

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Underscored material = new
[bracketed material] = delete

HOUSE BILL 421

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

PATSY TRUJILLO KNAUER

AN ACT

RELATING TO THE ENVIRONMENT; ESTABLISHING AN OFFICE OF CHILDREN'S ENVIRONMENTAL PROTECTION; CREATING A TEMPORARY TASK FORCE ON ENVIRONMENTAL HEALTH RISKS AND SAFETY RISKS TO CHILDREN; PROVIDING POWERS AND DUTIES; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. [NEW MATERIAL] FINDINGS. -- The legislature finds that a growing body of scientific knowledge demonstrates that children suffer disproportionately from environmental health risks and safety risks. These risks arise in part because children's neurological, immunological, digestive and other bodily systems are still developing. The legislature finds that it is important to address these risks and to assure New Mexico families that the state is concerned about

Underscored material = new
[bracketed material] = delete

1 protecting their children's environment.

2 Section 2. A new section of the Department of
3 Environment Act is enacted to read:

4 "[NEW MATERIAL] OFFICE OF CHILDREN'S ENVIRONMENTAL
5 PROTECTION-- DUTIES. --The "office of children's environmental
6 protection" is created as a division within the department of
7 environment. The office shall:

8 A. identify and assess environmental health risks
9 and safety risks that may disproportionately affect children;

10 B. develop policies, programs, activities and
11 standards that address disproportionate risks to children that
12 result from environmental health risks or safety risks;

13 C. disseminate information about and policies and
14 programs to address environmental health risks and safety
15 risks to schools and other agencies and entities with programs
16 or facilities for children;

17 D. work with the superintendent of public
18 instruction and the state board of education to carry out a
19 program to measure electric and magnetic fields in public
20 schools and private schools and daycare centers that receive
21 federal or state funds to establish guidelines for reducing
22 electric and magnetic field levels as outlined in the electric
23 and magnetic field checklist for school buildings and grounds
24 construction, a study funded by the United States department
25 of energy;

Underscored material = new
[bracketed material] = delete

1 E. work with the superintendent of public
2 instruction and the state board of education to carry out a
3 survey of other known health hazards in public schools and in
4 private schools and daycare centers that receive federal or
5 state funds;

6 F. require each state agency to review its
7 policies, programs, activities and standards, in accordance
8 with guidelines set by the office, to ensure that none involve
9 disproportionate health risks or safety risks to children;

10 G. coordinate the efforts of all state agencies
11 dealing with children's environmental health risks and safety
12 risks; and

13 H. establish liaisons with appropriate federal,
14 local, tribal, private and nonprofit offices and agencies
15 addressing children's environmental health risks and safety
16 risks. "

17 Section 3. TEMPORARY PROVISION--TASK FORCE ON
18 ENVIRONMENTAL HEALTH RISKS AND SAFETY RISKS TO CHILDREN--
19 MEMBERSHIP--DUTIES.--

20 A. The "task force on environmental health risks
21 and safety risks to children" is created for the period from
22 the effective date of this act until December 1, 1999. The
23 task force shall consist of the lieutenant governor; the
24 secretary of environment; the secretary of health; the
25 secretary of children, youth and families; the superintendent

Underscored material = new
[bracketed material] = delete

1 of regulation and licensing; the superintendent of public
2 instruction; the secretary of energy, minerals and natural
3 resources; the attorney general or his designee and six
4 persons appointed to serve as children's ombudsmen. One
5 children's ombudsman shall be appointed by the governor, one
6 by the New Mexico supreme court, one by the speaker of the
7 house of representatives, one by the minority leader of the
8 house of representatives, one by the president pro tempore of
9 the senate and one by the minority leader of the senate.

10 B. The lieutenant governor shall serve as chairman
11 of the task force and shall convene the task force within ten
12 days of the effective date of this act.

13 C. The task force shall have the power to subpoena
14 an individual, commission, council, agency, department or any
15 other entity to appear in person or to produce documents under
16 their control for the purpose of obtaining information
17 relevant to its mission.

18 D. The task force shall make recommendations to
19 the secretary of environment on organizing and operating the
20 office of children's environmental protection in the most
21 appropriate and effective way to carry out its mission. The
22 task force shall ensure that the office of children's
23 environmental protection is established immediately and can
24 begin as soon as possible to initiate the program to measure
25 electric and magnetic fields in the public schools.

. 122684. 1

Underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Section 4. APPROPRIATION.--One million dollars (\$1,000,000) is appropriated from the general fund to the department of environment for expenditure in fiscal years 1998 and 1999 to establish and operate the office of children's environmental protection and carry out the provisions of this act. Any unexpended or unencumbered balance remaining at the end of fiscal year 1999 shall revert to the general fund.

Section 5. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.