

1 SENATE BILL 14

2 **48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2008**

3 INTRODUCED BY

4 Leonard Lee Rawson

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10 AN ACT

11 RELATING TO IN-PLANT TRAINING; ALLOWING DEVELOPMENT TRAINING
12 FUNDS TO BE USED FOR IN-PLANT TRAINING IN ELECTRONIC MEDICAL
13 RECORDS CREATION AND MANAGEMENT; DECLARING AN EMERGENCY.

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

16 Section 1. [NEW MATERIAL] ELECTRONIC MEDICAL RECORDS
17 TRAINING.--After consultation with the department of health and
18 the public education department, the industrial training board
19 shall promulgate rules for statewide development training that
20 provides quick-response classroom and in-plant training in the
21 creation and management of electronic medical records. Rules
22 shall be promulgated and a training program begun by August 30,
23 2009.

24 Section 2. Section 21-19-7 NMSA 1978 (being Laws 1983,
25 Chapter 299, Section 1, as amended) is amended to read:

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1 "21-19-7. DEVELOPMENT TRAINING.--

2 A. The economic development department shall
3 establish a development training program that provides
4 quick-response classroom training, in-plant training and skill-
5 enhancement training to furnish qualified ~~[manpower]~~ work force
6 resources for new or expanding industries, nonretail service
7 sector businesses and film and multimedia production companies
8 in New Mexico that have business or production procedures that
9 require skills unique to those industries. For purposes of in-
10 plant training, a person licensed or authorized to practice
11 medicine is a nonretail service sector business. Training
12 shall be custom designed for, and based on the special
13 requirements of, each company or preemployment training program
14 for the film and multimedia industry. The program shall be
15 operated on a statewide basis and shall be designed to assist
16 any area in becoming more competitive economically.

17 B. There is created the "industrial training board"
18 composed of:

19 (1) the director of the economic development
20 division of the economic development department;

21 (2) the director of the instructional support
22 and vocational education division of the public education
23 department;

24 (3) the ~~[director of the governor's office of~~
25 ~~workforce training and development]~~ secretary of workforce

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1 solutions or the secretary's designee;

2 (4) the [~~executive director of the commission~~
3 ~~on~~] secretary of higher education;

4 (5) an employee of the workforce solutions
5 department [~~of labor~~];

6 (6) one member from organized labor appointed
7 by the governor; and

8 (7) one public member from the business
9 community appointed by the governor.

10 C. The industrial training board shall establish
11 policies and promulgate rules for the administration of
12 appropriated funds and shall provide review and oversight to
13 [~~assure~~] ensure that funds expended from the development
14 training fund will generate business activity and give
15 measurable growth to the economic base of New Mexico within the
16 legal limits while preserving the ecological state of New
17 Mexico and its people.

18 D. Subject to the approval of the industrial
19 training board, the economic development division of the
20 economic development department shall:

21 (1) administer all funds allocated or
22 appropriated for industrial development training purposes;

23 (2) provide designated training services;

24 (3) regulate, control and abandon any training
25 program established under the provisions of this section;

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1 (4) assist companies requesting training in
2 the development of a training proposal to meet the companies'
3 [~~manpower~~] work force needs;

4 (5) contract for the implementation of all
5 training programs;

6 (6) provide for training by educational
7 institutions or by a company through in-plant training, at that
8 company's request; and

9 (7) evaluate training efforts on a basis of
10 performance standards set forth by the industrial training
11 board.

12 E. The instructional support and vocational
13 education division of the public education department shall
14 provide technical assistance to the economic development
15 department concerning the development of agreements, the
16 determination of the most appropriate instructional training to
17 be provided and the review of training program implementation.

18 F. Except as provided in Section 21-19-7.1 NMSA
19 1978 for film and multimedia production companies and
20 preemployment training programs for that industry, the state
21 shall contract with a company or an educational institution to
22 provide training or instructional services in accordance with
23 the approved training proposal and within the following
24 limitations:

25 (1) payment shall not be made for training in

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1 excess of one thousand forty hours of training per trainee for
2 the total duration of training;

3 (2) training applicants shall have resided
4 within the state for a minimum of one year at any time prior to
5 the commencement of the training program and be of legal status
6 for employment;

7 (3) payment for institutional classroom
8 training shall be made pursuant to any accepted training
9 contract for a qualified training program;

10 (4) payment shall not be made pursuant to any
11 accepted training contract for rental of facilities unless
12 facilities are not available on site or at the educational
13 institution;

14 (5) all applicants shall be eligible under the
15 federal Fair Labor Standards Act of 1938, as amended, and shall
16 not have terminated a public school program within the past
17 three months except by graduation;

18 (6) trainees shall be guaranteed full-time
19 employment with the contracted company upon successful
20 completion of the training;

21 (7) persons employed to provide the
22 instructional services shall be exempt from the minimum
23 requirements established in the state plan for other state
24 vocational programs;

25 (8) payment shall not be made for training

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1 programs or production of Indian jewelry or imitation Indian
2 jewelry unless a majority of those involved in the training
3 program or production are of Indian descent; and

4 (9) if a company hires twenty or more
5 trainees, payment shall not be made for training in a
6 municipality having a population of more than forty thousand
7 according to the most recent decennial census or a class A
8 county unless the company:

9 (a) offers its employees and their
10 dependents health insurance coverage that is in compliance with
11 the New Mexico Insurance Code; and

12 (b) contributes not less than fifty
13 percent of the premium for the health insurance for those
14 employees who choose to enroll; provided that the fifty percent
15 employer contribution shall not be a requirement for the
16 dependent coverage that is offered."

17 Section 3. EMERGENCY.--It is necessary for the public
18 peace, health and safety that this act take effect immediately.