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AN ACT

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

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

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

A. The "higher education new energy development fund" is created in the state treasury. The fund shall consist of appropriations, gifts, grants, donations and bequests made to the fund and federal grants or distributions made to the fund or to the higher education department for deposit into the fund. All income earned on investment of the fund shall be credited to the fund, and money in the fund shall not revert to any other fund at the end of a fiscal year. The fund shall be administered by the higher education department, and money in the fund is appropriated to the department to carry out the purposes of this section. Disbursements from the fund shall be by warrant drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary of higher education or the 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;

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

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

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

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

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