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HOUSE BILL 167

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Thomas A. Garcia

AN ACT

RELATING TO EDUCATION; ENACTING THE ALTERNATIVE ENERGY FOR
SCHOOLS GRANT ACT; MAKING AN APPROPRIATION.

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

Section 1. SHORT TITLE.--This act may be cited as the
"Alternative Energy for Schools Grant Act".

Section 2. DEFINITIONS.--As used in the Alternative
Energy for Schools Grant Act:

A. "alternative energy project" means a project
funded pursuant to the Alternative Energy for Schools Grant Act
to help a qualified school install alternative energy
infrastructure that will help defray the school's energy costs
and provide educational opportunities for students relating to
the utilization of alternative sources of energy, including
biomass, geothermal, hydro, methane, solar and wind power;

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1 B. "division" means the energy conservation and
2 management division of the energy, minerals and natural
3 resources department;

4 C. "grant program" means the alternative energy for
5 schools grant program to fund alternative energy projects at
6 qualified schools;

7 D. "qualified school" means a public school or
8 public post-secondary educational institution in New Mexico
9 that has in place an alternative energy project team that
10 includes school, community and technical assistance membership;
11 and

12 E. "secretary" means the secretary of energy,
13 minerals and natural resources.

14 Section 3. ALTERNATIVE ENERGY FOR SCHOOLS GRANT PROGRAM
15 CREATED--GRANT APPLICATIONS--USE OF GRANT MONEY.--

16 A. The "alternative energy for schools grant
17 program" is created to fund alternative energy projects at
18 qualified schools. A qualified school may, with the written
19 authorization of the local school board or the governing body
20 of the public post-secondary educational institution, apply to
21 the division for a grant. The division shall administer the
22 grant program.

23 B. A qualified school that receives a grant through
24 the grant program shall use the funding received to pay for
25 technical assistance, equipment or installation costs

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1 associated with an alternative energy project.

2 Section 4. DUTIES OF SECRETARY.--The secretary shall
3 adopt rules for implementing and administering the grant
4 program, including procedures for applying for a grant, the
5 form of grant applications, information to be provided by a
6 grant applicant, criteria for awarding grants and
7 administration of the grant program.

8 Section 5. REVIEW OF GRANT APPLICATIONS--CRITERIA FOR
9 GRANT APPROVAL--LIMITS ON GRANTS.--

10 A. The division shall review each grant application
11 received from a qualified school and shall make a determination
12 as to whether to award a grant to the applicant and, if so,
13 shall determine the amount of the grant to be awarded. If the
14 division determines that an application is missing information
15 required to be included with the application, the division may
16 contact the applicant to obtain the missing information.

17 B. In awarding grants, the division shall consider
18 whether a qualified school:

19 (1) would reduce its electricity costs by the
20 implementation of an alternative energy project; and

21 (2) has a plan in place to incorporate the
22 implementation of an alternative energy project into its
23 educational curriculum.

24 Section 6. APPROPRIATION.--One million dollars
25 (\$1,000,000) is appropriated from the general fund to the
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1 energy, minerals and natural resources department for
2 expenditure in fiscal year 2010 to carry out the provisions of
3 the Alternative Energy for Schools Grant Act. Any unexpended
4 or unencumbered balance remaining at the end of fiscal year
5 2010 shall revert to the general fund.

6 Section 7. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2009.