NOTE: As provided in LFC policy, this report is intended only for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used in any other situation.

Only the most recent FIR version (in HTML & Adobe PDF formats) is available on the Legislative Website. The Adobe PDF version includes all attachments, whereas the HTML version does not. Previously issued FIRs and attachments may be obtained from the LFC's office in Suite 101 of the State Capitol Building North.

# FISCAL IMPACT REPORT

| SPONSOR:   | Alt | tamirano           | DATE TYPED:     | 02/01/02 | НВ      |        |
|------------|-----|--------------------|-----------------|----------|---------|--------|
| SHORT TITL | E:  | Study Workers' Com | npensation Laws |          | SB      | SJM 24 |
|            |     |                    | ANAL            | YST:     | Woodlee |        |

### **APPROPRIATION**

| Appropriation | on Contained | Estimated Add | <b>A</b> | Recurring<br>or Non-Rec | Fund<br>Affected |
|---------------|--------------|---------------|----------|-------------------------|------------------|
| FY02          | FY03         | FY02          | FY03     |                         |                  |
| NFI           | NFI          | NFI           | NFI      | NFI                     | NFI              |
|               |              |               |          |                         |                  |

(Parenthesis ( ) Indicate Expenditure Decreases)

#### SOURCES OF INFORMATION

Workers' Compensation Administration

#### **SUMMARY**

### Synopsis of Bill

Senate Joint Memorial 24 requests the Legislative Council to assign the study of the Workers' Compensation program to the appropriate interim committee. The joint memorial further resolves that the committee examine the statutes, constitutional provisions, regulations and court decisions governing the workers' compensation laws in New Mexico, consult with and solicit advice from the Director of the Workers' Compensation Administration and the Superintendent of Insurance and recommend any changes, if any, to the first session of the Forty-Sixth Legislature.

# Significant Issues

The joint memorial indicates that an equitable and efficient workers' compensation program is essential to employers, employees and the economic health of New Mexico. Also, SJM-24 states that in 1990, the Legislature substantially rewrote the workers' compensation laws and for the first four years of the new program, a joint interim oversight committee kept legislators informed of the status of the program. The joint memorial indicates that there has been no legislative oversight or study of workers' compensation for over seven years.

The Workers' Compensation Administration indicates that this may be a duplication of effort of the Workers' Compensation Advisory Council, which is a statutorily created entity that serves in an advisory role and may:

- Make recommendations relating to the adoption of rules and legislation;
- Make recommendations regarding the method and form of statistical data collections; and
- Monitor the performance of the workers' compensation and occupational disease disablement system in the implementation of legislative directives.

Additionally, the advisory council is charged to issue a report of its findings and conclusions on or before January 1 of each year. The annual report shall be sent to the Governor, the Superintendent of Insurance, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the minority leaders of both houses and the chairmen of all appropriate committees of each house that review the status of the workers' compensation and occupational disease disablement system.

## FISCAL IMPLICATIONS

There is no appropriation or significant fiscal implication associated with this bill.

MW/prr