

House Engrossed
agricultural workforce program; apprentices; appropriation

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

HOUSE BILL 2142

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 apprentices; rulemaking; annual report; program
6 termination; definitions

7 A. THE AGRICULTURAL WORKFORCE DEVELOPMENT PROGRAM IS ESTABLISHED TO
8 PROVIDE INCENTIVES TO FOOD-PRODUCING AGRICULTURAL ORGANIZATIONS TO HIRE
9 APPRENTICES BY PARTIALLY REIMBURSING APPRENTICESHIP 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 FOOD-PRODUCING AGRICULTURAL
14 ORGANIZATIONS TO PARTICIPATE IN THE PROGRAM, INCLUDING NEED AND THE
15 ABILITY TO EFFECTIVELY SUPERVISE APPRENTICES AND PROVIDE THE APPRENTICES
16 WITH 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 PARTICIPATING FOOD-PRODUCING AGRICULTURAL ORGANIZATIONS
22 TO PAY APPRENTICES AN HOURLY WAGE RATE THAT IS AT LEAST THE MINIMUM WAGE
23 ESTABLISHED BY THIS STATE PURSUANT TO SECTION 23-363.

24 4. ESTABLISH CRITERIA FOR PARTICIPATING FOOD-PRODUCING AGRICULTURAL
25 ORGANIZATIONS TO SELECT QUALIFIED APPRENTICES, INCLUDING 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 APPRENTICES.

29 6. ESTABLISH ACCOUNTING REQUIREMENTS FOR TRACKING APPRENTICESHIP
30 COSTS.

31 7. ESTABLISH THE PROCESS FOR PARTICIPATING FOOD-PRODUCING
32 AGRICULTURAL ORGANIZATIONS TO SEEK REIMBURSEMENT.

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

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

1 E. THE PROGRAM ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2027
2 PURSUANT TO SECTION 41-3102.

3 F. FOR THE PURPOSES OF THIS SECTION:

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

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 \$500,000 is appropriated from the state general fund
19 in each of fiscal years 2021-2022 and 2022-2023 to the Arizona department
20 of agriculture to implement the agricultural workforce development program
21 established by section 3-109.03, Arizona Revised Statutes, as added by
22 this act.

23 B. The appropriations made in subsection A of this section are
24 exempt from the provisions of section 35-190, Arizona Revised Statutes,
25 relating 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, 2021.