

HOUSE JOINT MEMORIAL 28

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THE CONSTRUCTION INDUSTRIES DIVISION OF THE
REGULATION AND LICENSING DEPARTMENT TO CONVENE A WORKING GROUP
COMPOSED OF INDUSTRY REPRESENTATIVES AND OTHER INTERESTED
PARTIES TO STUDY AND MAKE RECOMMENDATIONS FOR UPDATING AND
REVISING THE CONSTRUCTION INDUSTRIES LICENSING ACT.

WHEREAS, the construction industry in the state impacts
the lives of virtually every New Mexico resident because it is
a major contributor to statewide economic development and job
creation; and

WHEREAS, the Construction Industries Licensing Act
regulates construction and contracting in New Mexico with the
critical purpose of promoting general welfare by providing life
and property protection; and

WHEREAS, the 1967 act has been amended numerous times,

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1 resulting in an act that is difficult to understand, contains
2 obsolete provisions and lacks a cohesive and organized format;
3 and

4 WHEREAS, since the enactment of the act, New Mexico's
5 construction industry has rapidly evolved in both technology
6 and methods, rendering the act, even as amended, somewhat
7 ineffective in addressing this modernization; and

8 WHEREAS, the construction industries division of the
9 regulation and licensing department has already begun looking
10 at a process to address these concerns and has developed a
11 working draft of possible statutory changes that has been
12 presented for discussion to a cross section of industry and
13 labor; and

14 WHEREAS, those discussions have produced strong consensus
15 that the industry would benefit by further study of the issues
16 concerning the act;

17 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
18 STATE OF NEW MEXICO that the construction industries division
19 of the regulation and licensing department be requested to
20 convene a working group to evaluate the preliminary working
21 draft the division has prepared and to make recommendations
22 concerning proposals to revise the Construction Industries
23 Licensing Act; and

24 BE IT FURTHER RESOLVED that the working group be composed
25 of the director of the construction industries division of the

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1 regulation and licensing department and members nominated by
2 industry and selected by the director who represent each of the
3 following: the construction industries commission, the New
4 Mexico municipal league, commercial contractors, residential
5 contractors, organized labor, the plumbing and mechanical
6 trades, the electrical trade, the liquified petroleum gas trade
7 and the national association of industrial and office parks;
8 and

9 BE IT FURTHER RESOLVED that the deputy superintendent of
10 the regulation and licensing department be requested to serve
11 as chair of the working group and to preside over all working
12 group meetings with the assistance of division staff as deemed
13 necessary and appropriate by the deputy superintendent; and

14 BE IT FURTHER RESOLVED that the working group be requested
15 to commence its work on or before June 1, 2018, and prior to
16 October 1, 2018, meet no fewer than four times and present a
17 consensus legislative proposal of changes to the Construction
18 Industries Licensing Act to the appropriate legislative interim
19 committee for introduction in the 2019 legislative session; and

20 BE IT FURTHER RESOLVED that copies of this memorial be
21 transmitted to the governor, the co-chairs of the New Mexico
22 legislative council, the superintendent of regulation and
23 licensing and the director of the construction industries
24 division of the regulation and licensing department.