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HOUSE BILL 315

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Paul C. Bandy and Joseph L. Sanchez

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

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1 employees;

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

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

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

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

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

24 SECTION 3. [NEW MATERIAL] DEFINITIONS.--As used in the
25 New Mexico Agricultural Workforce Development Program Act:

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1 A. "agricultural business" means a business of a
2 food or agricultural nature, including agriculture production
3 or processing;

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

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

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

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

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

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

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

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

24 (1) criteria for selecting agricultural
25 businesses for participation in the program, including the

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1 ability of a business to effectively supervise an intern and
2 offer the intern an opportunity to obtain meaningful work
3 experience through the business;

4 (2) criteria for an internship to qualify
5 under the program, including requirements that the internship:

6 (a) provide an intern with at least one
7 hundred thirty hours of work experience; and

8 (b) not exceed one year in duration per
9 intern;

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

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

16 (5) accounting requirements for tracking
17 internship costs; and

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

20 B. Subject to appropriations by the legislature,
21 the board, on behalf of the department, may reimburse a
22 participating agricultural business in an amount not to exceed
23 fifty percent of the actual cost to the business of
24 participating in the program. Actual cost includes the wages
25 paid to an intern, a reasonable allocation of fixed overhead

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1 expenses and all incidental costs directly related to the
2 internship. Based on the annual appropriation for the program,
3 the director shall determine how many internships may be
4 approved, the amount of reimbursement per internship and
5 whether an agricultural business may be reimbursed for more
6 than one intern in the same calendar year; provided that an
7 agricultural business shall not be reimbursed for more than
8 three internships in the same calendar year.

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