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HOUSE BILL 551

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

INTRODUCED BY

Antonio "Moe" Maestas

AN ACT

RELATING TO THE ENVIRONMENT; AMENDING THE SOLID WASTE ACT TO
PROVIDE FOR RECYCLING OF FOOD RESIDUAL; PROVIDING FOR
PERFORMANCE REPORT CARDS OF STATE AGENCY RECYCLING BY THE
DEPARTMENT OF FINANCE AND ADMINISTRATION.

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

SECTION 1. Section 74-9-15 NMSA 1978 (being Laws 1990,
Chapter 99, Section 15) is amended to read:

"74-9-15. SPECIFIC PROGRAM--STATE GOVERNMENT SOURCE
REDUCTION AND RECYCLING--PERFORMANCE REPORT CARD.--

A. The division shall cooperate with the general
services department in its assessment of the status of
recycling efforts undertaken directly by state government for
its own solid waste and its evaluation of existing programs and
its development of necessary recycling programs to reduce the

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1 generation of solid waste by state government. The programs
2 shall include recycling of office papers, cardboard, used motor
3 oil, food residual, yard waste and other materials produced by
4 the state for which recycling markets exist or may be
5 developed.

6 B. Each state agency and the legislature shall
7 prepare a source reduction and recycling plan addressing the
8 requirements of Subsections C and D of this section. Each
9 agency plan shall be submitted for approval to the general
10 services department on or before December 31, 1991, consistent
11 with the goals and guidelines of this section, the goals stated
12 in Subsection J of Section ~~[6 of the Solid Waste Act]~~ 74-9-6
13 NMSA 1978 and the state plan. Agency plans shall be updated
14 biennially to increase the amount of solid waste recycled by
15 taking advantage of any changed circumstances. Updated plans
16 shall be submitted to the general services department for
17 approval prior to adoption.

18 C. By July 1, 1992, each state agency and the
19 legislature shall establish and implement a source separation
20 and collection program for recyclable materials produced as a
21 result of agency operations, including, at a minimum, high
22 grade paper, corrugated paper and glass. The source separation
23 and collection program shall include, at a minimum, procedures
24 for collecting and storing recyclable materials and contractual
25 and other arrangements with buyers. Each agency shall appoint

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1 a recycling coordinator and shall conduct educational programs
2 about the recycling program for its employees.

3 D. By July 1, 1992, each state agency shall
4 establish and implement a source reduction program for
5 materials used in the course of agency operations. The program
6 shall be designed and implemented to achieve the maximum
7 feasible reduction of solid waste generated as a result of
8 agency operations.

9 E. The department of finance and administration
10 shall report the performance of each state agency in its
11 recycling efforts in a performance report card. The report
12 card shall measure an agency's efforts to recycle paper,
13 cardboard, food residual and other recyclable materials, where
14 there is a market. The report card shall also show the
15 agency's savings from recycling.

16 F. As used in this section, "food residual" means
17 source separated and uncontaminated material that is derived
18 from the processing or discarding of food and that is
19 recyclable. "Food residual" includes preconsumer and post-
20 consumer food scraps."