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SENATE MEMORIAL 30

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

INTRODUCED BY

John Arthur Smith

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

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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 SENATE OF THE STATE  
20 OF NEW MEXICO that the New Mexico legislative council appoint  
21 an appropriate interim committee to study and evaluate the  
22 performance of the New Mexico Mining Act in achieving its  
23 purposes; and

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

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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.