INTRODUCED BY
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AN ACT
RELATING TO AGRICULTURE; ENACTING THE NEW MEXICO AGRICULTURAL
WORKFORCE DEVELOPMENT PROGRAM ACT; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "New Mexico Agricultural Workforce Development
Program Act".

SECTION 2. [NEW MATERIAL] FINDINGS AND PURPOSE.--

A. The legislature finds that:

(1) agriculture is an important industry to
New Mexico, providing employment opportunities for rural
counties, ensuring economic development activities throughout
the state and providing a nutritious food supply;

(2) it is a challenge for agricultural
businesses to find qualified and trained agricultural
employees;

(3) the majority of New Mexico's farmers and ranchers are nearing retirement, and it is critical to provide training and experience to young and beginning farmers or ranchers to ensure New Mexico's agricultural future;

(4) the barriers to entry in agriculture and ranching for young and beginning farmers or ranchers are significant, and among these barriers is a lack of access to training programs that provide real-world work experience;

(5) internships are a recognized way to build a talent pipeline and career pathway to align education, training and work-based learning; and

(6) by offering incentives to agricultural businesses to create internships, there will be more opportunities for young and beginning farmers or ranchers to obtain work experience in agriculture and support themselves in long-term careers.

B. The purpose of the New Mexico Agricultural Workforce Development Program Act is to provide incentives to agricultural businesses to create internships to provide opportunities to young and beginning farmers or ranchers to obtain work experience in agriculture that can support them in long-term careers and support New Mexico's agricultural future.

SECTION 3. [NEW MATERIAL] DEFINITIONS.--As used in the New Mexico Agricultural Workforce Development Program Act:
A. "agricultural business" means a business of a food or agricultural nature, including agriculture production or processing;

B. "board" means the board of regents of New Mexico state university;

C. "department" means the New Mexico department of agriculture;

D. "director" means the director of the department;

E. "intern" means an individual who is a student or a young and beginning farmer or rancher employed by an agricultural business pursuant to the program;

F. "program" means the New Mexico agricultural workforce development program; and

G. "young and beginning farmer or rancher" means an individual who has not operated a farm or ranch or who has operated a farm or ranch but not for more than ten consecutive years.

SECTION 4. [NEW MATERIAL] AGRICULTURAL WORKFORCE DEVELOPMENT PROGRAM CREATED--GENERAL PROVISIONS--RULEMAKING.--

A. The "New Mexico agricultural workforce development program" is created and shall be administered by the department. The department shall establish policies for the program that specify, at a minimum:

(1) criteria for selecting agricultural businesses for participation in the program, including the
ability of a business to effectively supervise an intern and
offer the intern an opportunity to obtain meaningful work
experience through the business;

(2) criteria for an internship to qualify
under the program, including requirements that the internship:
   (a) provide an intern with at least one
   hundred thirty hours of work experience; and
   (b) not exceed one year in duration per
   intern;

(3) criteria for an agricultural business to
use in selecting qualified interns, including the required
educational experience for an intern and the ability of the
intern to perform meaningful work for the business;

(4) the process and timetable for selecting
qualified agricultural businesses and qualified interns;

(5) accounting requirements for tracking
internship costs; and

(6) the process for an agricultural business
to seek reimbursement.

B. Subject to appropriations by the legislature,
the board, on behalf of the department, may reimburse a
participating agricultural business in an amount not to exceed
fifty percent of the actual cost to the business of
participating in the program. Actual cost includes the wages
paid to an intern, a reasonable allocation of fixed overhead
expenses and all incidental costs directly related to the internship. Based on the annual appropriation for the program, the director shall determine how many internships may be approved, the amount of reimbursement per internship and whether an agricultural business may be reimbursed for more than one intern in the same calendar year; provided that an agricultural business shall not be reimbursed for more than three internships in the same calendar year.

SECTION 5. APPROPRIATION.--Two hundred fifty thousand dollars ($250,000) is appropriated from the general fund to the board of regents of New Mexico state university for expenditure in fiscal year 2020 and subsequent fiscal years for the New Mexico department of agriculture to provide agricultural business internships and to administer the New Mexico agricultural workforce development program. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.