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SENATE MEMORIAL 71

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

INTRODUCED BY

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A MEMORIAL

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

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

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

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

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

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

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

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

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

15 WHEREAS, "product" means an item intended for sale within
16 New Mexico that is identified as appropriate for a product
17 stewardship program; and

18 WHEREAS, "product stewardship" means a producer that takes
19 responsibility for managing and reducing the life-cycle impacts
20 of the producer's product, including recycling of the product
21 after purchase or recycling of surplus inventory; and

22 WHEREAS, "product stewardship program" means a program
23 that is either managed or provided by producers, with
24 government oversight, and includes the collection,
25 transportation and reuse and recycling or disposal of products;

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1 and

2 WHEREAS, "recycling market development zone" means an
3 economic development program that focuses on recycling as an
4 economic development tool and includes incentives for
5 businesses to use recycled materials in manufacturing processes
6 and to create new products for sale; and

7 WHEREAS, a recycling market development zone also benefits
8 businesses or individuals who collect, process and distribute
9 recycled materials; and

10 WHEREAS, in 2013, the house of representatives passed a
11 memorial that resolved that the next step toward implementing a
12 product stewardship program in New Mexico would include forming
13 a task force of a variety of stakeholder organizations and
14 facilitate additional product stewardship research, product
15 material management data, stakeholder input into program
16 development and recommended legislative changes to statute to
17 facilitate the desired stewardship goals; and

18 WHEREAS, in 2014, the house of representatives passed a
19 memorial that a task force develop recommendations for
20 legislative and state agency actions designed to enable New
21 Mexico to attain the fifty percent recycling rate goal
22 established in the Solid Waste Act, including budget
23 recommendations and a projected time line; and

24 WHEREAS, an objective outlined in the New Mexico recycling
25 coalition's strategic plan is for the organization to serve as

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1 a leader, convener and initiator of policy initiatives and
2 education programs to create pertinent local, state and
3 institutional initiatives; and

4 WHEREAS, economic incentives, such as recycling market
5 development zones, could bring new facilities to New Mexico to
6 develop product stewardship operations and combine economic
7 development with diverting waste from landfills;

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

11 BE IT FURTHER RESOLVED that the product stewardship
12 advisory group include stakeholders from municipal government,
13 the department of environment, the economic development
14 department, the New Mexico manufacturing extension, industry
15 representatives and any other appropriate stakeholders with
16 technical expertise in product stewardship, solid waste
17 management and recycling; and

18 BE IT FURTHER RESOLVED that the product stewardship
19 advisory group be requested to identify a product or products
20 for product stewardship programs and related logistics,
21 including collection, transportation, markets, estimated
22 expenses and other pertinent information needed to launch a
23 product stewardship program in New Mexico within a two-year
24 time frame; and

25 BE IT FURTHER RESOLVED that the product stewardship

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1 advisory group consider economic incentives to attract
2 appropriate businesses to develop product stewardship
3 operations; and

4 BE IT FURTHER RESOLVED that the product stewardship
5 advisory group report its findings and recommendations to the
6 appropriate interim legislative committee by October 1, 2018;
7 and

8 BE IT FURTHER RESOLVED that copies of this memorial be
9 transmitted to the secretary of environment, the secretary of
10 economic development, the executive director of the New Mexico
11 recycling coalition, the governor and the co-chairs of the New
12 Mexico legislative council.

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