HOUSE BILL 21

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

INTRODUCED BY

Joy Garratt

AN ACT

RELATING TO PUBLIC WORKS; REQUIRING CONTRIBUTIONS TO APPRENTICE AND TRAINING PROGRAMS OR TO THE PUBLIC WORKS APPRENTICE AND TRAINING FUND FOR ALL PUBLIC WORKS CONSTRUCTION PROJECTS.

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

SECTION 1. Section 13-4D-4 NMSA 1978 (being Laws 1992, Chapter 74, Section 4) is amended to read:

"13-4D-4. ADMINISTRATION.--

A. The Public Works Apprentice and Training Act shall be administered by the public works bureau of the labor relations division of the workforce solutions department. The bureau shall collect employers' contributions in accordance with that act, review employers' compliance statements, review certified payroll reports to verify training contributions, investigate
allegations of and impose penalties for employer noncompliance
and disburse funds as provided in Section [5 of the Public

B. Public works construction projects [except for
street, highway, bridge, road, utility or maintenance contracts
with employers who elect not to participate in training] shall
not be constructed unless an employer agrees to make
contributions to approved apprentice and training programs in
New Mexico in which the employer is a participant or to the
public works apprentice and training fund administered by the
public works bureau of the labor [and industrial division of
the labor] relations division of the workforce solutions
department. Contributions shall be made in the same manner and
in the same amount as apprentice and training contributions
required pursuant to wage rate determinations made by the
director.

C. The director shall adopt rules and regulations
necessary to implement the provisions of the Public Works
Apprentice and Training Act."