

LFC Requester:

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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****[AgencyAnalysis.nmlegis.gov](https://agencyanalysis.nmlegis.gov) and email to billanalysis@dfa.nm.gov*****(Analysis must be uploaded as a PDF)*****SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}***Date Prepared** 2/10/25*Check all that apply:***Bill Number:** SB0059Original ☐ Correction ☐Amendment ☐ Substitute ☒**Sponsor:** Michael Padilla**Agency Name****and Code**Dept. of Workforce Solutions-631**Number:****Person Writing**Sarita Nair**Short Title:**Public Works
Minimum Wage**Phone:** 505-263-3187**Email** Evan.Sanchez@dws.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
0	0		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
0	0	0		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	50.	50.	50.	150.	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 59 (SB 59) amends the Public Works Minimum Wage Act (PWMWA) to include "off-site fabricators" alongside mechanics and laborers as workers entitled to prevailing wages and benefits. "Off-site fabricators" are defined as those earning wages to fabricate heating, cooling, ventilation, or exhaust systems. The STBTC substitute removes references to other prefabricated components or structures used in public works projects. This expansion clarifies coverage for these workers, aiming to improve wage parity and compliance in public works projects.

FISCAL IMPLICATIONS

The substitute does not change the fiscal impact. The expansion of the scope of the Public Works Minimum Wage Act will necessitate additional administrative resources for enforcement, and for training to ensure staff and stakeholders understand the new requirements. Streamlined reporting requirements for contractors and enhanced internal procedures at DWS could help mitigate the administrative burden and improve enforcement efficiency.

SIGNIFICANT ISSUES

The committee substitute has addressed all significant issues previously identified. The substitute eliminates the reference to "any other fabrication" that is a prefabricated component or structure for use in or on a public works project. The substitute also removes the problematic language regarding the scope of the Act to workers "employed on the project site."

PERFORMANCE IMPLICATIONS

The committee substitute does not raise any additional performance implications, and the narrowing of scope to HVAC pre-fabricators will make monitoring and compliance easier.

ADMINISTRATIVE IMPLICATIONS

The committee substitute addresses previous concerns about the phrase "any other fabrication." DWS will still need to promulgate rules requiring contractors to disclose the covered off-site fabrication in bid submissions to streamline enforcement and provide greater clarity for both employers and employees.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 6 also amends the PWMWA under Section 13-4-11.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Off-site HVAC fabricators will continue to be excluded from the Public Works Minimum Wage Act.

AMENDMENTS