

CHAPTER 231

AGRICULTURE

SENATE BILL 18-042

BY SENATOR(S) Donovan and Crowder, Sonnenberg, Aguilar, Coram, Court, Fenberg, Fields, Garcia, Guzman, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams A.;
 also REPRESENTATIVE(S) Catlin and McLachlan, Arndt, Jackson, McKean, Bridges, Buckner, Coleman, Covarrubias, Danielson, Esgar, Exum, Ginal, Gray, Hamner, Hansen, Herod, Hooton, Kennedy, Kraft-Tharp, Lontine, Melton, Michaelson Jenet, Pabon, Pettersen, Rankin, Reyher, Roberts, Rosenthal, Salazar, Singer, Valdez, Wilson, Winter, Young, Duran, Becker J.

AN ACT

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

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

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

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

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

(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

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

INTERNSHIPS, THERE WILL BE MORE OPPORTUNITIES FOR STUDENTS TO OBTAIN WORK EXPERIENCE IN AGRICULTURE.

(2) THE COMMISSIONER SHALL PROMULGATE RULES BY JANUARY 1, 2019, 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:

(a) 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:

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

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

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

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

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

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

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

(3) SUBJECT TO APPROPRIATION, THE DEPARTMENT MAY REIMBURSE A QUALIFIED BUSINESS AN AMOUNT NOT TO EXCEED FIFTY PERCENT OF THE ACTUAL COST TO THE BUSINESS TO EMPLOY THE INTERN. ACTUAL COST INCLUDES THE WAGES PAID TO THE INTERN, A REASONABLE ALLOCATION OF FIXED OVERHEAD EXPENSES, AND ALL INCIDENTAL COSTS DIRECTLY RELATED TO THE INTERNSHIP. BASED ON THE ANNUAL APPROPRIATION FOR THE PROGRAM, THE COMMISSIONER SHALL DETERMINE HOW MANY INTERNSHIPS MAY BE APPROVED, THE AMOUNT OF REIMBURSEMENT PER INTERNSHIP, AND WHETHER A BUSINESS MAY BE REIMBURSED FOR MORE THAN ONE INTERN IN THE SAME FISCAL YEAR. HOWEVER, NO BUSINESS MAY BE REIMBURSED FOR MORE THAN THREE INTERNSHIPS IN THE SAME FISCAL YEAR.

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

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

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

Approved: May 24, 2018