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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
~~[and industrial division of the labor]~~ relations division of
the workforce solutions department. The bureau shall collect
employers' contributions in accordance with ~~[this]~~ that act,
review employers' compliance statements, review certified
payroll reports to verify training contributions, investigate

.218894.1

underscored material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 allegations of and impose penalties for employer noncompliance
2 and disburse funds as provided in Section [~~5 of the Public~~
3 ~~Works Apprentice and Training Act~~] 13-4D-5 NMSA 1978.

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

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