

3. repayment or refinancing loans;
4. payments of tax arrearages, government fines or penalties;
5. political or religious activities;
6. buying out any stockholder or equity holder in a business;
7. buying out or reimbursing any family member;
8. investing in instruments or investments for the sole purpose of a return on investment;
9. a loss or expense for which insurance benefits has been or will be paid or financial assistance that has been or will be provided from federal, state or any other source;
10. purchasing or repairing of equipment;
11. placing new land into production.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Agricultural Finance Authority, LR 44:439 (March 2018).

## Chapter 7. Louisiana Agricultural Workforce Development Program

### §701. Purpose

A. The purpose of these rules is to:

1. establish eligibility requirements of the Louisiana Agricultural Workforce Development program;
2. establish eligibility requirements for agricultural businesses and interns for participation in the program;
3. establish application processes for agricultural businesses and intern candidates seeking approval to become program participants;
4. establish qualification requirements for reimbursement of internship costs within the program; and
5. establish processes for reimbursement of internship costs to participating agricultural businesses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266 and 3:285

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Agriculture Finance Authority, LR 47:850 (July 2021).

### §703. Definitions

A. The words and terms defined in R.S. 3:285 are applicable to this Chapter.

B. The following words and terms are defined for purposes of this Chapter and are applicable to this Chapter.

*Actual Cost*—the wages paid to an intern, reasonable allocation of fixed overhead expenses, and all incidental costs directly related to the internship.

*Agricultural Business*—an agricultural producer, or a person or legal entity who engages in agriculture or provides

support activities, products, or services to an agricultural producer and such products or services that are directly related to the planting, growing, production, harvesting, or processing of Louisiana products.

*Beginning Farmer*—a farmer, rancher, or operator of non-industrial private forestland who is in the first 10 years of operation or a person intending or aspiring to begin such an operation.

*Commissioner*—the commissioner of the Department of Agriculture and Forestry.

*Department*—the Department of Agriculture and Forestry.

*Director*—the director of the Louisiana Agricultural Finance Authority (LAFA).

*Immediate Family Member*—the spouse, parent, sibling, or child of the owner, manager, chief executive officer, or president of an agricultural business; a person to whom the owner, manager, chief executive officer, or president stands as legal guardian or tutor; or any other person living in the household of the owner, manager, chief executive office, or president of an agricultural business by blood or marriage.

*Intern*—an individual who is a student enrolled at a Louisiana secondary or postsecondary institution or a young and beginning farmer or rancher employed by an agricultural business pursuant to the program.

*LAFA*—the Louisiana Agricultural Finance Authority which is within the Department of Agriculture and Forestry.

*Program*—the Louisiana Agricultural Workforce Development Program created with passage of House Bill 69/ Act 23 of the 2020 Second Extraordinary Session, which enacted R.S. 3:285.

*Qualifying Internship*—an internship meeting the requirements as necessary for the partial reimbursement of costs to employ intern(s).

*Student*—an individual who is enrolled in a Louisiana secondary or postsecondary institution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266 and 3:285

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Agriculture Finance Authority, LR 47:850 (July 2021).

### §705. Eligibility Requirements of Applicants

A. Agricultural businesses must meet the following eligibility requirements in order to be considered for the program. Agricultural business applicants shall:

1. be physically located within the State of Louisiana;
2. provide an internship with a place of work located within the state of Louisiana;
3. have the ability to effectively supervise an intern;
4. offer the intern an opportunity to obtain meaningful work experience, including, but not limited to:

- a. at least one hundred thirty hours of work experience;
- b. not to exceed one year in duration; and
- c. an hourly wage rate that is no less than the state's prevailing minimum wage rate.

5. Ensure compliance with all federal, state, and local laws including, but not limited to, the Fair Labor Standards Act as well as any other applicable labor and /or occupational safety laws and regulations. In such instances when both federal and state laws apply, the more stringent standard must be observed.

B. Intern applicants must meet the following eligibility requirements in order to be considered for the program.

1. Intern applicants shall be:

- a. be a student enrolled in a Louisiana secondary or postsecondary institution; or
- b. be a beginning farmer or rancher, as defined by this Chapter, employed by an agricultural business.

2. Intern applicants shall not be:

- a. a current or past employee of the participating agricultural business for which he or she will be an intern; or
- b. an immediate family member of the participating business applicant as defined in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266 and 3:285

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Agriculture Finance Authority, LR 47:850 (July 2021).

**§707. Internship Requirements**

A. A qualifying internship shall be considered eligible for reimbursement from LDAF upon meeting each of the following requirements. The internship must:

- 1. include an educational focus preparing interns for a career in one or more occupational areas including, but not limited to:
  - a. agribusiness;
  - b. animal husbandry;
  - c. crop production;
  - d. farm management;
  - e. agronomy;
  - f. natural resources;
  - g. forestry;
  - h. research and development;
  - i. marketing and sales;
  - j. food safety and/or maintenance; or
  - k. repair of machinery and equipment.

