

1 HOUSE BILL 297

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Angelica Rubio

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9  
10 AN ACT

11 RELATING TO ECONOMIC DEVELOPMENT; ENACTING THE WORKFORCE AND  
12 ECONOMIC PROSPERITY ACT; CREATING THE WORKFORCE AND ECONOMIC  
13 PROSPERITY COUNCIL; REQUIRING THE DEVELOPMENT OF A STATEWIDE  
14 FRAMEWORK TO DEVELOP A CLEAN ENERGY WORKFORCE, EXPAND ECONOMIC  
15 INCLUSION AND DEVELOP A SUSTAINABLE ECONOMY; DIRECTING THE  
16 ADOPTION OF RULES TO FOSTER INCLUSION IN WORKFORCE DEVELOPMENT  
17 AND PROCUREMENT; REQUIRING ANNUAL REPORTING.

18  
19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

20 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be  
21 cited as the "Workforce and Economic Prosperity Act".

22 SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the  
23 Workforce and Economic Prosperity Act:

24 A. "council" means the workforce and economic  
25 prosperity council;

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1           B. "disproportionately impacted community" means a  
2 community or population of people for which multiple burdens,  
3 including environmental and socioeconomic stressors, inequity,  
4 poverty, high unemployment, pollution or discrimination, may  
5 act to persistently and negatively affect the health, well-  
6 being and environment of the community or population and  
7 includes tribal communities, communities of color and  
8 low-income rural communities and native people, people of  
9 color, women, immigrants, youth, formerly incarcerated people,  
10 lesbian, gay, bisexual, transgender and queer people and people  
11 with disabilities;

12           C. "economic inclusion" means high-road employment,  
13 training and contracting opportunities and includes improved  
14 access to those opportunities for disproportionately impacted  
15 communities;

16           D. "high-road employment" means jobs with family-  
17 sustaining wages and benefits, opportunities for advancement  
18 and safe working conditions in industries engaged in  
19 sustainable economic development;

20           E. "resilience" means the capability to anticipate,  
21 prepare for, respond to and recover from impacts and minimize  
22 damage to social well-being, including damage to the economy,  
23 health and the environment; and

24           F. "sustainable economy" means an economy that  
25 supports high-road employment, thriving communities, a healthy

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1 environment and worker and community participation in decision  
2 making.

3 SECTION 3. [NEW MATERIAL] STRATEGIC PLAN FOR JOB  
4 DEVELOPMENT--POLICY.--The state shall create economic inclusion  
5 opportunities by implementing the recommendations contained in  
6 the New Mexico clean energy workforce development study  
7 commissioned by the workforce solutions department and  
8 expanding development of opportunities for New Mexico workers,  
9 prioritizing disproportionately impacted communities and  
10 historically disadvantaged communities.

11 SECTION 4. [NEW MATERIAL] WORKFORCE AND ECONOMIC  
12 PROSPERITY COUNCIL--CREATED--MEMBERSHIP--DUTIES--STRATEGIC  
13 PLAN.--

14 A. The "workforce and economic prosperity council"  
15 is created and shall be administratively attached to the  
16 economic development department. The council shall be co-  
17 chaired by the secretaries of economic development and  
18 workforce solutions.

19 B. The voting membership of the council shall  
20 consist of one representative each from the:

- 21 (1) economic development department;
- 22 (2) workforce solutions department;
- 23 (3) department of finance and administration;
- 24 (4) taxation and revenue department;
- 25 (5) general services department;

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- 1 (6) higher education department;
- 2 (7) public education department;
- 3 (8) state investment council; and
- 4 (9) Indian affairs department.

5 C. Advisory members of the council shall be  
6 appointed by the co-chairs of the council and shall consist of:

- 7 (1) one representative of the state land  
8 office;
- 9 (2) one representative of tribal governments  
10 and organizations;
- 11 (3) one representative of local governments;
- 12 (4) two representatives of disproportionately  
13 impacted communities or organizations with experience working  
14 with disproportionately impacted communities;
- 15 (5) two representatives of organizations with  
16 experience in sustainable economic development planning and  
17 workforce development; and
- 18 (6) one representative from industry sectors  
19 involved in achieving the goals of Section 3 of the Workforce  
20 and Economic Prosperity Act.

21 D. The council may create working groups on  
22 specific topics. A working group shall include advisory  
23 members, appointed by the co-chairs of the council, from  
24 communities and industries impacted by the topic.

