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SENATE BILL 89

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

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D. Wonda Johnson

AN ACT

RELATING TO THE ENVIRONMENT; DIRECTING THE DEPARTMENT OF ENVIRONMENT TO COORDINATE THE STATE'S EFFORTS TO CLEAN UP AND RECLAIM FORMER URANIUM MINE AND MILL SITES; PROVIDING DUTIES; CREATING THE URANIUM MINING RECLAMATION REVOLVING FUND; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] URANIUM MINING RECLAMATION--
DEPARTMENT OF ENVIRONMENT--DUTIES.--

A. The department of environment shall:

(1) coordinate the state's efforts to clean up and reclaim former uranium mine and mill sites and undertake uranium mine and mill site reclamation projects. The energy, minerals and natural resources department; the Indian affairs department; the office of natural resources trustee; the state

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1 land office; the department of game and fish; the cultural
2 affairs department; the department of health; the workforce
3 solutions department; the economic development department; and
4 the department of transportation shall work in conjunction with
5 the department of environment to support the department's
6 duties as they relate to the purposes of the respective
7 departments and agencies;

8 (2) develop a strategic plan for the cleanup
9 of uranium mine and mill sites throughout the state, including
10 reclamation goals, time lines for the completion of cleanup
11 activities at specific sites and anticipated funding
12 requirements. The department of environment shall consult with
13 the departments and agencies enumerated in Paragraph (1) of
14 this subsection in the development of the strategic plan and
15 include in the strategic plan the respective agencies' and
16 departments' input;

17 (3) establish an effective mechanism for
18 consultation and coordination with the federal government;
19 Indian nations, tribes and pueblos; communities impacted by
20 uranium mining; and other states on uranium mine and mill
21 reclamation activities;

22 (4) work with the economic development
23 department, workforce solutions department and industry to
24 establish uranium mine and mill reclamation as a target
25 economic development industry in New Mexico, including the

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1 creation, coordination and promotion of worker training and
2 business development programs for reclamation activities;

3 (5) develop, maintain and update on a regular
4 basis a centralized repository of uranium mine and mill sites
5 and reclamation activities. The repository shall include, at
6 minimum, the location of uranium mine and mill sites,
7 information about the ownership and legal jurisdiction of each
8 site and each site's cleanup status; and

9 (6) on an annual basis, report to the
10 radioactive and hazardous materials committee on the department
11 of environment's activities in the preceding year. The
12 department of environment shall consult with the departments
13 and agencies enumerated in Paragraph (1) of this subsection and
14 include in the report the activities undertaken by the
15 respective departments and agencies in the preceding year that
16 are related to uranium mine and mill site reclamation.

17 B. The secretary of environment shall create a
18 uranium mine reclamation coordinator position and employ
19 additional staff as needed for the department of environment to
20 carry out the provisions of this section.

21 SECTION 2. [NEW MATERIAL] URANIUM MINING RECLAMATION
22 REVOLVING FUND--CREATED.--

23 A. The "uranium mining reclamation revolving fund"
24 is created in the state treasury. The uranium mining
25 reclamation revolving fund consists of appropriations, gifts,

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1 grants, donations and money received by the department of
2 environment from the federal government or other state agencies
3 and other sources for conducting uranium mine and mill
4 reclamation activities. Money recovered for the state by or on
5 behalf of the department of environment from uranium mine or
6 mill reclamation related litigation or settlements shall be
7 deposited in the uranium mining reclamation revolving fund.

8 B. Subject to legislative appropriation,
9 expenditures may be made from the uranium mining reclamation
10 revolving fund upon vouchers signed by the secretary of
11 environment, or the secretary's designee, and warrants issued
12 by the secretary of finance and administration for the
13 department of environment to undertake projects to reclaim
14 uranium mine and mill sites, including the acquisition of tools
15 and equipment; expenses incurred by the department of
16 environment in planning, supervising and completing uranium
17 mine and mill reclamation projects; and expenses incurred in
18 litigation involving uranium mine or mill sites; provided that
19 money in the fund shall not be used for the operational
20 expenses of the department of environment.

21 C. Money in the uranium mining reclamation
22 revolving fund shall not revert to the general fund at the end
23 of a fiscal year.

24 SECTION 3. APPROPRIATION.--Three hundred fifty thousand
25 dollars (\$350,000) is appropriated from the general fund to the

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1 department of environment for expenditure in fiscal year 2023
2 for the department's first-year operating expenses in carrying
3 out the duties of Section 1 of this act. Any unexpended or
4 unencumbered balance remaining at the end of fiscal year 2023
5 shall revert to the general fund.

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