

A MEMORIAL

REQUESTING THAT CONGRESS REAUTHORIZE THE ABANDONED MINE LAND PROGRAM AND APPROPRIATE MONEY ALREADY COLLECTED IN THE FEDERAL ABANDONED MINE RECLAMATION TRUST FUND.

WHEREAS, New Mexico's long mining history has left an estimated fifteen thousand mine openings that present a health and safety hazard to the public; and

WHEREAS, abandoned mine locations also contain thousands of acres of unreclaimed land and have impacted miles of streams; and

WHEREAS, congress, in 1977, authorized states to develop abandoned mine land reclamation programs and provided funding for the state programs through a fee on coal production; and

WHEREAS, New Mexico, through the mining and minerals division of the energy, minerals and natural resources department, has had a successful abandoned mine land program for almost twenty-five years; and

WHEREAS, New Mexico's program has closed over two thousand mine openings and has won national awards for its projects at Cerrillos hills in 2004, Sugarite state park in 2002 and Socorro west in 1999; and

WHEREAS, abandoned mine land construction projects provide contracts for New Mexico firms and jobs for New Mexico workers; and

WHEREAS, New Mexico is the nation's twelfth largest coal-producing state, and New Mexico coal producers have paid an average of over five million dollars (\$5,000,000) a year in fees over the past five years; and

WHEREAS, the fees collected are placed in the federal abandoned mine reclamation trust fund, and one-half the fees are allocated to the state where the fees were collected; and

WHEREAS, there is now a balance of more than one billion six hundred million dollars (\$1,600,000,000) in the trust fund that has been collected from coal producers but not appropriated by congress, and New Mexico's state share balance is over twenty million dollars (\$20,000,000); and

WHEREAS, New Mexico's program receives approximately one million eight hundred thousand dollars (\$1,800,000) a year in federal grants; and

WHEREAS, the abandoned mine land fee was scheduled to expire on September 30, 2004, and when congress failed to agree on legislation to reauthorize the fee, the fee was extended until June 30, 2005; and

WHEREAS, reauthorization of the fee would allow New Mexico to continue its important work in safeguarding hazardous mine openings and reclaiming areas disturbed by abandoned mines; and

WHEREAS, New Mexico has been working with the national governors' association, the western governors' association,

the interstate mining compact commission, Indian tribes and other states to urge congress to pass legislation to reauthorize the abandoned mine land fee; and

WHEREAS, the western governors' association adopted a resolution last June supporting the reauthorization of the fee and the return of the state share balances to the states;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that congress be requested to pass legislation to reauthorize the abandoned mine land reclamation fee and also to provide for the return of the unappropriated state share balances of the abandoned mine reclamation trust fund to the states; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to members of the New Mexico congressional delegation.