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FISCAL IMPACT REPORT

ORIGINAL DATE 02/06/09

SPONSOR Pinto LAST UPDATED _____ HB _____

SHORT TITLE Radiation Exposure Victim Benefits SB 447

ANALYST Burns

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$150.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to SJM9, SB223 and HB84

SOURCES OF INFORMATION

LFC Files

Responses Received From

Indian Affairs Department (IAD)

Energy Minerals and Natural Resources Department (EMNRD)

Department of Health (DOH)

No Response Received From

Human Services Department (HSD)

SUMMARY

Synopsis of Bill

Senate Bill 447 appropriates \$150 thousand from the general fund to the Indian Affairs Department for the purpose of providing case management services to victims of radiation exposure or their surviving families located in New Mexico so that they may access benefits due to them pursuant to the federal Radiation Exposure Compensation Act.

FISCAL IMPLICATIONS

The appropriation of \$150 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2010 shall revert to the general fund.

According to the December 2008 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$293 million, or 2.6 percent, less than the FY09 appropriation. All appropriations outside of the general appropriation act will be viewed in this declining revenue context.

SB447 would provide funding for continued programmatic support to assist uranium mine and mill workers and their families living in New Mexico to receive the compensation they are due.

SIGNIFICANT ISSUES

SB 447 would appropriate funds to provide case management for qualifying New Mexicans to apply for benefits pursuant to the federal Radiation Exposure Compensation Act (“RECA”). RECA was passed by Congress in 1990 to provide compensation to workers, or specified survivors of workers, who have contracted cancer or other maladies as a result of exposure to atmospheric nuclear testing or high levels of radon while mining, milling, or transporting uranium.

Communities with the greatest number of uranium mining and milling operations have a high number of Hispanic, Native American, and low-income residents. They often do not have resources (legal, financial, or social) to know how to obtain these funds.

RELATIONSHIP

SJM9 encourages Congress to enact amendments to the federal Radiation Exposure Compensation Act (RECA) to extend eligibility to individuals who worked in the uranium industry after January 1, 1972 and to direct federal agencies to compile and report uranium worker health and safety data, to conduct health studies among post-1971 uranium workers and to implement and enforce existing uranium worker health and safety standards.

SB223 contains an appropriation to conduct a comprehensive study of health effects resulting from contamination from past uranium mining and milling activities in New Mexico.

HB84 proposes to enact a Uranium Legacy Cleanup Act.

TECHNICAL ISSUES

The appropriation is made to the Indian Affairs Department, but the bill does not indicate that the funding will be used for Native American citizens. The language should either appropriate the funds to Indian Affairs for Native Americans or be appropriated to an agency which deals in case management.

ALTERNATIVES

The United States Department of Health and Human Services has contracts with two grantees in New Mexico to assist citizens in seeking benefits under the Act. Under the auspices of the Radiation Exposure Screening and Education Program, the Program in Occupational and Environmental Health at the UNM Health Sciences Center and the Northern Navajo Medical

Center in Shiprock provide a range of services to potential beneficiaries.¹ These include medical screening, outreach, education, and assistance in completing applications under the Act. These entities have a number of office locations in the northwest quadrant of New Mexico.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

No appropriation of \$150,000 would be made from the General Fund to the Indian Affairs Department for case management services for victims of radiation exposure or their surviving families in New Mexico receiving benefits due to them pursuant to the Federal Radiation Exposure Compensation Act.

KJB/svb

¹US Department of Health and Human Services, Radiation Exposure and Education Clinics: New Mexico and Navajo Nation, 2009. Retrieved Feb. 4, 2009, <http://ruralhealth.hrsa.gov/radiationexposure/clinics.htm>.