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HOUSE BILL 189

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

HENRY KIKI SAAVEDRA

AN ACT

RELATING TO HAZARDOUS HOUSEHOLD WASTE PRODUCTS; ENACTING THE
HAZARDOUS HOUSEHOLD WASTE PRODUCT ACT; ESTABLISHING A FEE;
CREATING A FUND; MAKING AN APPROPRIATION.

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

Section 1. SHORT TITLE.--This act may be cited as the
"Hazardous Household Waste Product Act".

Section 2. DEFINITION.--As used in the Hazardous
Household Waste Product Act, "hazardous household waste
product" means a household product that poses a threat to
human health or safety if swallowed, ingested or inhaled or if
poured onto the ground. "Hazardous household waste product"
includes paint, spray paint, cleaning products, windshield
wiper fluid, automobile shop liquids, pesticides, solvents,
mineral spirits, glue and aerosol products.

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1 Section 3. HAZARDOUS HOUSEHOLD WASTE PRODUCT FEE--
2 ADMINISTRATION. --

3 A. There is imposed on every person who is engaged
4 in the business of making retail sales of hazardous household
5 waste products a hazardous household waste product fee in an
6 amount equal to fifty cents (\$.50) per each hazardous
7 household waste product sold.

8 B. The taxation and revenue department shall
9 provide by regulation for the manner and form of collection of
10 the hazardous household waste product fee. All hazardous
11 household waste product fees collected by the taxation and
12 revenue department shall be deposited in the hazardous
13 household waste product fund.

14 C. The hazardous household waste product fee shall
15 be administered in accordance with the provisions of the Tax
16 Administration Act and shall be paid to the taxation and
17 revenue department by each person engaged in the business of
18 making retail sales of hazardous household waste products.

19 Section 4. HAZARDOUS HOUSEHOLD WASTE PRODUCT FUND-- USE
20 OF MONEY IN THE FUND. --

21 A. The "hazardous household waste product fund" is
22 created in the state treasury and shall be administered by the
23 department of environment. The fund shall consist of
24 hazardous household waste product fees collected pursuant to
25 the provisions of the Hazardous Household Waste Product Act.

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B. Money in the fund is appropriated to the department of environment to conduct a hazardous household waste product program to:

(1) analyze problems related to the disposal of hazardous household waste products;

(2) study the potential benefits of requiring certain hazardous household waste products to be marked with warning labels; and

(3) produce and distribute to the public pamphlets regarding the safe handling of hazardous household waste products.

C. The department of environment shall make an annual report of its findings regarding hazardous household waste products to the legislature.

Section 5. DELAYED REPEAL. --The provisions of the Hazardous Household Waste Product Act are repealed effective July 1, 2002.

Section 6. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 1998.