

HOUSE BILL 297

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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and Patricia Roybal Caballero

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

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AN ACT

RELATING TO ECONOMIC DEVELOPMENT; ENACTING THE WORKFORCE AND ECONOMIC PROSPERITY ACT; CREATING THE WORKFORCE AND ECONOMIC PROSPERITY COUNCIL; REQUIRING THE DEVELOPMENT OF A STATEWIDE FRAMEWORK TO DEVELOP A CLEAN ENERGY WORKFORCE, EXPAND ECONOMIC INCLUSION AND DEVELOP A SUSTAINABLE ECONOMY; DIRECTING THE ADOPTION OF RULES TO FOSTER INCLUSION IN WORKFORCE DEVELOPMENT AND PROCUREMENT; REQUIRING ANNUAL REPORTING.

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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 "Workforce and Economic Prosperity Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Workforce and Economic Prosperity Act:

A. "council" means the workforce and economic prosperity council;

B. "disproportionately impacted community" means a community or population of people for which multiple burdens, including environmental and socioeconomic stressors, inequity, poverty, high unemployment, pollution or discrimination, may act to persistently and negatively affect the health, well-being and environment of the community or population and includes tribal communities, communities of color and low-income rural communities and native people, people of color, women, immigrants, youth, formerly incarcerated people, lesbian, gay, bisexual, transgender and queer people and people with disabilities;

C. "economic inclusion" means high-road employment, training and contracting opportunities and includes improved access to those opportunities for disproportionately impacted communities;

D. "high-road employment" means jobs with family-sustaining wages and benefits, opportunities for advancement and safe working conditions in industries engaged in

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sustainable economic development;

HLVMC→E. "New Mexico clean energy workforce development study" means the study titled the "New Mexico Clean Energy Workforce Development Study" that was commissioned by the workforce solutions department and published in June 2020;←HLVMC

HLVMC→E.←HLVMC HLVMC→F.←HLVMC "resilience" means the capability to anticipate, prepare for, respond to and recover from impacts and minimize damage to social well-being, including damage to the economy, health and the environment; and

HLVMC→F.←HLVMC HLVMC→G.←HLVMC "sustainable economy" means an economy that supports high-road employment, thriving communities, a healthy environment and worker and community participation in decision making.

SECTION 3. [NEW MATERIAL] STRATEGIC PLAN FOR JOB DEVELOPMENT--POLICY.--The state shall create economic inclusion opportunities by implementing the recommendations contained in the New Mexico clean energy workforce development study HLVMC→~~commissioned by the workforce solutions department~~←HLVMC and expanding development of opportunities for New Mexico workers, prioritizing disproportionately impacted communities and historically disadvantaged communities.

SECTION 4. [NEW MATERIAL] WORKFORCE AND ECONOMIC PROSPERITY COUNCIL--CREATED--MEMBERSHIP--DUTIES--STRATEGIC

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PLAN.--

A. The "workforce and economic prosperity council" is created and shall be administratively attached to the economic development department. The council shall be co-chaired by the secretaries of economic development and workforce solutions.

B. The voting membership of the council shall consist of one representative each from the:

- (1) economic development department;
- (2) workforce solutions department;
- (3) department of finance and administration;
- (4) taxation and revenue department;
- (5) general services department;
- (6) higher education department;
- (7) public education department;
- (8) state investment council; and
- (9) Indian affairs department.

C. Advisory members of the council shall be appointed by the co-chairs of the council and shall consist of:

(1) one representative of the state land office;

(2) one representative HLVMC ~~of tribal governments and organizations;~~ HLVMC HLVMC ~~each of:~~

(a) the Northern agency of the Navajo Nation;

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(b) the Eastern agency of the Navajo Nation;

(c) the Jicarilla Apache Nation;

(d) the Mescalero Apache Tribe;

(e) the Fort Sill Apache Tribe;

(f) the northern Indian pueblos;

(g) the southern Indian pueblos; and

(h) a non-tribal government, Native

American-owned business; ←HLVMC

(3) one representative of local governments;

(4) two representatives of disproportionately impacted communities or organizations with experience working with disproportionately impacted communities;

(5) two representatives of organizations with experience in sustainable economic development planning and workforce development; and

(6) one representative from industry

HLVMC→and business←HLVMC sectors involved in achieving HLVMC→, or that may be affected by, ←HLVMC the goals of Section 3 of the Workforce and Economic Prosperity Act.

