

REFERENCE TITLE: agricultural workforce program; apprentices;  
appropriation

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

# HB 2142

Introduced by  
Representative Pratt

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.