

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 272

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Derrick J. Lente

AN ACT

RELATING TO FIREWOOD; PROHIBITING IMPORT AND SALES OF FIREWOOD FROM OTHER STATES; PROVIDING FOR RECORDKEEPING OF FIREWOOD FROM NEW MEXICO SOURCES; PROVIDING FOR RULEMAKING AND ENFORCEMENT BY THE NEW MEXICO DEPARTMENT OF AGRICULTURE.

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

SECTION 1. ~~[NEW MATERIAL]~~ FIREWOOD--NEW MEXICO DEPARTMENT OF AGRICULTURE RULES.--

A. As used in this section, "firewood" means whole or split pieces of wood that are:

(1) less than forty-eight inches in length;

and

(2) in a form commonly used for burning in campfires, stoves or fireplaces.

B. A person shall not transport into or within New

underscoring material = new
[bracketed material] = delete

underscoring material = new
~~[bracketed material] = delete~~

1 Mexico firewood for personal use or sale unless the firewood
2 has been treated in a manner prescribed by the New Mexico
3 department of agriculture.

4 C. A person shall not sell firewood within New
5 Mexico unless the firewood is harvested from a source located
6 in New Mexico and is labeled as required by the department and
7 the seller can provide documentation that the firewood has been
8 treated as prescribed by the department.

9 D. A person that transports or supplies firewood in
10 New Mexico for other than personal use that is harvested from a
11 source outside of New Mexico shall provide records,
12 certificates or other documents as required by the department.
13 A person that sells firewood in New Mexico that is harvested
14 from a source outside of New Mexico shall maintain records,
15 certificates or other documents as required by the department.

16 E. The records, certificates or other documents of
17 a person described in this section that transports or supplies
18 firewood in New Mexico shall include information regarding the
19 source of the firewood, any treatment of the firewood and the
20 disposition of the firewood. The records, certificates or
21 other documents of a person that sells firewood shall include
22 information regarding the source and supplier of the firewood.

23 F. The department shall adopt rules to carry out
24 the provisions of this section, including establishing the
25 required retention time for the records, certificates or other

.205974.1

underscored material = new
~~[bracketed material]~~ = delete

1 documents. The department may inspect the records,
2 certificates and other documents described in this section and
3 the inventory and facilities of a person that transports
4 firewood or of a firewood supplier or seller at any time during
5 reasonable business hours and may take samples for purposes of
6 detecting invasive species.

7 G. In addition to any other requirements of this
8 section, if firewood is harvested from a source that is subject
9 to a state or federal quarantine for the control of a plant
10 disease or pest, any harvesting, treating, transporting,
11 supplying or selling of the firewood shall be performed in
12 conformance with the quarantine.