25 E. The council shall develop an economic inclusion

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1 strategic plan that provides specific and measurable steps to  
2 implement the recommendations contained in the New Mexico clean  
3 energy workforce development study commissioned by the  
4 workforce solutions department and to expand economic inclusion  
5 in the development of a sustainable economy, including, as  
6 appropriate, with the use of an environmental justice screening  
7 tool. The economic inclusion strategic plan shall:

8 (1) be informed by input from communities  
9 across New Mexico, including, and with a focus on,  
10 disproportionately impacted communities and communities likely  
11 to be affected by changes in local economic activities in  
12 response to a reduced demand for fossil fuels;

13 (2) with input from relevant state agencies,  
14 include a plan to implement the recommendations of the New  
15 Mexico clean energy workforce development study;

16 (3) identify ways to expand and diversify New  
17 Mexico's economy to:

18 (a) enhance and expand sustainable  
19 economic opportunity, investment and employment;

20 (b) create new and high-road employment  
21 opportunities;

22 (c) diversify the state's revenue and  
23 tax base to stabilize the state's budget;

24 (d) increase overall economic stability  
25 and resilience of the state's economy; and

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1 (e) advance the social, ecological and  
2 cultural resilience of communities;

3 (4) identify policy changes or recommended  
4 statutory changes to the Procurement Code to support supplier  
5 diversity and economic inclusion, including the setting and  
6 tracking of targets for state agencies and local public bodies  
7 to contract with businesses located in New Mexico that provide  
8 high-road employment opportunities, businesses owned by Black  
9 or African American people, indigenous people and people of  
10 color and businesses located in disproportionately impacted  
11 communities;

12 (5) identify how to ensure that apprenticeship  
13 and job training programs that receive state funds are  
14 accessible to individuals with limited English proficiency;

15 (6) identify methods to support communities in  
16 developing short-term and long-term plans for local sustainable  
17 economic development and job creation that:

18 (a) advance local community goals and  
19 priorities;

20 (b) expand opportunities for local  
21 employment and workforce development;

22 (c) advance economic inclusion for New  
23 Mexicans;

24 (d) create enhanced opportunities for  
25 New Mexicans to access capital and resources to create and

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1 expand sustainable jobs and businesses; and

2 (e) support communities in expanding  
3 economic opportunities in ways that are culturally appropriate  
4 and affirming; and

5 (7) advise and work with state agencies to  
6 implement the economic inclusion strategic plan with the goal  
7 of expanding sustainable economic opportunity in New Mexico.

8 F. The council shall provide an annual report to  
9 the governor and the appropriate interim legislative committees  
10 beginning no later than September 15, 2022, and every year  
11 thereafter on September 15. The report shall include progress  
12 on implementation of the recommendations of the New Mexico  
13 clean energy workforce development study, identify legislative  
14 changes needed to implement the economic inclusion strategic  
15 plan and provide other recommendations to develop a sustainable  
16 economy.

17 SECTION 5. [NEW MATERIAL] RULEMAKING--PROCUREMENT--  
18 WORKFORCE DEVELOPMENT.--

19 A. By September 30, 2022, the general services  
20 department shall, to the extent authorized within the agency's  
21 statutory authority, adopt procurement rules to ensure that all  
22 New Mexico workers, especially in disproportionately impacted  
23 communities, have opportunities to access the jobs created by  
24 the implementation of the recommendations of the New Mexico  
25 clean energy workforce development study, identify ways to

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1 ensure that all New Mexicans have an opportunity to participate  
2 in governmental procurement and consider the use of incentives  
3 to achieve inclusion of all interested New Mexicans. If the  
4 general services department concludes that additional  
5 legislative authority is needed to implement the economic  
6 inclusion strategic plan developed by the council, it shall  
7 identify the legislative authority needed in the report  
8 required pursuant to Section 4 of the Workforce and Economic  
9 Prosperity Act.

10 B. By September 30, 2022, the workforce solutions  
11 department, to the extent authorized within the agency's  
12 statutory authority, shall adopt workforce development rules to  
13 ensure that all New Mexico workers have opportunities to access  
14 jobs created by the implementation of the recommendations of  
15 the New Mexico clean energy workforce development study, and  
16 that a sustainable economy is created for all workers, with  
17 priority given to disproportionately impacted communities. The  
18 workforce solutions department shall develop training and  
19 registered apprenticeship opportunities for all New Mexicans  
20 interested in training for jobs created through the  
21 implementation of the recommendations of the New Mexico clean  
22 energy workforce development study and shall consider the use  
23 of incentives to achieve inclusion of all interested New  
24 Mexicans. If the workforce solutions department concludes that  
25 additional legislative authority is needed to implement the

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1 economic inclusion strategic plan developed by the council, it  
2 shall identify the legislative authority needed in the report  
3 required pursuant to Section 4 of the Workforce and Economic  
4 Prosperity Act.