

SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR  
SENATE BILL 157

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

AN ACT

MAKING AN APPROPRIATION FROM THE FUNDS ALLOCATED TO THE STATE  
PURSUANT TO THE FEDERAL AMERICAN RESCUE PLAN ACT OF 2021 TO THE  
BOARD OF REGENTS OF NEW MEXICO STATE UNIVERSITY FOR THE NEW  
MEXICO DEPARTMENT OF AGRICULTURE TO CONTINUE THE CHILE LABOR  
INCENTIVE PROGRAM; REQUIRING THAT EMPLOYERS PROVIDE ADEQUATE  
PROOF THAT WORKERS RECEIVED HIGHER WAGES BECAUSE OF CHILE LABOR  
INCENTIVE PROGRAM FUNDS; REQUIRING REPORTS.

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

SECTION 1. APPROPRIATION.--

A. Two million two hundred thousand dollars  
(\$2,200,000) is appropriated from the appropriation contingency  
fund, from funds allocated to the state pursuant to the federal  
American Rescue Plan Act of 2021 and transferred to the  
appropriation contingency fund during the second special

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1 session of the fifty-fifth legislature, to the board of regents  
2 of New Mexico state university for expenditure in fiscal years  
3 2022 and 2023 for the New Mexico department of agriculture to  
4 continue the chile labor incentive program initiated in the  
5 2021 calendar year; provided that:

6 (1) the appropriated money shall be used to  
7 increase the hourly wages of laborers who work in chile growing  
8 and production. The New Mexico department of agriculture shall  
9 require recipient employers to provide payroll ledgers for the  
10 previous chile growing season and the period of application  
11 that display the laborers' names, dates and hours worked and  
12 the hourly wage that was paid and the incentive increase in the  
13 hourly wage per worker compared to the previous chile growing  
14 season; and

15 (2) in 2022 and 2023, by December 1 of each  
16 year, the New Mexico department of agriculture shall provide a  
17 report to the governor and the legislative finance committee  
18 regarding the employers that received chile labor incentive  
19 program funds, how each of those employers raised regular  
20 hourly wages for their chile workers and the recovery of funds  
21 not paid to workers.

22 B. Any unexpended or unencumbered balance remaining  
23 at the end of fiscal year 2023 shall revert to the  
24 appropriation contingency fund.