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## FISCAL IMPACT REPORT

SPONSOR Morales ORIGINAL DATE \_\_\_\_\_  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Federal Radiation Exposure Compensation SM 67

ANALYST Chilton

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		
	None		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Energy, Minerals and Natural Resources Department (EMNRD)

#### Responses Not Received From

Department of Workforce Solutions (DWS)

New Mexico Environment Department (NMED)

### SUMMARY

#### Synopsis of Bill

SM 67, Federal Radiation Exposure Compensation, asks the New Mexico congressional delegation to support US House Bill 994 and US Senate Bill 331, which would expand on compensation for those employed in the uranium mining, processing, and transportation industry before 1990, as well as those downwind of atmospheric nuclear testing done prior to 1990. It further expresses the sense of the New Mexico Senate that the Senate congratulates the members of the New Mexico delegation, all of whom sponsored these companion bills.

### FISCAL IMPLICATIONS

No fiscal impact is identified.

**SIGNIFICANT ISSUES**

Public Law 101-426, passed in 1990, established the “Radiation Exposure Compensation Trust Fund” to compensate those who developed certain forms of cancer and lung disease possibly caused by exposure to airborne radiation from atmospheric nuclear testing or from exposure to radioactivity from uranium mining activities. The act limited compensation for “downwind exposure” to residents of specified parts of Utah, Arizona and Nevada, making no parts of New Mexico or other states eligible. Compensation was limited to \$100,000 at most, with no more than 10% of the settlement amount to be awarded as attorney’s fees. All claims against the fund were to be made within 20 years of passage of the act.

Over the past several years, a number of bills have been introduced into Congress to amend the act. Currently, HR 994, introduced by New Mexico Congressman Ben Ray Luján, co-sponsored and/or supported by the other four members of New Mexico’s Congressional delegation, on February 13, 2015, is in process. HR 994 would amend the Radiation Exposure Compensation Act to broaden a number of its provisions:

- 1) Add parts of New Mexico, as well as parts of Colorado, Idaho and Montana and the remaining parts of Arizona, Nevada and Utah to the previous geographic areas considered “downwind exposure”,
- 2) Extending the allowable uranium mining exposure period to 1990.
- 3) Adding renal cancer and chronic renal disease to compensable illnesses under the act, given uranium industry exposure,
- 4) Increasing the maximum compensation to \$150 thousand,
- 5) Requires the US Attorney General, tasked with determining eligibility for this compensation, to accept written affidavits regarding employment history and presence in the affected areas,
- 6) Increasing the allowable attorney fees, and
- 7) Directing the Secretary of the Health and Human Services Department, through the National Institutes of Health, to perform an epidemiologic study of the impacts of uranium mining and processing on family members of uranium miners.

LAC/jo/jle