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SENATE BILL 446

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Dede Feldman

AN ACT

RELATING TO THE ENVIRONMENT; AUTHORIZING A POLLUTION PREVENTION PROGRAM; PROVIDING FOR CERTAIN BUSINESS SENSITIVE INFORMATION TO BE CONFIDENTIAL AND NOT SUBJECT TO THE PUBLIC RECORDS ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Environmental Improvement Act is enacted to read:

" NEW MATERIAL GREEN ZIA PROGRAM - BUSINESS SENSITIVE INFORMATION CONFIDENTIAL. - -

A. The department may develop and administer a pollution prevention program to be known as the "green zia program". The department may enter into contracts with the federal government, promulgate rules and take other actions appropriate and necessary to produce an efficient and

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effective program.

B. Information provided to the department in accordance with the green zia program may be subject to confidentiality if the person furnishing the information demonstrates to the department that the information would divulge confidential business records or methods or processes entitled to protection as trade secrets. If the department determines that the information is subject to confidentiality, the secretary shall promulgate a determination of confidentiality with an order of confidentiality. Confidential information may be disclosed to employees or authorized representatives of the department, but they shall not disclose the information to any other person. "