

HOUSE EDUCATION COMMITTEE SUBSTITUTE FOR
HOUSE BILL 160

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

AN ACT

RELATING TO HIGHER EDUCATION; ENACTING THE WORKFORCE TRAINING
ACT; CREATING THE WORKFORCE TRAINING PROGRAM, PROVIDING FOR
CUSTOMIZED TRAINING AT COMMUNITY COLLEGES; MAKING AN
APPROPRIATION.

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

Section 1. SHORT TITLE. -- This act may be cited as the
"Workforce Training Act".

Section 2. PURPOSES. -- The purposes of the Workforce
Training Act are to:

- A. provide funding for non-credit customized
training at community colleges;
- B. establish the workforce training program to
deliver customized training for members of the workforce who
require specialized training to obtain or advance in employment

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1 with small and large businesses in New Mexico;

2 C. provide a statewide program of customized
3 training that supplements the state's workforce development
4 efforts and offers opportunities for state residents to obtain
5 skills needed to provide a well-trained workforce for employers
6 in New Mexico; and

7 D. enable community colleges to better respond to
8 the needs of their communities and to participate in
9 attracting, retaining and recruiting employers that can provide
10 employment for trained workers in the community.

11 Section 3. DEFINITIONS.--As used in the Workforce
12 Training Act:

13 A. "commission" means the commission on higher
14 education;

15 B. "community college" means a public post-
16 secondary educational institution located in New Mexico
17 offering technical or vocational training or two-year degrees;

18 C. "customized training" means vocational or
19 technical training:

- 20 (1) offered by a community college;
- 21 (2) that provides specialized employee
22 training for a particular business or industry;
- 23 (3) for which a student who successfully
24 completes the training does not receive college credit; and
- 25 (4) that enhances workforce development in the

1 state;

2 D. "tier-2 undergraduate funding level" means tier
3 2 of the higher education funding formula developed by the
4 commission; and

5 E. "workforce training program" means the program
6 created by the Workforce Training Act to provide customized
7 training at community colleges in New Mexico.

8 Section 4. DISTRIBUTION OF FUNDS. --

9 A. Beginning in the budget cycle following the
10 effective date of the Workforce Training Act, the commission
11 shall include in its annual budget an amount calculated to be
12 necessary to implement a workforce training program in the
13 state.

14 B. During the first year of funding, a base number
15 of students shall be projected by the commission for each
16 community college offering customized training pursuant to the
17 Workforce Training Act after consultation with each community
18 college. To determine the funding to be distributed to each
19 community college, the total appropriation made by the
20 legislature to implement that act shall be multiplied by a
21 fraction, the numerator of which is the number of students
22 projected by the commission to enroll in customized training at
23 the community college receiving the funding and the denominator
24 of which is the total number of students projected by the
25 commission to enroll in customized training at all of the

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1 community colleges participating in the workforce training
2 program.

3 C. Following the first year of implementation of
4 the Workforce Training Act, the commission shall determine the
5 number of students enrolled in customized training at each
6 community college in the state according to the most recent
7 year for which data is available.

8 D. Using the tier-2 undergraduate funding level,
9 the amount to be budgeted for the program shall be developed
10 and included in the commission budget for each subsequent
11 fiscal year.

12 E. Beginning in the second year of implementation
13 of the Workforce Training Act, the funding to be distributed to
14 each community college shall be determined by multiplying the
15 total appropriation made by the legislature to implement the
16 Workforce Training Act by a fraction, the numerator of which is
17 the number of students enrolled in customized training at that
18 community college in the prior year and the denominator of
19 which is the total number of students enrolled in customized
20 training in the prior year at all of the community colleges
21 participating in the workforce training program.

22 F. A community college that previously was not
23 included in the distribution but seeks to participate in the
24 workforce training program for the first time shall negotiate
25 with the commission to establish the base level of funding for

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1 the community college based on the projected number of students
2 expected to enroll in customized training and shall be added to
3 the formula to determine the budget expansion to be requested.

4 Section 5. ELIGIBLE FUNDING RECIPIENTS. --

5 A. To be eligible to receive funding pursuant to
6 the Workforce Training Act, a community college shall provide
7 customized training for at least one business each year.

8 B. To remain eligible to receive funding to
9 participate in the workforce training program following the
10 first year in which customized training is offered, a community
11 college shall:

12 (1) increase the number of businesses
13 receiving customized training in each succeeding year by at
14 least one business that did not receive customized training in
15 the prior year; or

16 (2) increase the total number of employees
17 enrolled in customized training for each succeeding year.

18 C. To qualify as a business that may participate in
19 the customized training opportunities offered at a community
20 college:

21 (1) a business shall be located in New Mexico;

22 (2) may be either a new or an established
23 business;

24 (3) shall provide full-time job opportunities
25 for the successful participants of the workforce training

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1 program; and

2 (4) shall pay more than minimum wage to
3 successful participants of the workforce training program.

4 Section 6. APPROPRIATION. -- Three hundred thousand dollars
5 (\$300,000) is appropriated from the general fund to the
6 commission on higher education for expenditure in fiscal year
7 2004 to implement the provisions of the Workforce Training Act.
8 Any unexpended or unencumbered balance remaining at the end of
9 fiscal year 2004 shall revert to the general fund.