

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 18-0132.02 Kip Kolkmeier x4510

SENATE BILL 18-042

SENATE SPONSORSHIP

Donovan and Crowder, Sonnenberg

HOUSE SPONSORSHIP

Catlin and McLachlan, Arndt, Jackson, McKean

Senate Committees

Agriculture, Natural Resources, & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF THE AGRICULTURAL WORKFORCE
102 DEVELOPMENT PROGRAM, AND, IN CONNECTION THEREWITH,
103 MAKING AN APPROPRIATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Young and Beginning Farmers Interim Study Committee. The bill requires the commissioner of agriculture to create, by rule, the agricultural workforce development program to provide incentives to agricultural businesses to hire interns. Qualified agricultural businesses may be reimbursed an amount not to exceed 50% of the actual cost of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
April 16, 2018

hiring a qualified intern. The rules must include specified criteria for qualifying businesses and interns participating in the program. Qualified internships must include at least 130 hours of work experience and cannot exceed 6 months in duration. The program is repealed on July 1, 2024.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 35-1-104.5 as
3 follows:

4 **35-1-104.5. Agricultural workforce development program -**
5 **legislative declaration - creation - rules - repeal.** (1) THE GENERAL
6 ASSEMBLY FINDS AND DECLARES THAT:

7 (a) FINDING QUALIFIED AND TRAINED AGRICULTURAL EMPLOYEES
8 IS A SIGNIFICANT CHALLENGE FOR AGRICULTURAL BUSINESSES. IT IS
9 ESPECIALLY DIFFICULT TO PROVIDE TRAINING AND EXPERIENCE TO YOUNG
10 AND BEGINNING FARMERS AND RANCHERS.

11 (b) THE BARRIERS TO ENTRY FOR YOUNG AND BEGINNING FARMERS
12 AND RANCHERS ARE SIGNIFICANT. AMONG THESE BARRIERS ARE ACCESS
13 TO TRAINING PROGRAMS THAT PROVIDE REAL-WORLD WORK EXPERIENCE.

14 (c) INTERNSHIPS ARE A RECOGNIZED WAY TO BUILD A TALENT
15 PIPELINE AND CAREER PATHWAY TO ALIGN EDUCATION, TRAINING, AND
16 WORK-BASED LEARNING; AND

17 (d) BY OFFERING INCENTIVES TO AGRICULTURAL BUSINESSES TO
18 CREATE INTERNSHIPS, THERE WILL BE MORE OPPORTUNITIES FOR STUDENTS
19 TO OBTAIN WORK EXPERIENCE IN AGRICULTURE.

20 (2) THE COMMISSIONER SHALL PROMULGATE RULES BY JANUARY
21 1, 2019, CREATING THE AGRICULTURAL WORKFORCE DEVELOPMENT
22 PROGRAM TO PROVIDE INCENTIVES TO AGRICULTURAL BUSINESSES TO HIRE
23 INTERNS THROUGH PARTIAL REIMBURSEMENT OF INTERNSHIP COSTS. THE

1 RULES MUST SPECIFY, AT A MINIMUM:

2 (a) THE CRITERIA FOR SELECTING AN AGRICULTURAL BUSINESS FOR
3 PARTICIPATION IN THE PROGRAM, INCLUDING THE ABILITY OF THE
4 BUSINESS TO EFFECTIVELY SUPERVISE AN INTERN AND THE OPPORTUNITY
5 FOR AN INTERN TO GET MEANINGFUL WORK EXPERIENCE:

6 (b) THE CRITERIA FOR AN INTERNSHIP TO QUALIFY UNDER THE
7 PROGRAM, INCLUDING THE FOLLOWING:

8 (I) THE INTERNSHIP MUST PROVIDE AN INTERN AT LEAST ONE
9 HUNDRED THIRTY HOURS OF WORK EXPERIENCE; AND

10 (II) THE INTERNSHIP CANNOT EXCEED SIX MONTHS IN DURATION
11 PER INTERN.

12 (c) THE CRITERIA FOR AN AGRICULTURAL BUSINESS TO USE IN
13 SELECTING QUALIFIED INTERNS, INCLUDING THE REQUIRED EDUCATIONAL
14 EXPERIENCE FOR AN INTERN AND THE ABILITY OF THE INTERN TO PERFORM
15 MEANINGFUL WORK FOR THE BUSINESS;

16 (d) THE PROCESS AND TIMETABLE FOR SELECTING QUALIFIED
17 BUSINESSES AND QUALIFIED INTERNS;

18 (e) THE ACCOUNTING REQUIREMENTS FOR TRACKING INTERNSHIP
19 COSTS; AND

20 (f) THE PROCESS FOR A BUSINESS TO SEEK REIMBURSEMENT.

21 (3) SUBJECT TO APPROPRIATION, THE DEPARTMENT MAY
22 REIMBURSE A QUALIFIED BUSINESS AN AMOUNT NOT TO EXCEED FIFTY
23 PERCENT OF THE ACTUAL COST TO THE BUSINESS TO EMPLOY THE INTERN.
24 ACTUAL COST INCLUDES THE WAGES PAID TO THE INTERN, A REASONABLE
25 ALLOCATION OF FIXED OVERHEAD EXPENSES, AND ALL INCIDENTAL COSTS
26 DIRECTLY RELATED TO THE INTERNSHIP. BASED ON THE ANNUAL
27 APPROPRIATION FOR THE PROGRAM, THE COMMISSIONER SHALL

1 DETERMINE HOW MANY INTERNSHIPS MAY BE APPROVED, THE AMOUNT OF
2 REIMBURSEMENT PER INTERNSHIP, AND WHETHER A BUSINESS MAY BE
3 REIMBURSED FOR MORE THAN ONE INTERN IN THE SAME FISCAL YEAR.
4 HOWEVER, NO BUSINESS MAY BE REIMBURSED FOR MORE THAN THREE
5 INTERNSHIPS IN THE SAME FISCAL YEAR.

6 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

7 **SECTION 2. Appropriation.** For the 2018-19 state fiscal year,
8 \$43,157 is appropriated to the department of agriculture for use by the
9 commissioner's office. This appropriation is from the general fund and is
10 based on an assumption that the department will require an additional 0.3
11 FTE. To implement this act, the office may use this appropriation for the
12 agriculture workforce development program.

13 **SECTION 3. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2019 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.