2. provide an educational experience of at least 130 hours per intern and not exceed one year in duration per intern;

3. pay intern(s) at a rate no less than the state's prevailing minimum wage to be paid in accordance with the participating business' normal payroll processes, but paid at least monthly;

4. provide a supervisor for intern(s);

5. provide worker's compensation insurance coverage for intern(s);

6. commence within 30 days of the projected start date identified in the business application; and

7. ensure that intern(s) do not displace current employee(s) of the participating business.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266 and 3:285

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Agriculture Finance Authority, LR 47:851 (July 2021).

**§709. Application Process**

A. Participating businesses and prospective intern(s) must receive approval by the LAFA director in order for a qualifying internship to be eligible for reimbursement.

1. Agricultural businesses interested in participating may apply for the program during the open application period from July 1 through September 1 of every year. Eligible applications will be reviewed and funded on a first-come, first-serve basis. An agricultural business must complete and submit the necessary application to LAFA within the application period. Only application forms prepared by LAFA for this purpose may be used. If funds remain, the director of LAFA will consider business applications on a rolling basis after the close of the open application period.

a. Eligible business applications will be reviewed upon receipt by LAFA staff. Decisions will be based on the needs of the program, legislative intent, applicable statute, and these rules.

b. Acceptance and rejection notifications will be sent via email within 30 days of completion of application review.

c. An agricultural business applicant shall submit a separate application for every internship position that it is requesting.

2. Upon approval of the agricultural business applicant, the intern candidate(s) selected by a participating business must complete and submit an intern application to the LAFA Director. Only application forms prepared by LAFA for this purpose may be used.

a. In addition to the internship application, intern candidates must also submit a statement of career goals to the LAFA director.

b. Intern applications will be reviewed by LAFA staff and a determination of approval will be sent via email

to the participating business within 10 business days of receipt of a fully completed intern application and statement.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:266 and 3:285

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Agriculture Finance Authority, LR 47:851 (July 2021).

**§711. Reimbursement**

A. Participating agricultural businesses will be reimbursed up to the agreed upon amount at the conclusion of the internship upon presentation of an invoice and supporting documentation. Reimbursement will not exceed 50 percent of the actual cost to the business. The maximum amount a business may be reimbursed per internship is \$5,000.

1. An invoice requesting reimbursement shall be submitted to LAFA within 30 business days of the conclusion of the internship. The invoice must include the reimbursement amount requested and the actual costs incurred by the business to employ the intern.

2. The participating agricultural business shall submit copies of time sheets and pay stubs verifying the total amount paid to the intern during the internship. If the invoice includes costs for incidental expenses, those costs must be supported with proof of payment by the participating business.

3. The participating agricultural business shall also, as a requirement of reimbursement, complete a post-internship evaluation form, to be provided by LAFA staff.

4. In the event an internship ends prior to its scheduled completion, participating businesses may still be partially reimbursed for costs incurred.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:266 and 3:285

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Agriculture Finance Authority, LR 47:851 (July 2021).

**Chapter 9. Healthy Foods Retail Program**

**§901. Definitions**

A. The words and terms defined in R.S. 3:296 are applicable to this Chapter.

B. As used in this Chapter, the following terms and phrases shall have the meanings hereinafter ascribed to them.

*Commissioner*—the commissioner of agriculture and forestry.

*D-CDBG*—Disaster Community Development Block Grant.

*Department*—the Louisiana Department of Agriculture and Forestry.

*Funding*—grants, loans, or a combination of grants and loans.

*Healthy Food Retailers*—for-profit or not-for-profit retailers that sell high quality fresh fruits and vegetables at competitive prices including but not limited to supermarkets, grocery stores, and farmers’ markets.

*HFRP*—Healthy Food Retail Program.

*LAFA*—Louisiana Agricultural Finance Authority.

*LMI*—low- or moderate- income.

*OCD*—Office of Community Development.

*Program*—a public-private partnership established to provide a dedicated source of financing for food retailers that increase access to fresh fruits and vegetables and other affordable healthy food for Louisiana residents managed by the Louisiana Department of Agriculture and Forestry.

*Program Partner*—consists of LDAF, LAFA, and any other contracted nonprofit organization or community development financial institution that assists with administering the program.

*Underserved Community*—a geographic area that has limited access to healthy food retailers and is located in a lower-income or high-poverty area, or an area that is otherwise determined to have serious healthy food access limitations.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:296.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Agriculture and Finance Authority, LR 48:296 (February 2022).

**§903. Available Funding**

A. The Healthy Food Retail Program may provide funding on a one-time basis for projects such as:

1. new construction of supermarkets and grocery stores;
2. store renovations, expansion, and infrastructure upgrades that improve the availability and quality of fresh produce;
3. farmers’ markets and public markets, food cooperatives, mobile markets and delivery projects, and distribution projects that enable food retailers in underserved communities to regularly obtain fresh produce; or
4. other projects that create or improve healthy food retail outlets as determined by LAFA.

B. Funding made available for projects included in Paragraph A of this Section may be used for the following purposes:

1. site acquisition and preparation;
2. construction costs;
3. equipment and furnishings;
4. workforce training;
5. security;

