ASSEMBLY, No. 2077

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman CLINTON CALABRESE
District 36 (Bergen and Passaic)

SYNOPSIS

Establishes task force to study presence of mercury in floors of certain facilities.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT establishing a task force to study mercury exposure.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. There is established in the Department of Health the Task Force on Mercury Exposure in Schools and Child Care Centers. The duties of the task force shall include: examining the health risks associated with flooring that contains mercury; developing best practices with regard to testing the floors of public and nonpublic schools and licensed child care centers to determine whether mercury is present; establishing standards for the remediation of flooring containing mercury; and developing strategies and protocols to assist schools and child care centers to implement the best practices developed by task force.

b. The task force shall comprise 15 members, as follows:

(1) the Commissioner of Health, the Commissioner of Environmental Protection, the Commissioner of Education, the Commissioner of Community Affairs, and the Commissioner of Children and Families, or their designees, who shall serve ex officio; and

(2) ten public members, with two each to be appointed by the Governor, the Senate President, the Speaker of the General Assembly, the Minority Leader of the Senate, and the Minority Leader of the General Assembly. The public members shall have knowledge and experience with regard to identifying and addressing environmental health risks in schools and child care centers, as well as with regard to the particular risks to the public health associated with building materials containing mercury.

c. Appointments to the task force shall be made no later than 30 days after the effective date of this act.

d. The task force shall organize as soon as practicable, but no later than 30 days following the appointment of its members. The task force shall choose a chairperson from among its members and may appoint a secretary who need not be a member of the task force.

e. Members of the task force shall serve without compensation, but shall be reimbursed for necessary expenditures incurred in the performance of their duties as members of the task force within the limits of funds appropriated or otherwise made available to the task force for its purposes.

f. The Department of Health shall provide stenographic, clerical, and other administrative assistants, and such professional staff as the task force requires to carry out its work. The task force shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available for its purposes.

g. No later than one year after its organization, the task force shall submit to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature, a report containing the findings and recommendations of the task force, including the standards, best practices, and strategies and protocols developed pursuant to subsection a. of this section, and any recommendations for legislative, regulatory, or local government action to address issues related to the presence of mercury in schools and child care centers in New Jersey. The task force shall dissolve upon submission of the report required pursuant to this subsection.

2. This act shall take effect immediately and shall expire upon submission of the task force report.

STATEMENT

This bill establishes the Task Force on Mercury Exposure in Schools and Child Care Centers. The task force will be established in the Department of Health, and its duties will include: examining the health risks associated with flooring that contains mercury; developing best practices with regard to testing the floors of schools and licensed child care centers to determine whether mercury is present; establishing standards for remediation of flooring containing mercury; and developing strategies and protocols to assist schools and child care centers to implement the best practices developed by task force.

The task force will comprise 15 members, including the Commissioners of Health, Environmental Protection, Education, Community Affairs, and Children and Families, or their designees, who will serve ex officio; and 10 public members, with two each appointed by the Governor, the Senate President, the Speaker of the General Assembly, the Minority Leader of the Senate, and the Minority Leader of the General Assembly. The public members are to have knowledge and experience with regard to identifying and addressing environmental health risks in schools and child care centers, as well as with regard to the particular risks to the public health associated with building materials containing mercury.

Appointments to the task force are to be made no later than 30 days after the effective date of the bill, and the task force is to organize as soon as practicable, but no later than 30 days following the appointment of its members. The task force will choose a chairperson from among its members and may appoint a secretary who need not be a member of the task force. Members of the task force will serve without compensation, but will be reimbursed for necessary expenditures incurred in the performance of their duties within the limits of available funding.

The Department of Health will provide stenographic, clerical, and other administrative assistants, and such professional staff as the task force requires to carry out its work. The task force will be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available for its purposes.

No later than one year after its organization, the task force will be required to submit a report to the Governor and to the Legislature containing its findings and recommendations, including the standards, best practices, and strategies and protocols developed by the task force, and any recommendations for legislative, regulatory, or local government action to address issues related to the presence of mercury in schools and child care centers in New Jersey. The task force will dissolve upon submission of its report.

Reports suggest that some types of polyurethane flooring commonly used in school buildings, including in multipurpose rooms, gyms, cafeterias, auditoriums, stages, and indoor and outdoor tracks, contains a chemical that releases odorless, colorless mercury vapor, which can damage the nervous system, kidneys, lungs, eyes, and skin, and may be particularly harmful to the development of young children. It is the sponsor’s intent that New Jersey develop appropriate strategies to detect and remediate mercury hazards in schools and child care centers.