

HOUSE BUSINESS AND INDUSTRY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 272

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

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 New Mexico

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underscoring material = new
[bracketed material] = delete

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

4 C. Firewood sourced outside of New Mexico shall be
5 labeled as required by the department, and the seller shall
6 provide documentation that the firewood has been treated as
7 prescribed by the department.

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

12 A person that sells firewood in New Mexico that is harvested
13 from a source outside of New Mexico shall maintain records,
14 certificates or other documents as required by the department.

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

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

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

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

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