D. The council may create working groups on specific topics. A working group shall include advisory members HLVMC→, ~~appointed by the co-chairs of the council,~~ ←HLVMC from communities and industries impacted by the topic HLVMC→, appointed by the co-chairs of the council ←HLVMC

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E. The council shall develop an economic inclusion strategic plan that provides specific and measurable steps to implement the recommendations contained in the New Mexico clean energy workforce development study HLVMC→~~commissioned by the workforce solutions department~~←HLVMC and to expand economic inclusion in the development of a sustainable economy, including, as appropriate, with the use of an environmental justice screening tool. The economic inclusion strategic plan shall:

(1) be informed by input from communities across New Mexico, including, and with a focus on, disproportionately impacted communities and communities likely to be affected by changes in local economic activities in response to a reduced demand for fossil fuels;

(2) with input from relevant state agencies, include a plan to implement the recommendations of the New Mexico clean energy workforce development study;

(3) identify ways to expand and diversify New Mexico's economy to:

(a) enhance and expand sustainable economic opportunity, investment and employment;

(b) create new and high-road employment opportunities;

(c) diversify the state's revenue and

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tax base to stabilize the state's budget;

(d) increase overall economic stability and resilience of the state's economy; and

(e) advance the social, ecological and cultural resilience of communities;

(4) identify policy changes or recommended statutory changes to the Procurement Code to support supplier diversity and economic inclusion, including the setting and tracking of targets for state agencies and local public bodies to contract with businesses located in New Mexico that provide high-road employment opportunities, businesses owned by Black or African American people, indigenous people and people of color and businesses located in disproportionately impacted communities;

(5) identify how to ensure that apprenticeship and job training programs that receive state funds are accessible to individuals with limited English proficiency;

HLVMC→and←HLVMC

(6) identify methods to support communities in developing short-term and long-term plans for local sustainable economic development and job creation that:

(a) advance local community goals and priorities;

(b) expand opportunities for local employment and workforce development;

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(c) advance economic inclusion for New Mexicans;

(d) create enhanced opportunities for New Mexicans to access capital and resources to create and expand sustainable jobs and businesses; and

(e) support communities in expanding economic opportunities in ways that are culturally appropriate and affirming HLVMC→; and←HLVMC HLVMC→.←HLVMC

HLVMC→(7)←HLVMC

HLVMC→F. The council shall←HLVMC advise and work with state agencies to implement the economic inclusion strategic plan with the goal of expanding sustainable economic opportunity in New Mexico.

HLVMC→F.←HLVMC HLVMC→G.←HLVMC The council shall provide an annual report to the governor and the appropriate interim legislative committees beginning no later than September 15, 2022, and every year thereafter HLVMC→on←HLVMC HLVMC→by←HLVMC September 15. The report shall include progress on implementation of the recommendations of the New Mexico clean energy workforce development study, identify legislative changes needed to implement the economic inclusion strategic plan and provide other recommendations to develop a sustainable economy.

SECTION 5. [NEW MATERIAL] RULEMAKING--PROCUREMENT--  
WORKFORCE DEVELOPMENT.--

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A. By September 30, 2022, the general services department shall, to the extent authorized within the agency's statutory authority, adopt procurement rules to ensure that all New Mexico workers, especially in disproportionately impacted communities, have opportunities to access the jobs created by the implementation of the recommendations of the New Mexico clean energy workforce development study, identify ways to ensure that all New Mexicans have an opportunity to participate in governmental procurement and consider the use of incentives to achieve inclusion of all interested New Mexicans. If the general services department concludes that additional legislative authority is needed to implement the economic inclusion strategic plan developed by the council, it shall identify the legislative authority needed in the report required pursuant to Section 4 of the Workforce and Economic Prosperity Act.

B. By September 30, 2022, the workforce solutions department, to the extent authorized within the agency's statutory authority, shall adopt workforce development rules to ensure that all New Mexico workers have opportunities to access jobs created by the implementation of the recommendations of the New Mexico clean energy workforce development study, and that a sustainable economy is created for all workers, with priority given to disproportionately impacted communities. The workforce solutions department shall develop training and

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registered apprenticeship opportunities for all New Mexicans interested in training for jobs created through the implementation of the recommendations of the New Mexico clean energy workforce development study and shall consider the use of incentives to achieve inclusion of all interested New Mexicans. If the workforce solutions department concludes that additional legislative authority is needed to implement the economic inclusion strategic plan developed by the council, it shall identify the legislative authority needed in the report required pursuant to Section 4 of the Workforce and Economic Prosperity Act.