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HOUSE MEMORIAL 56

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Jeff Steinborn

A MEMORIAL

REQUESTING THE DEPARTMENT OF ENVIRONMENT TO STUDY THE POTENTIAL
FOR PRODUCT STEWARDSHIP PROGRAMS IN NEW MEXICO.

WHEREAS, "producer" means a person who:

A. has legal ownership of the brand of a product
sold in or into New Mexico;

B. imports a product branded by a person that meets
the requirements of Subsection A of this definition and has no
physical presence in the United States; or

C. sells a product in New Mexico at wholesale or
retail, does not have legal ownership of the brand of the
product and elects to fulfill the responsibilities of the
producer for that product; and

WHEREAS, "product" means an item intended for sale within
New Mexico that is identified as appropriate for a product

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1 stewardship program; and

2 WHEREAS, "product stewardship" means a producer that
3 takes responsibility for managing and reducing the life-cycle
4 impacts of the producer's product, including recycling of
5 product after purchase or recycling of surplus inventory; and

6 WHEREAS, a "product stewardship program" means a program
7 that is either managed or provided by producers and includes
8 the collection, transportation, reuse and recycling or disposal
9 of products;

10 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
11 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the department
12 of environment be requested to organize a task force of
13 stakeholders and those with technical expertise from within and
14 without state government to collect information available in
15 the public domain regarding products in the waste stream and to
16 assist the legislature in designating products or product
17 categories for product stewardship programs; and

18 BE IT FURTHER RESOLVED that the department of environment
19 report its findings and recommendations to the appropriate
20 interim committee designated by the New Mexico legislative
21 council by December 1, 2013 on products and product categories
22 that when generated as waste may be appropriately managed under
23 a product stewardship program, including recommendations for
24 establishing new product stewardship programs and changes to
25 existing product stewardship programs; and

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1 BE IT FURTHER RESOLVED that the report further recommend
2 any changes to statute to facilitate desired product
3 stewardship goals; and

4 BE IT FURTHER RESOLVED that if there are existing product
5 stewardship programs nationally that are willing to voluntarily
6 serve New Mexico, the department of environment be requested to
7 facilitate the establishment of them in New Mexico; and

8 BE IT FURTHER RESOLVED that the department of environment
9 be requested to further identify a product or product category
10 as a candidate for a product stewardship program if the
11 department determines one or more of the following criteria are
12 met:

13 A. the product or product category is found to
14 contain toxins that pose the risk of an adverse impact to the
15 environment or public health and safety;

16 B. a product stewardship program for the product
17 will increase the recovery of materials for reuse and
18 recycling;

19 C. a product stewardship program will reduce the
20 costs of waste management to local governments and taxpayers;

21 D. there is success in collecting and processing
22 similar products in programs in other states or countries; and

23 E. existing voluntary product stewardship programs
24 for the product in the state are not successful; and

25 BE IT FURTHER RESOLVED that a copy of this memorial be

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1 transmitted to the secretary of environment.

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