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1 9 9 6

I N T R O D U C E D  B Y
M I C H A E L  C .  W I E N E R

A  J O I N T  M E M O R I A L
REQUESTING THE CONSTRUCTION INDUSTRIES DIVISION OF THE
REGULATION AND LICENSING DEPARTMENT TO CREATE A SPECIALTY
LICENSE FOR RESIDENTIAL LEAD-BASED PAINT ABATEMENT.

WHEREAS, lead poisoning is the number one preventable
environmental health threat to children and causes irreversible
damage; and

WHEREAS, there are currently no regulations governing
residential lead-based paint abatement, cleanup or removal in
New Mexico and improper abatement can create a serious health
hazard for children and adults; and

WHEREAS, the United States environmental protection agency
is issuing regulations to implement the Residential Lead-Based
Paint Hazard Reduction Act of 1992 (Title X), which requires
disclosure of lead-based paint hazards prior to sale and rental of housing constructed before 1978 and establishes specific training and certification requirements for contractors who engage in lead testing and abatement;

WHEREAS, buyers and sellers of real estate in New Mexico will need access to contractors trained and licensed for lead-based paint abatement when the Lead-Based Paint Disclosure Rule of Title X is implemented in order to be in compliance with federal law and avoid undue liability and financial risk; and

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the construction industries division of the regulation and licensing department, in cooperation with the department of health, be requested to use its existing license classifications and procedures to issue a specialty license for residential lead-based paint abatement prior to the Lead-Based Paint Disclosure Rule of Title X taking effect; and

BE IT FURTHER RESOLVED that the department of health be requested to review and analyze programs and legislation established by other states in order to develop a comprehensive plan for protecting New Mexico citizens from lead-based paint hazards and conduct a cost/benefit analysis of the plan; and

BE IT FURTHER RESOLVED that the department of health be requested to develop educational materials to inform the public and professional organizations about lead poisoning prevention, real estate disclosure, lead testing and abatement; and
BE IT FURTHER RESOLVED that the department of health and
the regulation and licensing department submit full reports to
the legislative health and human services committee by November
15, 1996; and

BE IT FURTHER RESOLVED that copies of this memorial be
transmitted to the secretary of health and the superintendent of
regulation and licensing.

- 3 -
Mr. President:

Your RULES COMMITTEE, to whom has been referred

SENATE JOINT MEMORIAL 20

has had it under consideration and reports same with recommendation that it DO PASS, and thence referred to the

CONSERVATION COMMITTEE.

Respectfully submitted,

Gloria Howes, Chairman

Adopted_______________________ Not Adopted_______________________
Date ________________________

The roll call vote was 4 For 1 Against
Yes: 4
No: Donisthorpe
Excused: Altamirano, Aragon, EJennings, Romero
Absent: 0

SJ020RU1
Mr. President:

Your CONSERVATION COMMITTEE, to whom has been referred SENATE JOINT MEMORIAL 20 has had it under consideration and reports same with recommendation that it DO PASS.

Respectfully submitted,

______________________________
TOM R. BENAVIDES, Chairman

Adopted ______________________ Not Adopted ______________________

(Chief Clerk)                        (Chief Clerk)

109102.2
The roll call vote was 6 For 0 Against
Yes: 6
No: 0
Excused: Tsosie, Vernon, Wray
Absent: 0

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