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### FISCAL IMPACT REPORT

|              |                                  |             |          |          |          |
|--------------|----------------------------------|-------------|----------|----------|----------|
| SPONSOR:     | Aragon                           | DATE TYPED: | 02/11/00 | HB       |          |
| SHORT TITLE: | Collective Bargaining Rights, CA |             |          | SB       | SJR22    |
|              |                                  |             |          | ANALYST: | Gonzales |

### APPROPRIATION

(in thousands)

| Appropriation Contained |      | Estimated Additional Impact |         | Recurring<br>or Non-Rec | Fund<br>Affected |
|-------------------------|------|-----------------------------|---------|-------------------------|------------------|
| FY00                    | FY01 | FY00                        | FY01    |                         |                  |
|                         |      |                             | \$ 17.0 | Nonrecurring            | GF               |

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to SB178 , SJCS/SB49, SJR17 and HJR13 (duplicates)

### SOURCES OF INFORMATION

LFC Files. The following agencies also provided an analysis of this bill: Attorney General, Commission on Higher Education,. Environment Department, and Corrections Department.

## **SUMMARY**

### Synopsis of Bill

This bill amends Article XX of the Constitution of New Mexico to give public employees the right to organize and collectively bargain through representatives of their own choosing.

### Significant Issues

If this constitutional amendment is passed by the legislature, it must be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date which may be called for that purpose.

The previous collective bargaining act expired on June 30, 1999. Since that time, public employees have not been represented by any collective bargaining organization unless authorized at the local government level.

## **FISCAL IMPLICATIONS**

The Constitution of New Mexico requires the Secretary of State to publish constitutional amendments passed by the legislature that will appear on a general election ballot in at least one newspaper in each county for at least four consecutive weeks. The cost for the publication is approximately \$17.0. The next general election is in November 2000.

## **ADMINISTRATIVE IMPLICATIONS**

The Secretary of State would be required to perform the necessary steps to place a constitutional amendment on the ballot.

Agency personnel would need to devote time to employer-employee relations required by the constitutional amendment.

## **RELATIONSHIP**

This bill relates to Senate Bill 178 which enacts the Public Employee Bargaining Act (Act) and guarantees collective bargaining for public employees. The bill establishes procedures for recognizing public employee bargaining units and specifies collective bargaining rights and responsibilities for resolving disputes between those bargaining units and state and local public employers.

This bill also relates to the Senate Judiciary Committee Substitute for Senate Bill 49, Public Safety Employee Bargaining Act, which creates the Public Safety Employer - Employee Cooperation Act to facilitate the development of labor-management relationships with shared accountability and to offer fair dispute resolution procedures.

Senate Joint Resolution 17 and House Joint Resolution 13 (duplicate bills) propose to amend Article II of the Constitution of New Mexico with a right to work clause, prohibiting mandatory membership in any social, political, labor or religious organization, prohibit payments of any kind to such organizations as a condition of employment. According to agency analyses, this legislation is basically a "right-to-work" bill and could have an impact on the development of labor unions in New Mexico. The proposal, however, does not ban collective bargaining.

JMG/njw:gm