

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS**

**SECTION I: GENERAL INFORMATION**

*Check all that apply:*

Original  Amendment \_\_\_\_\_  
 Correction  Substitute \_\_\_\_\_

Date 1/27/2025

Bill No: SB 113

Agency: EMNRD 521

Sponsor: Sen. Pete Campos  
Prof. Licensure; Extending  
Sunset Dates of Certain Boards  
and Commissions

Person Writing: Albert Chang

Short  
Title: \_\_\_\_\_

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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	None	None	None	None or <i>de minimus</i>	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A

Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

This bill extends (reauthorizes) a number of boards, commissions or agencies that would otherwise automatically sunset under the NM Sunset Act. The only portion of SB 113 relevant to EMNRD is Section 4, which extends the sunset date of the New Mexico Coal Surface Mining Commission by six years from July 1, 2025 to July 1 2032.

### **FISCAL IMPLICATIONS**

*De minimus.* No significant fiscal impact to EMNRD. The Surface Mining Commission meets very rarely, and the only costs associated would be potential public notice and *per diems* for commissions members, which would be covered by the routine operating budget of NM's Coal Program.

### **SIGNIFICANT ISSUES**

The Coal Surface Mining Commission adopts and files regulations as necessary to implement the Surface Mining Act (Chapter 69, Article 25A NMSA 1978), which governs coal mining operations. This Commission is a policy-making body for New Mexico Coal Mine Reclamation Program. The Coal Mine Reclamation Program (CMRP) was created in the early 1980s as part of New Mexico's enactment of surface coal mine reclamation regulations under the federal Surface Mining Control and Reclamation Act of 1977. CMRP regulates coal mines to protect public health and safety, and the environment in and around coal mining operations. CMRP permits, inspects, and enforces regulations in accordance with SMCRA. The Commission serves a policy-making function when it hears petitions to amend and repeal mining regulations that govern CMRP.

### **PERFORMANCE IMPLICATIONS**

### **ADMINISTRATIVE IMPLICATIONS**

None

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None

### **TECHNICAL ISSUES**

None

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The purposes of the Surface Mining Act include the establishment of a regulatory program so that New Mexico may assume jurisdiction over the regulation of coal mining within the state. See Section 69-25A-2(H). Promulgation of regulations by the CSMC remains necessary to update standards and to address changes in federal or state law. New Mexico could lose jurisdiction over Coal Mining in New Mexico if the Commission no longer existed to perform its functions because its existence and functions are part of the agreement between the Federal and State government that allowed New Mexico to take "primary" jurisdiction over coal mining in

our state.

## **AMENDMENTS**