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**SENATE JOINT MEMORIAL 54**

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

**INTRODUCED BY**

**Bernadette M Sanchez**

**FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE**

**A JOINT MEMORIAL**

**REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AN INTERAGENCY  
PRECAUTIONARY PRINCIPLE TASK FORCE TO IDENTIFY WAYS TO  
IMPLEMENT THE PRECAUTIONARY PRINCIPLE IN NEW MEXICO, INCLUDING  
PROMOTION OF ENVIRONMENTALLY SAFER SCHOOLS AND HEALTH CARE  
FACILITIES, TO ADOPT INTEGRATED PEST MANAGEMENT PROGRAMS IN  
STATE BUILDINGS AND TO ASSESS THE ECONOMIC BENEFITS TO THE  
STATE OF APPLYING A PRECAUTIONARY APPROACH.**

**WHEREAS, every New Mexican has an equal right to a healthy  
and safe environment; and**

**WHEREAS, Article 20, Section 21 of the constitution of New  
Mexico affirms that "the protection of the state's beautiful  
and healthful environment is hereby declared to be of  
fundamental importance to the public interest, health, safety  
and the general welfare. The legislature shall provide for**

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1 control of pollution and control of despoilment of the air,  
2 water and other natural resources of this state, consistent  
3 with the use and development of these resources for the maximum  
4 benefit of the people."; and

5 WHEREAS, a principle for guiding activities to prevent  
6 harm to the environment and harm to human health has been  
7 emerging during the last fifteen years and is known as the  
8 precautionary principle; and

9 WHEREAS, the precautionary principle holds that when an  
10 activity threatens harm to human health or to the environment,  
11 precautionary measures should be taken, even if cause-and-  
12 effect relationships are not fully established scientifically;  
13 and

14 WHEREAS, taking precautionary action is the common sense  
15 idea behind many adages, such as "be careful", "better safe  
16 than sorry" and "look before you leap" and is inherent in the  
17 understanding of the Hippocratic oath of "first, do no harm";  
18 and

19 WHEREAS, the concept of precautionary action is the basis  
20 of many activities designed to protect the health and safety of  
21 United States citizens, such as requirements of the federal  
22 food and drug administration that call for new drugs to be  
23 tested before they are placed on the market and requirements of  
24 the federal Occupational Safety and Health Act of 1970 that  
25 require employers to provide safe workplaces and working

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1 conditions; and

2 WHEREAS, the precautionary principle has been incorporated  
3 in international environmental treaties and in health,  
4 environment and educational policies of numerous governmental  
5 entities in the United States, including the city of San  
6 Francisco and the state of Massachusetts; and

7 WHEREAS, many New Mexicans are exposed to hazardous toxins  
8 in their homes, schools, workplaces and communities and can  
9 suffer negative health consequences as a result; and

10 WHEREAS, the precautionary principle is a highly effective  
11 decision-making tool for reducing negative and costly effects  
12 on public health resulting from exposure to environmental  
13 toxins; and

14 WHEREAS, there are approximately eighty-five thousand  
15 industrial chemicals in use today, most of which have not been  
16 adequately tested for toxicity; and

17 WHEREAS, many conditions, including asthma, cancer,  
18 Alzheimer's disease, Parkinson's disease, birth defects and  
19 chemical sensitivities, have been linked to environmental  
20 toxins; and

21 WHEREAS, the precautionary principle focuses on  
22 opportunities to promote environmental and economic justice,  
23 including meaningful participation of communities in decisions  
24 affecting their citizens' health, to protect the environment  
25 and to safeguard the health of all New Mexicans;

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1           NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
2 STATE OF NEW MEXICO that the department of health establish an  
3 interagency precautionary principle task force that includes  
4 representatives of communities, business, labor,  
5 municipalities, hospital and health care systems and  
6 appropriate state agencies to identify ways to implement the  
7 precautionary principle in New Mexico; and

8           BE IT FURTHER RESOLVED that the task force identify  
9 methods to stimulate further implementation of the federal  
10 environmental protection agency's indoor air quality program  
11 known as "Tools for Schools" to promote safer environments for  
12 children in the public school system; and

13           BE IT FURTHER RESOLVED that the task force select ways to  
14 implement a safe products and safe practices program in health  
15 care facilities that includes recommendations for products and  
16 practices related to construction, maintenance and pest  
17 management in those facilities; and

18           BE IT FURTHER RESOLVED that the task force assist the  
19 general services department in creating and implementing an  
20 integrated pest management program for state buildings and  
21 grounds; and

22           BE IT FURTHER RESOLVED that the task force assist the  
23 economic development department in identifying opportunities  
24 for and benefits to businesses and industries resulting from  
25 the application of the precautionary principle; and

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1 BE IT FURTHER RESOLVED that the task force encourage  
2 municipalities to identify and assess the benefits of  
3 implementing precautionary principle ordinances and policies in  
4 such areas as land use, vehicle choices and maintenance  
5 practices, pest management and purchasing of cleaners, building  
6 and remodeling materials, office supplies and electronic  
7 equipment; and

8 BE IT FURTHER RESOLVED that the task force submit reports  
9 on its findings, recommendations and progress to the  
10 legislative health and human services committee at its October  
11 2005 meeting; and

12 BE IT FURTHER RESOLVED that copies of this memorial be  
13 sent to the secretaries of health, environment, public  
14 education, economic development and general services.