

AN ACT

RELATING TO CREATION OF THE NEW MEXICO AGRICULTURAL WORKFORCE DEVELOPMENT PROGRAM; 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 “New Mexico Agricultural Workforce Development Program.”

SECTION 2. PURPOSE. –

- A. Finding qualified and trained agricultural employees is a challenge for agricultural businesses. With the majority of New Mexican farmers and ranchers nearing retirement, providing training and experience to young and beginning farmers and ranchers is critical for ensuring New Mexico’s agricultural future;
- B. The barriers to entry for young and beginning farmers and ranchers are significant. Among these barriers are access to training programs that provide real-world work experience;
- C. Internships are a recognized way to build a talent pipeline and career pathway to align education, training, and work-based learning; and
- D. By offering incentives to agricultural businesses to create internships, there will be more opportunities for young and beginning farmers and ranchers to obtain work experience in agriculture and support themselves in long-term careers.

SECTION 3. DEFINITIONS. – As used in the New Mexico Agricultural Workforce Development Program:

- A. “agricultural business” means a business of a food or agricultural nature. This includes, but is not limited, to agriculture production and processing.
- B. “department” means the New Mexico Department of Agriculture
- C. “intern” means a student or beginning farmer or rancher to be employed by a food or agricultural business participating in the program
- D. “program” means the New Mexico Agricultural Apprenticeship Program;
- E. “young and beginning farmer and rancher” as defined by the United States Department of Agriculture, means an individual who has not operated a farm or ranch, or who has operated a farm or ranch for not more than ten (10) consecutive years.

SECTION 4. AGRICULTURAL WORKFORCE DEVELOPMENT PROGRAM – GENERAL PROVISIONS —

- A. The Secretary shall promulgate rules creating the agricultural workforce development program to provide incentives to agricultural businesses to hire interns through partial reimbursement of internship costs. The rules must specify, at a minimum:
 - (1) The criteria for selecting an agricultural business for participation in the program, including the ability of the business to effectively supervise an intern and the opportunity for an intern to get meaningful work experience;

- 1 (2) The criteria for an internship to qualify under the program, including the
2 following:
3 a. The internship must provide an intern at least one hundred thirty hours of
4 work experience; and
5 b. The internship cannot exceed one year in duration per intern.
6 (3) The criteria for an agricultural business to use in selecting qualified interns,
7 including the required educational experience for an intern and the ability of the
8 intern to perform meaningful work for the business;
9 (4) The process and timetable for selecting qualified businesses and qualified interns;
10 (5) The accounting requirements for tracking internship costs; and
11 (6) The process for a business to seek reimbursement.
12 B. Subject to appropriation, the Department may reimburse a qualified business an
13 amount not to exceed fifty percent of the actual cost to the business to employ the
14 intern. Actual cost includes the wages paid to the intern, a reasonable allocation of
15 fixed overhead expenses, and all incidental costs directly related to the internship.
16 Based on the annual appropriation for the program, the Secretary shall determine how
17 many internships may be approved, the amount of reimbursement per internship, and
18 whether a business may be reimbursed for more than one intern in the same calendar
19 year. However, no business may be reimbursed for more than three internships in the
20 same calendar year.
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