

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE MEMORIAL 18

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Larry R. Scott

A MEMORIAL

REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION, THE
DEPARTMENT OF TRANSPORTATION AND THE WORKFORCE SOLUTIONS
DEPARTMENT TO CONVENE A TASK FORCE TO STUDY THE IMPACT OF THE
PUBLIC WORKS MINIMUM WAGE ACT ON THE COST OF PUBLIC WORKS AND
CAPITAL OUTLAY PROJECTS IN NEW MEXICO.

WHEREAS, the Public Works Minimum Wage Act provides that
public works contracts entered into by the state or a political
subdivision that have a value in excess of sixty thousand
dollars (\$60,000) shall provide for wages significantly higher
than those paid on private sector projects; and

WHEREAS, the federal Davis-Bacon Act requires paying local
prevailing wages for contractors and subcontractors performing
on federally funded or assisted contracts in excess of two
thousand dollars (\$2,000) for the construction, alteration or

.233700.2

1 repair of public buildings or public works; and

2 WHEREAS, the prevailing wages for public works projects
3 are likely to be more than the minimum wage of twelve dollars
4 (\$12.00) per hour established by the Minimum Wage Act; and

5 WHEREAS, the Public Works Minimum Wage Act results in
6 higher costs for wages than required pursuant to the Minimum
7 Wage Act, thereby increasing the cost of many public works
8 contracts, including capital outlay projects approved by the
9 legislature, above what would be required by the Minimum Wage
10 Act; and

11 WHEREAS, a reduction in labor costs below what might
12 otherwise be required pursuant to the Public Works Minimum Wage
13 Act would result in more miles of road being built and more
14 square footage of public buildings being built per dollar of
15 project expenditure;

16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
17 OF NEW MEXICO that the department of finance and
18 administration, the department of transportation and the
19 workforce solutions department be requested to convene a task
20 force composed of representatives of labor, construction
21 industries, state and local government and the bureau of
22 business and economic research at the university of New Mexico
23 to study the impact of the Public Works Minimum Wage Act and
24 the federal Davis-Bacon Act on the cost of public works
25 projects and capital outlay projects in New Mexico and make

.233700.2

1 recommendations regarding changes to the Public Works Minimum
2 Wage Act; and

3 BE IT FURTHER RESOLVED that the task force be requested to
4 submit its report and recommendations to the appropriate
5 interim legislative committee by October 1, 2026; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the secretary of finance and administration, the
8 secretary of transportation, the secretary of workforce
9 solutions and the director of the legislative finance
10 committee.

11 - 3 -
12
13
14
15
16
17
18
19
20
21
22
23
24
25