

HOUSE ENERGY, ENVIRONMENT AND NATURAL RESOURCES  
COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 394

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

AN ACT

RELATING TO ENERGY; CREATING THE STATE ENERGY ADVISORY BOARD;  
PRESCRIBING DUTIES; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] STATE ENERGY ADVISORY BOARD  
CREATED--DUTIES.--

A. The "state energy advisory board" is created in  
the energy, minerals and natural resources department and  
consists of the following eleven industry experts appointed by  
the secretary of energy, minerals and natural resources with  
the advice and consent of the governor:

(1) one expert from a renewable energy  
organization;

(2) one expert in building energy efficiency  
and conservation;

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1 (3) one expert from the energy infrastructure  
2 sector;

3 (4) one expert from the oil and gas sector;

4 (5) one expert from the investment community;

5 (6) one expert in forest and wildlands;

6 (7) one expert in state parks;

7 (8) one expert from the academic community;

8 (9) one expert in environmental quality and  
9 protection;

10 (10) one expert from the mining industry; and

11 (11) one expert from an Indian nation, tribe  
12 or pueblo.

13 B. The secretary of energy, minerals and natural  
14 resources shall designate one of the board's voting members to  
15 serve as chair. The vice chair shall be elected by a majority  
16 of the board members. The energy, minerals and natural  
17 resources department shall provide staff for the board.

18 C. A majority of members constitutes a quorum for  
19 the transaction of business.

20 D. Each board member shall be appointed to a four-  
21 year term; provided that initial terms are staggered with two  
22 members appointed for terms of two years, two members for terms  
23 of three years and two members for terms of four years. The  
24 remaining five members shall serve terms of four years.

25 Thereafter, all members shall be appointed to four-year terms.

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1 Vacancies shall be filled by appointment by the secretary of  
2 energy, minerals and natural resources for the remainder of the  
3 unexpired term.

4 E. Members of the board who are not employed by the  
5 state shall be entitled to per diem and mileage as provided in  
6 the Per Diem and Mileage Act and shall receive no other  
7 compensation, perquisite or allowance.

8 F. The state energy advisory board shall:

9 (1) convene at least twice per year, once  
10 prior to the legislative session and once after the legislative  
11 session;

12 (2) provide expert input and specific advice  
13 to the secretary of energy, minerals and natural resources and  
14 that secretary's staff, to the governor and to relevant interim  
15 legislative committees addressing energy and natural resources  
16 for implementing and maintaining clean energy in the state;

17 (3) establish subcommittees as appropriate;

18 (4) develop and promulgate bylaws and  
19 operating procedures under the direction of the secretary of  
20 energy, minerals and natural resources; and

21 (5) generate an annual report to the secretary  
22 of energy, minerals and natural resources and the legislative  
23 finance committee.

24 SECTION 2. APPROPRIATION.--One hundred thousand dollars  
25 (\$100,000) is appropriated from the general fund to the energy,

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1 minerals and natural resources department for expenditure in  
2 fiscal year 2026 to create the state energy advisory board to  
3 provide expert input and specific advice for implementing and  
4 maintaining clean energy in the state. Any unexpended or  
5 unencumbered balance remaining at the end of fiscal year 2026  
6 shall revert to the general fund.