

# Between a rock and a hard place

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You've got to hand it to state Sen. Gloria Romero, D-Los Angeles, who obviously knows a burning issue in need of a legislative fire retardant when she sees one. And, really, who can argue with her premise that there is no more pressing matter right now than the fitness of a rock called serpentine to remain as the state's official geological symbol?

After all, it's not as if California has a \$20-billion budget deficit to close, overcrowded prisons or underfunded schools teetering on the brink or anything.

What's that, you say? You've never heard of serpentine and didn't know there even was such a thing as a state rock? Well, there is and serpentine has had this distinction since 1965. At the time, lawmakers not only wanted to honor the greenish rock found in 42 of the state's 58 counties but also hoped to spur interest in its commercial mining uses. You see, a key mineral in the rock once known as serpentinite is asbestos, which used to be a staple of the building industry and was generally considered a positive, and therefore promotable, thing.

Not so much anymore, though, as asbestos, a leading cause of an especially deadly form of cancer called mesothelioma, enjoys about the same crowd-pleasing stature as hemlock in the public mind. That's why Romero says she wants serpentine replaced as the state rock, because of its unfortunate association with asbestos.

There is some question as to just how big a threat to public health is posed by the asbestos in serpentine. While no consensus exists within the scientific community, the U.S. Environmental Protection Agency is of the opinion that as long as it remains a naturally occurring element in the rock and isn't released into the air, the risk falls somewhere between infinitesimal and nonexistent.

There is a more sinister aspect to this emerging public health problem that suggests a latent profit motive in Romero's legislative remedy. Anyone who has ever watched late-night television has seen the legal ads trolling for mesothelioma sufferers and/or their survivors to file suit on the basis of exposure to asbestos in the workplace. According to a 2005 Rand Institute for Civil Justice study, asbestos litigation is a \$70 billion industry, and California represents the mother lode of all wrongful-death suits filed to date.

Romero's bill is seen by some as a sop to trial lawyers who would like to open a new avenue of asbestos litigation in the Golden State, that is, naturally occurring instead of the airborne variety. It doesn't help that she has admitted the language of her bill was co-written by the Asbestos Awareness Organization, which is funded in large part by firms specializing in asbestos litigation.

The great state rock debate may or may not be the latest example of special interests trumping the public interest, but what is certain is that the time and money being spent on resolving this issue could be put to better use on any number of more immediate problems facing the citizens of California. What California really needs at this time isn't a state rock, but an official ditherer.

And we nominate Gloria Romero.

**THE ISSUE:** California Sen. Gloria Romero, D-Los Angeles, wants serpentine replaced as the state rock.  
**WE SAY:** There's a \$20-billion state deficit, but once again special interests may be trumping the public interest.