

State of New Mexico  
Senate

FIFTY-SEVENTH LEGISLATURE  
FIRST SESSION

March 3, 2025

SENATE FLOOR AMENDMENT number 1 to SENATE TAX, BUSINESS AND  
TRANSPORTATION COMMITTEE  
SUBSTITUTE FOR SENATE BILL  
59

Amendment sponsored by Senator Steve Larwick

1. On page 1, line 12, after "FABRICATION", insert ";  
PROVIDING EXEMPTIONS".

2. On page 3, between lines 1 and 2, insert:

"SECTION 2. A new section of the Public Works Minimum Wage Act  
is enacted to read:

"[NEW MATERIAL] EXEMPTION FOR CERTAIN OFF-SITE FABRICATORS.--

A. The requirements set forth in the Public Works Minimum  
Wage Act shall not apply to off-site fabrication locations unless  
the person using an off-site fabrication location:

(1) is directly contracted by the state or a  
political subdivision of the state for the fabrication of  
components, materials or systems specifically intended for use in a  
public works project; and

(2) fabricates such components, materials or systems  
at a facility located within the state.

B. A contractor or subcontractor on a public works project  
shall not be required to ensure compliance with the Public Works  
Minimum Wage Act for materials, components or prefabricated systems  
procured from third-party manufacturers or suppliers not directly  
contracted by the state or a political subdivision of the state.

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C. The workforce solutions department shall promulgate rules as necessary to implement and enforce this section, ensuring clarity in contract agreements between the state and political subdivisions of the state and persons using off-site fabrication locations."".

3. Renumber the succeeding section accordingly.



Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_