

1 A MEMORIAL

2 REQUESTING THE NEW MEXICO RECYCLING COALITION TO CREATE A  
3 PRODUCT STEWARDSHIP ADVISORY GROUP TO STUDY NECESSARY STEPS  
4 TO IMPLEMENT PRODUCT STEWARDSHIP PROGRAMS IN NEW MEXICO.  
5

6 WHEREAS, in 1990, New Mexico enacted the Solid Waste Act  
7 and established the priorities of recycling and the diversion  
8 of waste materials into useful products; and

9 WHEREAS, the Solid Waste Act set a statewide goal to  
10 attain a twenty-five percent recycling rate by 1995 and a  
11 further goal to increase the recycling rate to fifty percent  
12 by 2000; and

13 WHEREAS, New Mexico communities now have initial  
14 recycling infrastructures in place and are poised to work in  
15 concert with the state to expand recycling and increase  
16 diversion rates and the state's recycling rate stands at  
17 sixteen percent; and

18 WHEREAS, in recent years, New Mexico has seen vast  
19 improvements in access to recycling, with eighty-seven  
20 percent of incorporated communities now having either  
21 drop-off options or curbside collections; and

22 WHEREAS, "producer" means a person or business that:

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

25 B. imports a product branded by a person that

1 meets specific requirements of Subsection A of this  
2 definition and has no physical presence in the United States;  
3 or

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

8 WHEREAS, "product" means an item intended for sale  
9 within New Mexico that is identified as appropriate for a  
10 product stewardship program; and

11 WHEREAS, "product stewardship" means a producer that  
12 takes responsibility for managing and reducing the life-cycle  
13 impacts of the producer's product, including recycling of the  
14 product after purchase or recycling of surplus inventory; and

15 WHEREAS, "product stewardship program" means a program  
16 that is either managed or provided by producers, with  
17 government oversight, and includes the collection,  
18 transportation and reuse and recycling or disposal of  
19 products; and

20 WHEREAS, "recycling market development zone" means an  
21 economic development program that focuses on recycling as an  
22 economic development tool and includes incentives for  
23 businesses to use recycled materials in manufacturing  
24 processes and to create new products for sale; and

25 WHEREAS, a recycling market development zone also

1 benefits businesses or individuals who collect, process and  
2 distribute recycled materials; and

3 WHEREAS, in 2013, the house of representatives passed a  
4 memorial that resolved that the next step toward implementing  
5 a product stewardship program in New Mexico would include  
6 forming a task force of a variety of stakeholder  
7 organizations and facilitate additional product stewardship  
8 research, product material management data, stakeholder input  
9 into program development and recommended legislative changes  
10 to statute to facilitate the desired stewardship goals; and

11 WHEREAS, in 2014, the house of representatives passed a  
12 memorial that a task force develop recommendations for  
13 legislative and state agency actions designed to enable  
14 New Mexico to attain the fifty percent recycling rate goal  
15 established in the Solid Waste Act, including budget  
16 recommendations and a projected time line; and

17 WHEREAS, an objective outlined in the New Mexico  
18 recycling coalition's strategic plan is for the organization  
19 to serve as a leader, convener and initiator of policy  
20 initiatives and education programs to create pertinent local,  
21 state and institutional initiatives; and

22 WHEREAS, economic incentives, such as recycling market  
23 development zones, could bring new facilities to New Mexico  
24 to develop product stewardship operations and combine  
25 economic development with diverting waste from landfills;

1           NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE  
2 STATE OF NEW MEXICO that the New Mexico recycling coalition  
3 be requested to organize a product stewardship advisory  
4 group; and

5           BE IT FURTHER RESOLVED that the product stewardship  
6 advisory group include stakeholders from municipal  
7 government, the department of environment, the economic  
8 development department, the New Mexico manufacturing  
9 extension, industry representatives and any other appropriate  
10 stakeholders with technical expertise in product stewardship,  
11 solid waste management and recycling; and

12           BE IT FURTHER RESOLVED that the product stewardship  
13 advisory group be requested to identify a product or products  
14 for product stewardship programs and related logistics,  
15 including collection, transportation, markets, estimated  
16 expenses and other pertinent information needed to launch a  
17 product stewardship program in New Mexico within a two-year  
18 time frame; and

19           BE IT FURTHER RESOLVED that the product stewardship  
20 advisory group consider economic incentives to attract  
21 appropriate businesses to develop product stewardship  
22 operations; and

23           BE IT FURTHER RESOLVED that the product stewardship  
24 advisory group report its findings and recommendations to the  
25 appropriate interim legislative committee by October 1, 2018;

1 and

2 BE IT FURTHER RESOLVED that copies of this memorial be  
3 transmitted to the secretary of environment, the secretary of  
4 economic development, the executive director of the New Mexico  
5 recycling coalition, the governor and the co-chairs of the  
6 New Mexico legislative council. \_\_\_\_\_

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