

The state rock

Bill to defrock state rock brings more intrigue to Sacramento, 7-21-10

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Chances are most Californians don't know that we have an official state flower (the golden poppy).

There's a state dance (western swing), not to be confused with the state folk dance (square).

And there are about 30 other officially sanctioned, and equally trivial, symbols, a list that includes a state insect (the California dogface butterfly) and not one, but two state ghost towns (Bodie and Calico).

There's also a state rock. That fact probably escaped most of us, too, with no harm done. But if you've been following the news, you know that trial lawyers, cancer patients and geologists are fighting over the fate of serpentine.

Serpentine is a shiny, smooth metamorphic rock that's formed under the ocean where tectonic plates collide, then pushed upward. Geologists say it's found in 42 of California's 58 counties and was plentiful in areas where miners discovered gold. It's now used for carving and jewelry, and it has been the state rock since 1965. Unfortunately, serpentine also can contain asbestos.

Exposure to asbestos can cause mesothelioma, a form of cancer that kills about 2,500 Americans annually, according to the Centers for Disease Control and Prevention. State Sen. Gloria Romero says that's why she joined the campaign to "drop the rock."

"This is a question of health and public awareness," the Los Angeles Democrat told the Associated Press. "We know that California has the highest rates of mesothelioma deaths in the nation, and we don't think it's appropriate to be celebrating as the state rock something which contains asbestos."

Romero's explanation would be more credible if her bill wasn't the result of gut-and-amend, a maneuver commonly used in Sacramento to mask the purpose of special interest bills. Senate Bill 624 originally addressed the membership of garbage disposal district boards, and it cleared the state Senate as a bill to define "anaerobic digestion," which supposedly was needed to clear up a conflict over composting.

After it reached the Assembly, Romero's bill was rewritten and now states that serpentine "contains the deadly mineral chrysotile asbestos, a known carcinogen, exposure to which increases the risk of the cancer mesothelioma."

The amended bill is awaiting a floor vote, but there's been a groundswell of opposition to SB 624 since it zipped largely unnoticed through the Assembly Natural Resources Committee. Tort reform advocates believe it would tip the scales in asbestos litigation in California. The lawsuits already can be lucrative, with average jury awards of \$4 million, according to a RAND Corp. study. Rock hounds also object, some saying serpentine's qualities make it a natural symbol for California, and others saying that it's no more dangerous than scores of other rocks that can contain asbestos.

Romero insists that she isn't doing the bidding of trial lawyers or trying to sneak her bill through.

If that's true, she shouldn't object to returning to committee for a thorough and open consideration of whether there's any need for a state rock and whether her proposal is a mining expedition by plaintiff's lawyers handling asbestos litigation.

Considering that lawmakers have a boulder hanging over their heads — the state's \$19 billion deficit — this bill ought to wait until next year. Afterall, that's a nanosecond in geologic time.