

AN ACT

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

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

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

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

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

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

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

(4) organic and community food production;

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

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

(7) solar technology installation and maintenance;

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

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

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

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

(1) child care;

(2) tuition;

(3) materials needed for training programs;

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

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

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

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

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

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

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

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

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

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

#### Section 4. GREEN JOBS FUND CREATED.--

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

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

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

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

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

- A. details concerning all grants made for the administration of green jobs training programs;
- B. details concerning all expenditures made in administering the provisions of the Green Jobs Act;
- C. a list of all higher education institutions in which green jobs training programs were developed and funded;
- D. an analysis of whether the green jobs training programs have been cost-effective;
- E. a report showing progress made in complying with the state plan developed pursuant to the Green Jobs Act, and, if in noncompliance, a plan for achieving compliance in the future;
- F. a summary of activities being conducted during the present fiscal year; and
- G. any additional information that will assist the legislature and the governor in evaluating the program.

Section 6. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2009. \_\_\_\_\_