

REFERENCE TITLE: agriculture workforce program; interns; appropriation

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SB 1206

Introduced by
Senators Pratt: Allen S, Gray, Navarrete, Otondo

AN ACT

AMENDING TITLE 3, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 3-109.03; APPROPRIATING MONIES; RELATING TO THE ARIZONA
DEPARTMENT OF AGRICULTURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 3, chapter 1, article 1, Arizona Revised Statutes,
3 is amended by adding section 3-109.03, to read:

4 3-109.03. Agricultural workforce development program;
5 rulemaking; annual report; program termination;
6 definitions

7 A. THE AGRICULTURAL WORKFORCE DEVELOPMENT PROGRAM IS ESTABLISHED TO
8 PROVIDE INCENTIVES TO FOOD-PRODUCING AGRICULTURAL ORGANIZATIONS TO HIRE
9 INTERNS BY PARTIALLY REIMBURSING INTERNSHIP COSTS.

10 B. THE DIRECTOR SHALL ADOPT RULES PURSUANT TO TITLE 41, CHAPTER 6
11 TO CARRY OUT THIS SECTION. AT A MINIMUM, THE RULES SHALL DO ALL OF THE
12 FOLLOWING:

13 1. ESTABLISH QUALIFICATIONS FOR A FOOD-PRODUCING AGRICULTURAL
14 ORGANIZATION TO PARTICIPATE IN THE PROGRAM, INCLUDING NEED AND THE ABILITY
15 TO EFFECTIVELY SUPERVISE AN INTERN AND PROVIDE THE INTERN WITH A
16 MEANINGFUL WORK EXPERIENCE THAT IS FOCUSED ON AGRICULTURAL FOOD
17 PRODUCTION.

18 2. PROVIDE A PREFERENCE FOR FOOD-PRODUCING AGRICULTURAL
19 ORGANIZATIONS OWNED OR OPERATED BY FARMERS AND RANCHERS WHO ARE LOCATED IN
20 RURAL OR TRIBAL AREAS OR WHO ARE HISTORICALLY UNDERSERVED.

21 3. REQUIRE THE FOOD-PRODUCING AGRICULTURAL ORGANIZATION TO PAY AN
22 INTERN AN HOURLY WAGE RATE THAT IS AT LEAST THE MINIMUM WAGE ESTABLISHED
23 BY THIS STATE PURSUANT TO SECTION 23-363.

24 4. ESTABLISH CRITERIA FOR A FOOD-PRODUCING AGRICULTURAL
25 ORGANIZATION TO SELECT QUALIFIED INTERNS, INCLUDING AN INTERN'S REQUIRED
26 EDUCATIONAL EXPERIENCE AND ABILITY TO PERFORM MEANINGFUL WORK.

27 5. ESTABLISH THE PROCESS AND TIME FRAME FOR SELECTING QUALIFIED
28 FOOD-PRODUCING AGRICULTURAL ORGANIZATIONS AND QUALIFIED INTERNS.

29 6. ESTABLISH ACCOUNTING REQUIREMENTS FOR TRACKING INTERNSHIP COSTS.

30 7. ESTABLISH THE PROCESS FOR A FOOD-PRODUCING AGRICULTURAL
31 ORGANIZATION TO SEEK REIMBURSEMENT.

32 C. SUBJECT TO LEGISLATIVE APPROPRIATION, THE DEPARTMENT MAY
33 REIMBURSE A QUALIFIED FOOD-PRODUCING AGRICULTURAL ORGANIZATION UP TO THE
34 AMOUNT OF THE ACTUAL COST TO THE FOOD-PRODUCING AGRICULTURAL ORGANIZATION
35 TO EMPLOY AN INTERN. BASED ON THE ANNUAL LEGISLATIVE APPROPRIATION FOR
36 THIS PROGRAM, THE DIRECTOR SHALL DETERMINE THE NUMBER OF INTERNSHIPS TO
37 APPROVE, THE AMOUNT OF REIMBURSEMENT PER INTERNSHIP AND WHETHER A
38 FOOD-PRODUCING AGRICULTURAL ORGANIZATION MAY BE REIMBURSED FOR MORE THAN
39 ONE INTERNSHIP IN THE SAME FISCAL YEAR.

40 D. ON OR BEFORE DECEMBER 1 EACH YEAR, THE DEPARTMENT SHALL SUBMIT A
41 REPORT REGARDING THE EFFECTIVENESS OF THE PROGRAM IN ACHIEVING THE
42 PROGRAM'S PURPOSE TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE
43 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND PROVIDE A COPY OF THIS REPORT
44 TO THE SECRETARY OF STATE.

1 E. THE PROGRAM ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2026
2 PURSUANT TO SECTION 41-3102.

3 F. FOR THE PURPOSES OF THIS SECTION:

4 1. "ACTUAL COST" MEANS THE WAGES PAID TO AN INTERN, A REASONABLE
5 ALLOCATION OF FIXED OVERHEAD EXPENSES AND ALL INCIDENTAL COSTS DIRECTLY
6 RELATED TO THE INTERNSHIP.

7 2. "AGRICULTURAL ORGANIZATION" MEANS A BUSINESS, NONPROFIT
8 ORGANIZATION, COMMUNITY COLLEGE OR STATE UNIVERSITY PROGRAM RELATED TO
9 AGRICULTURE.

10 3. "HISTORICALLY UNDERSERVED":

11 (a) MEANS A BEGINNING FARMER OR RANCHER, A SOCIALLY DISADVANTAGED
12 FARMER OR RANCHER OR A VETERAN FARMER OR RANCHER AS DEFINED IN 7 UNITED
13 STATES CODE SECTION 2279.

14 (b) INCLUDES OTHER LIMITED-RESOURCE FARMERS OR RANCHERS.

15 Sec. 2. Appropriations; Arizona department of agriculture;
16 agricultural workforce development program;
17 exemption

18 A. The sum of \$250,000 is appropriated from the state general fund
19 in each of fiscal years 2020-2021, 2021-2022, 2022-2023 and 2023-2024 to
20 the Arizona department of agriculture to implement the agricultural
21 workforce development program established by section 3-109.03, Arizona
22 Revised Statutes, as added by this act.

23 B. The appropriation made in subsection A of this section is exempt
24 from the provisions of section 35-190, Arizona Revised Statutes, relating
25 to lapsing of appropriations.

26 Sec. 3. Effective date

27 Section 3-109.03, Arizona Revised Statutes, as added by this act, is
28 effective from and after December 31, 2020.