

LEGISLATIVE FISCAL ESTIMATE TO

SENATE, No. 968

STATE OF NEW JERSEY

DATED: JANUARY 24, 1997

Senate Bill No. 968 of 1996 requires the Department of Health and Senior Services (DHSS), in consultation with the Department of Environmental Protection (DEP), to prepare a consumer's mercury alert notice for posting in all patient areas of professional medical offices that provide gynecological, obstetrical or pediatric care and in all patient or client areas of maternal and child health and nutrition programs. The notice would explain the danger to women who expect to become pregnant, women who are pregnant or breast feeding their children, and young children, of eating mercury contaminated fish. The notice would also summarize the State's and the federal government's most current health advisories concerning fish consumption. In addition, DEP, in consultation with DHSS, would be required to prepare a consumer's guide to mercury health advisories for the consumption of fresh water fish which would be distributed to all applicants for a State fishing license at the time the license is issued.

The bill also requires DEP, in consultation with DHSS, to establish and maintain a telephone service to provide information to residents of the State about mercury health advisories for the consumption of fresh water fish. This telephone number would be listed on the notices posted in medical offices and maternal and child health and nutrition program facilities, on the consumer's guide prepared by DEP, and on all fishing licenses issued after the effective date of the bill.

DHSS, DEP and the Office of Management and Budget have not provided any information on this legislation. However, on a prior identical bill, Senate Bill No. 1744 (1R) of 1995, DHSS estimated that its costs would increase by \$26,000, \$2,000 and \$2,000, respectively, in each of the next three fiscal years for materials and supplies. This is based on an estimated 5,000 medical offices and maternal and child health and nutrition program facilities receiving three notices each at a cost of \$1 per notice for production and approximately \$2.20 per facility for distribution. No information was provided by DEP.

The Office of Legislative Services (OLS) concurs that DHSS' estimate of production and distribution costs appears reasonable. OLS further estimates that DEP's costs for preparing a consumer's guide to mercury health advisories and distributing it to every applicant for a fishing license would be approximately \$220,660 in the first year. Using the production and distribution costs estimated by DHSS, this is based on 220,000 guides being produced and distributed to 300 establishments across the State, as there are an estimated 220,000

fishing licenses issued per year and roughly 300 establishments that issue the licenses. DEP may also need to hire an additional person to establish and maintain the telephone service to provide information to residents concerning mercury health advisories, pursuant to the bill.

The OLS also notes that DHSS and DEP may incur some costs in future fiscal years to maintain a supply of notices and guides for new facilities or additional requests; however, as the bill expires on December 31, 1998, these costs would only be incurred in FY 1998 and half of FY 1999. In addition, if the notice or guide requires updating prior to December 31, 1998, similar production and distribution costs will be incurred by DHSS and DEP for a second or subsequent printing and distribution.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.