

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 of the act; and

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

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

WHEREAS, numerous state agencies, including the mining

and minerals division of the energy, minerals and natural resources department, the department of environment, the department of game and fish and the office of the state engineer are all responsible for implementing the requirements of the New Mexico Mining Act consistent with their respective regulatory requirements; and

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

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

BE IT FURTHER RESOLVED that the New Mexico legislative council appoint an appropriate interim committee to evaluate the role of the cooperating agencies responsible for implementing the requirements of New Mexico Mining Act; and

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

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the co-chairs of the New Mexico legislative council, the secretary of energy, minerals and natural

resources, the secretary of environment, the mining
commission and the governor. _____
