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HOUSE MEMORIAL 5

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Peter Wirth

A MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF ENVIRONMENT TO CONVENE A TASK FORCE TO DEVELOP A COMPREHENSIVE MERCURY REDUCTION ACTION PLAN FOR NEW MEXICO.

WHEREAS, mercury is a naturally occurring element that has many industrial and commercial uses; and

WHEREAS, human activities are primarily responsible for high mercury levels that frequently contaminate air and water; and

WHEREAS, unnaturally high levels of mercury in the environment pose a significant risk to health, the economy and wildlife; and

WHEREAS, mercury persists indefinitely in the environment and biomagnifies in the food chain; and

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1 WHEREAS, at least twenty-six bodies of water in New Mexico
2 have fish advisories due to mercury contamination; and

3 WHEREAS, mercury is a potent neurotoxin that can
4 permanently damage the brain and nervous system, as well as
5 harm the kidneys, liver, heart and reproductive system; and

6 WHEREAS, unborn and young children are especially
7 vulnerable to the toxic effects of mercury; and

8 WHEREAS, the United States centers for disease control and
9 prevention estimate that one in twelve women of childbearing
10 age in the United States has an elevated level of mercury in
11 her body; and

12 WHEREAS, the national academy of sciences estimated that
13 "over six hundred thousand children are born each year at risk
14 for adverse neurodevelopmental effects due to in utero exposure
15 to methyl mercury"; and

16 WHEREAS, the department of health and the department of
17 environment estimate that over four thousand children born in
18 New Mexico each year are at risk for neurologic deficits from
19 in utero exposure to mercury; and

20 WHEREAS, according to the United States agency for toxic
21 substances and disease registry, the primary ways people are
22 exposed to mercury are through eating mercury-contaminated fish
23 and from dental amalgams; and

24 WHEREAS, mercury has been targeted by the United States
25 environmental protection agency and most state governments for

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1 being one of the most critical pollutants for elimination or
2 reduction; and

3 WHEREAS, the quicksilver caucus was formed in May 2001 by
4 a coalition of state environmental association leaders to
5 collaboratively develop holistic approaches for reducing
6 mercury in the environment, and caucus members include the
7 association of state and territorial solid waste management
8 officials; the association of state and territorial air
9 pollution program administrators; the association of state and
10 interstate water pollution control administrators; and the
11 association of state drinking water administrators; and

12 WHEREAS, in a 2005 survey, twenty-two states reported that
13 they had a comprehensive mercury reduction action plan or a
14 plan in development, including Colorado, Arizona and Oklahoma;
15 and

16 WHEREAS, New Mexico has no comprehensive mercury reduction
17 action plan; and

18 WHEREAS, Article 20, Section 21 of the constitution of New
19 Mexico affirms that "the protection of the state's beautiful
20 and healthful environment is hereby declared to be of
21 fundamental importance to the public interest, health, safety
22 and the general welfare" and that "[the legislature shall
23 provide for control of pollution and control of despoilment of
24 the air, water and other natural resources of this state,
25 consistent with the use and development of these resources for

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1 the maximum benefit of the people";

2 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
3 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the department
4 of health and the department of environment be requested to
5 convene a task force to develop a comprehensive mercury
6 reduction action plan to reduce harm from exposure to mercury
7 in New Mexico; and

8 BE IT FURTHER RESOLVED that the task force include
9 representation from appropriate state agencies; tribes;
10 universities; and environmental, health and other
11 nongovernmental organizations; and

12 BE IT FURTHER RESOLVED that the task force report its
13 action plan to the legislative health and human services
14 committee and to the interim legislative committee that studies
15 water and natural resources issues at their October 2006
16 meetings; and

17 BE IT FURTHER RESOLVED that a copy of this memorial be
18 transmitted to the secretary of health and the secretary of
19 environment.