

The Legislature
of the
State of New Mexico

49th Legislature, First Session

LAWS 2009

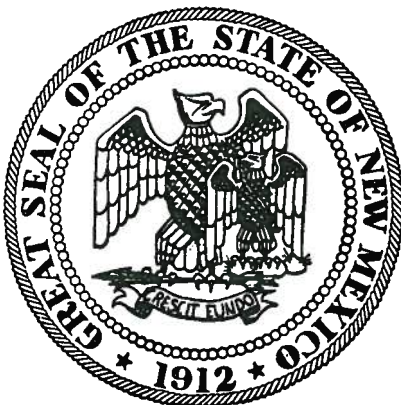
CHAPTER 281

SENATE BILL 288, as amended,

with emergency clause

Introduced by

SENATOR MARY JANE M. GARCIA
SENATOR TIMOTHY M. KELLER
SENATOR CYNTHIA NAVA
SENATOR MICHAEL S. SANCHEZ
SENATOR PETER WIRTH



EMERGENCY CLAUSE

CHAPTER 281

AN ACT

1
2 RELATING TO HIGHER EDUCATION; PROVIDING FOR AWARDS TO PUBLIC
3 INSTITUTIONS OF HIGHER EDUCATION TO DEVELOP PROGRAMS FOR
4 INSTRUCTION AND TRAINING RELATED TO ALTERNATIVE ENERGY AND
5 ENERGY EFFICIENCY; CREATING A FUND; MAKING AN APPROPRIATION;
6 DECLARING AN EMERGENCY.

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

9 Section 1. ALTERNATIVE ENERGY AND ENERGY EFFICIENCY
10 PROGRAMS--FUND CREATED--AWARDS--CRITERIA.--

11 A. The "higher education new energy development
12 fund" is created in the state treasury. The fund shall
13 consist of appropriations, gifts, grants, donations and
14 bequests made to the fund and federal grants or distributions
15 made to the fund or to the higher education department for
16 deposit into the fund. All income earned on investment of
17 the fund shall be credited to the fund, and money in the fund
18 shall not revert to any other fund at the end of a fiscal
19 year. The fund shall be administered by the higher education
20 department, and money in the fund is appropriated to the
21 department to carry out the purposes of this section.
22 Disbursements from the fund shall be by warrant drawn by the
23 secretary of finance and administration pursuant to vouchers
24 signed by the secretary of higher education or the
25 secretary's authorized representative.

1 B. The higher education new energy development
2 fund shall be used to provide financial incentives to:

3 (1) four-year public post-secondary
4 educational institutions to develop research programs,
5 courses of instruction and degree programs in the fields of
6 alternative energy and energy efficiency; and

7 (2) two-year public post-secondary
8 educational institutions to provide alternative energy and
9 energy efficiency programs and courses of instruction for
10 students seeking licensure or certification as electricians,
11 plumbers, mechanics, welders and heating, ventilation and air
12 conditioning personnel or similar professions.

13 C. The higher education department shall, by rule,
14 establish criteria and procedures for making awards from the
15 fund based on evaluation of competitive proposals submitted
16 by public post-secondary educational institutions. The
17 criteria shall include:

18 (1) a requirement that the application
19 demonstrate how the award will be used to establish permanent
20 educational programs in the fields of alternative energy and
21 energy efficiency;

22 (2) a requirement that the application
23 demonstrate how local resources will be utilized, including
24 how the institution will cooperate with local employers with
25 a potential need for interns or graduates;

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(3) the commitment of matching money; and
(4) such other evaluation components as the department deems useful.

D. No more than an amount equal to five percent of the total awards made during a fiscal year shall be expended from the fund in that fiscal year for administrative costs, including project management, auditing and other oversight functions.

E. The higher education department shall report annually to the legislature and the governor on the status of the fund and programs supported by the fund.

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

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LEGISLATURE
STATE OF MISSISSIPPI
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Diane D. Denish

Diane D. Denish, President
Senate

Lenore M. Naranjo
Lenore M. Naranjo, Chief Clerk
Senate

Ben Lujan

Ben Lujan, Speaker
House of Representatives

Stephen R. Arias
Stephen R. Arias, Chief Clerk
House of Representatives

Approved by me this 9th day of April, 2009

Bill Richardson

Governor Bill Richardson
State of New Mexico

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