

TITLE 5 POST-SECONDARY EDUCATION
CHAPTER 3 POST-SECONDARY EDUCATION INSTITUTION FINANCES
PART 14 TECHNOLOGY ENHANCEMENT FUND

5.3.14.1 ISSUING AGENCY: State of New Mexico Higher Education Department.
[5.3.14.1 NMAC - N, 10/25/2022]

5.3.14.2 SCOPE: Provisions for 5.3.14 NMAC apply to state research institutions and tribal colleges in New Mexico.
[5.3.14.2 NMAC - N, 10/25/2022]

5.3.14.3 STATUTORY AUTHORITY: Section 21-1-27.2 NMSA 1978.
[5.3.14.3 NMAC - N, 10/25/2022]

5.3.14.4 DURATION: Permanent.
[5.3.14.4 NMAC - N, 10/25/2022]

5.3.14.5 EFFECTIVE DATE: October 25, 2022 unless a later date is cited at the end of a section.
[5.3.14.5 NMAC - N, 10/25/2022]

5.3.14.6 OBJECTIVE: The objective and purpose of 5.3.14 NMAC is to outline the distribution of monies in the technology enhancement fund. Money in the technology enhancement fund is appropriated by the legislature to the higher education department. The department shall distribute funds to New Mexico state research institutions or tribal colleges that submit proposals and receive award determinations from the department for purposes outlined in Section 21-1-27 NMSA 1978 and 5.3.14 NMAC.
[5.3.14.6 NMAC - N, 10/25/2022]

5.3.14.7 DEFINITIONS:

- A. “Committee”** means the technology enhancement committee.
 - B. “Department”** means the New Mexico higher education department.
 - C. “Eligible institution”** means a state research university or tribal college located in New Mexico.
 - D. “Fund”** means the technology enhancement fund.
 - E. “Institutional share”** means funds to be matched by the technology enhancement fund. No portion of the institutional share may be derived from any other state appropriation.
 - F. “Proposal”** means a formal request submitted to the technology enhancement committee for the purposes of the fund.
 - G. “State research institution”** means an institution of higher education enumerated in Article 12, Section 11 of the constitution of New Mexico conducting research within the scope of Section 21-1-27.2 NMSA 1978.
 - H. “Tribal College”** means a tribally, federally or congressionally chartered postsecondary educational institution located wholly or partly in New Mexico conducting research within the scope of Section 21-1-27.2 NMSA 1978.
- [5.3.14.7 NMAC - N, 10/25/2022]

5.3.14.8 TECHNOLOGY ENHANCEMENT FUND:

- A.** The technology enhancement fund is created in the state treasury. The fund shall consist of appropriations, income from investment of the fund, gifts, grants, donations and bequests.
- B.** The technology enhancement fund shall be administered by the department. Money shall be disbursed only on warrant of the secretary of finance and administration upon receipt of voucher signed by the secretary of higher education or the secretary's authorized representative.
- C.** Money in the fund shall be used to provide matching funds to state research universities to support innovative foundational and applied research and equipment that advances knowledge and creates new products and

production processes in the fields of agriculture, biotechnology, biomedicine, energy, materials science, microelectronics, water resources, aerospace, telecommunications, manufacturing science and similar research areas.

D. Grants from the fund are available to eligible institutions that are conducting collaborative research with corporate organizations, nonprofit organizations, other eligible institutions, or other public entities as determined by the department. An eligible institution may apply for a grant from the fund pursuant to an application schedule issued by the department.

E. Allocations from the fund shall be based on a competitive process with applications reviewed by the committee.

F. Following an award determination, an eligible institution shall not receive a distribution until that institution provides documentation to the department that it has received or will receive institutional share funding equal or greater than the state contribution. Distributions from the technology enhancement fund are made at least quarterly. Allocations not matched or not currently obligated to a proposal in review during any quarter of the cycle are made available during the following quarter for supplemental or second round matching by the corporate organization, nonprofit organization, other eligible institution, or other public entity as determined by the department pursuant to Subsection D of 5.3.14.8 NMAC.

[5.3.14.8 NMAC - N, 10/25/2022]

5.3.14.9 TECHNOLOGY ENHANCEMENT COMMITTEE: The committee is composed of panel of scientific and business experts established by the department. The committee shall judge proposals based on excellence in research design and possible innovation in cross-disciplinary, multi-campus and higher education-industry research collaboration. The review panel may determine new research areas.

A. The committee shall consist of the following representatives:

(1) The vice presidents for research from the New Mexico institute of mining and technology, New Mexico state university, the university of New Mexico or their designates;

(2) a representative from the research community of the health sciences center at the university of New Mexico;

(3) a representative from the appropriate entities at New Mexico institute of mining and technology, New Mexico state university and the university of New Mexico that have expertise in economic development; and

(4) other designees as appointed by the cabinet secretary of the department.

B. The responsibilities of the committee shall include:

(1) review proposals submitted to the committee for sufficiency, quality and merit;

(2) determine whether the proposals and award determinations meet the purposes of the fund;

(3) determine whether funds are being distributed pursuant to the provisions of this section;

(4) recommend ways to support or change award and distribution processes;

(5) make recommendations to the department for the purpose of distribution of funds; and

(6) give advice or other assistance to the department as requested.

C. The committee shall meet as needed, but no less than four times per year, to review proposals and make award determinations.

[5.3.14.9 NMAC - N, 10/25/2022]

5.3.14.10 PROPOSAL REQUIREMENTS: To be considered eligible for a distribution from the technology enhancement fund, a proposal submitted by an eligible institution shall:

A. demonstrate how the funds will be used to enhance public post-secondary education and research that benefits New Mexico;

B. indicate which of the purposes specified within Subsection C of 5.3.14.8 NMAC the proposal addresses; and

C. identify the source and eligibility of the institutional share.

[5.3.14.10 NMAC - N, 10/25/2022]

5.3.14.11 SELECTION OF PROPOSALS:

A. The committee shall develop a timeline of quarterly application periods setting forth deadlines for proposal submission and a schedule of review. The department may accept applications on nonstandard intervals upon request of the institution submitting the proposal.

B. The committee shall develop a scoring rubric that scores all proposals received pursuant to the requirements of 5.3.14.10 NMAC.

C. No award determination shall be made until all proposals submitted within an application period have been reviewed and scored by the committee.
[5.3.14.11 NMAC - N, 10/25/2022]

5.3.14.12 REPORTS: Institutions shall report annually the status of awards made pursuant to 5.3.14.11 NMAC. The department shall report annually to the legislative finance committee on award determinations made pursuant to this section. The report shall include the number of proposals submitted by each institution, the number of proposals selected for funding from each institution, the amounts requested by each institution, the amounts awarded to each institution, the amount of matching funds and their sources and the purposes of the awards.
[5.3.14.12 NMAC - N, 10/25/2022]

HISTORY OF 5.3.14 NMAC: [RESERVED]