

1 SENATE BILL 92

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

3 INTRODUCED BY

4 Ted Barela

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10 AN ACT

11 RELATING TO ECONOMIC DEVELOPMENT; ENACTING THE RAPID WORKFORCE  
12 DEVELOPMENT ACT; CREATING THE RAPID WORKFORCE DEVELOPMENT  
13 BOARD; CREATING THE RAPID WORKFORCE DEVELOPMENT FUND; PROVIDING  
14 THE BOARD'S POWERS AND DUTIES; MAKING AN APPROPRIATION.

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

17 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be  
18 cited as the "Rapid Workforce Development Act".

19 SECTION 2. [NEW MATERIAL] PURPOSE.--The purpose of the  
20 Rapid Workforce Development Act is to provide resources to  
21 quickly establish or expand programs in the state's  
22 institutions of higher education to train and educate New  
23 Mexico's workers for employment with:

24 A. existing New Mexico employers that expand their  
25 workforce; and

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1           B. employers that establish operation in New Mexico  
2 and create new jobs for New Mexicans.

3           **SECTION 3. [NEW MATERIAL] DEFINITIONS.--**As used in the  
4 Rapid Workforce Development Act:

5           A. "board" means the rapid workforce development  
6 board;

7           B. "employer" means an individual, corporation,  
8 federally chartered corporation, limited liability company,  
9 partnership, nonprofit organization, joint venture, syndicate,  
10 association or Indian nation, tribe or pueblo that:

11                   (1) currently transacts business in New Mexico  
12 and wishes to increase the number of people that it employs; or

13                   (2) has chosen New Mexico as a location in  
14 which it will transact business and hire employees;

15           C. "fund" means the rapid workforce development  
16 fund;

17           D. "member" means a member of the board; and

18           E. "workforce" means those people who are currently  
19 engaged in or trained for employment.

20           **SECTION 4. [NEW MATERIAL] RAPID WORKFORCE DEVELOPMENT**  
21 **BOARD CREATED--MEMBERSHIP.--**The "rapid workforce development  
22 board" is created. The board is administratively attached to  
23 the economic development department and consists of the:

24           A. secretary of economic development or the  
25 secretary's designee;

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1           B. secretary of higher education or the secretary's  
2     designee; and

3           C. secretary of workforce solutions or the  
4     secretary's designee.

5           **SECTION 5. [NEW MATERIAL] RAPID WORKFORCE DEVELOPMENT**

6     FUND CREATED.--The "rapid workforce development fund" is  
7     created in the state treasury. The fund consists of  
8     appropriations and money otherwise accruing to the fund. Money  
9     in the fund is appropriated to the higher education department  
10    for use as provided in Section 6 of the Rapid Workforce  
11    Development Act. Money in the fund shall be disbursed on  
12    warrants signed by the secretary of finance and administration  
13    pursuant to vouchers signed by the secretary of higher  
14    education or the secretary's authorized representative. Any  
15    balance remaining in the fund at the end of a fiscal year shall  
16    not revert to the general fund.

17           **SECTION 6. [NEW MATERIAL] BOARD MEMBER POWERS AND**

18     DUTIES.--

19           A. Members are entitled to be reimbursed pursuant  
20    to the Per Diem and Mileage Act and shall receive no other  
21    compensation, perquisite or allowance for service on the board.

22           B. The secretary of economic development shall:

23                 (1) identify employers;

24                 (2) work with an employer to determine:

25                         (a) the number of New Mexico workers

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1 that the employer will employ when it begins to transact  
2 business in New Mexico or when it increases the number of  
3 workers it already employs in New Mexico; and

4 (b) the job skills, education and  
5 training those workers will require to obtain employment with  
6 the employer; and

7 (3) upon identification of an employer and  
8 determination of the employer's workforce needs, as provided in  
9 Paragraph (2) of this subsection, convene a meeting of the  
10 board.

11 C. The secretary of workforce solutions shall  
12 provide, with respect to an employer identified by the  
13 secretary of economic development:

14 (1) demographic information about the relevant  
15 workforce in New Mexico; and

16 (2) information about relevant workforce  
17 education and training opportunities that are available  
18 throughout New Mexico, including opportunities offered by or in  
19 connection with state post-secondary educational institutions.

20 D. The secretary of higher education shall provide,  
21 with respect to an employer's workforce needs, information  
22 about state post-secondary educational institutions through  
23 which relevant training and education could be delivered.

24 E. At a meeting of the board, the members shall:

25 (1) consider how an employer's plan to begin

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1 transacting business in New Mexico or to increase the number of  
2 people employed by the employer's New Mexico business would  
3 contribute to job creation, employment and economic development  
4 in New Mexico;

5 (2) consider the information provided pursuant  
6 to Subsections C and D of this section;

7 (3) consider whether money in the fund should  
8 be used to establish or support a program in a state post-  
9 secondary educational institution to train workers for  
10 prospective employment with the prospective employer; and

11 (4) upon unanimous agreement, authorize the  
12 secretary of higher education to use money in the fund to  
13 establish or support a program in a state post-secondary  
14 educational institution to train workers for prospective  
15 employment with the prospective employer.

16 SECTION 7. [NEW MATERIAL] TERMINATION OF AGENCY LIFE--  
17 DELAYED REPEAL.--The board is terminated on July 1, 2023  
18 pursuant to the Sunset Act. The board shall continue to  
19 operate according to the provisions of the Rapid Workforce  
20 Development Act until July 1, 2024. Effective July 1, 2024,  
21 the Rapid Workforce Development Act is repealed.

22 SECTION 8. APPROPRIATION.--One million two hundred fifty  
23 thousand dollars (\$1,250,000) is appropriated from the general  
24 fund to the rapid workforce development fund for expenditure in  
25 fiscal year 2017 and subsequent fiscal years to carry out the

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1 purposes of the Rapid Workforce Development Act. Any  
2 unexpended or unencumbered balance remaining at the end of a  
3 fiscal year shall not revert to the general fund.

4 SECTION 9. EFFECTIVE DATE.--The effective date of the  
5 provisions of this act is July 1, 2016.

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