance and administration and shall be used
10 only for the purpose of making grants for the administration
11 of green jobs training programs pursuant to the Green Jobs
12 Act.

13 C. Payments shall be made from the green jobs
14 fund upon warrants drawn by the secretary of finance and
15 administration pursuant to vouchers signed by the secretary
16 of higher education or the secretary's designated
17 representative. Such payments shall be made for the costs and
18 administration of the Green Jobs Act. Any unexpended or
19 unencumbered balance remaining at the end of a fiscal year
20 shall not revert to the general fund.

21 Section 5. ANNUAL REPORT REQUIRED.--No later than
22 December 1 of each year, the department shall report to the
23 legislature and to the governor on its activities during the
24 previous fiscal year in administering the provisions of the
25 Green Jobs Act. The report shall include:

1 A. details concerning all grants made for the
2 administration of green jobs training programs;

3 B. details concerning all expenditures made in
4 administering the provisions of the Green Jobs Act;

5 C. a list of all higher education institutions in
6 which green jobs training programs were developed and funded;

7 D. an analysis of whether the green jobs training
8 programs have been cost-effective;

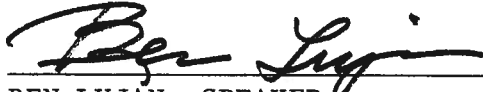
9 E. a report showing progress made in complying
10 with the state plan developed pursuant to the Green Jobs Act,
11 and, if in noncompliance, a plan for achieving compliance in
12 the future;

13 F. a summary of activities being conducted during
14 the present fiscal year; and

15 G. any additional information that will assist
16 the legislature and the governor in evaluating the program.

17 Section 6. EFFECTIVE DATE.--The effective date of the
18 provisions of this act is July 1, 2009. _____

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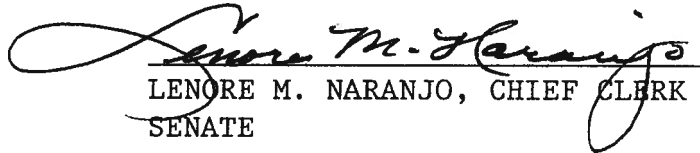
BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES



STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES



DIANE D. DENISH, PRESIDENT
SENATE



LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 9th day of April, 2009



BILL RICHARDSON, GOVERNOR
STATE OF NEW MEXICO

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