

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 MEMORIAL 35

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Manuel G. Herrera

A MEMORIAL

**REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE
APPROPRIATE INTERIM COMMITTEE TO STUDY AND EVALUATE THE
PERFORMANCE OF THE NEW MEXICO MINING ACT.**

**WHEREAS, the New Mexico Mining Act was enacted in 1993;
and**

**WHEREAS, 2003 will be the tenth anniversary of the
enactment of the New Mexico Mining Act; and**

**WHEREAS, the New Mexico Mining Act identifies as its
purpose the promotion of responsible utilization and
reclamation of lands affected by exploration, mining or the
extraction of minerals; and**

**WHEREAS, the New Mexico Mining Act created the mining
commission and requires the commission to adopt and file
reasonable regulations necessary to implement the provisions**

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 of the act; and

2 WHEREAS, the mining commission shall consider the
3 economic and environmental effects of the implementation of
4 its regulations; and

5 WHEREAS, annual reports prepared by the energy, minerals
6 and natural resources department and other information
7 indicate a decline in the production of minerals by mines
8 subject to regulation under the New Mexico Mining Act and a
9 decline in new exploration for those minerals; and

10 WHEREAS, numerous state agencies, including the mining
11 and minerals division of the energy, minerals and natural
12 resources department, the department of environment, the
13 department of game and fish and the office of the state
14 engineer are all responsible for implementing the requirements
15 of the New Mexico Mining Act consistent with their respective
16 regulatory requirements; and

17 WHEREAS, completed permits for the four largest hard-rock
18 mining operations in New Mexico remain pending;

19 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
20 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico
21 legislative council appoint an appropriate interim committee
22 to study and evaluate the performance of the New Mexico Mining
23 Act in achieving its purposes; and

24 BE IT FURTHER RESOLVED that the New Mexico legislative
25 council appoint an appropriate interim committee to evaluate

. 141516. 1

underscored material = new
[bracketed material] = delete

1 the role of the cooperating agencies responsible for
2 implementing the requirements of New Mexico Mining Act; and

3 BE IT FURTHER RESOLVED that the mining commission, the
4 energy, minerals and natural resources department and the
5 department of environment be requested to assist the
6 appropriate interim committee in carrying out this study and
7 evaluation; and

8 BE IT FURTHER RESOLVED that copies of this memorial be
9 transmitted to the co-chairs of the New Mexico legislative
10 council, the secretary of energy, minerals and natural
11 resources, the secretary of environment, the mining commission
12 and the governor.

13 - 3 -
14
15
16
17
18
19
20
21
22
23
24
25