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SENATE BILL 173

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO MINING; ENACTING THE INTERSTATE MINING COMPACT ACT
TO PROVIDE FOR NEW MEXICO'S ENTRY TO MEMBERSHIP ON THE
INTERSTATE MINING COMPACT COMMISSION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "Interstate Mining Compact Act".

SECTION 2. [NEW MATERIAL] INTERSTATE MINING COMPACT--
FINDINGS AND PURPOSE.--

A. The legislature finds that:

(1) mining constitutes a significant aspect of
the state's economy;

(2) the Interstate Mining Compact was
established in 1966 to provide a forum for states with
significant mining activity to exchange ideas on mining

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1 technology, conservation and reclamation practices and to
2 generate consensus policies for use as desired by member states
3 and for use in congress and at the federal level of government;
4 and

5 (3) membership in the compact will provide the
6 governor, as the representative of New Mexico on the Interstate
7 Mining Compact commission, direct input on significant mining
8 issues and policies and provide access to ideas and sources of
9 information not otherwise available, which may enable the state
10 to initiate progressive or desired policies and mining-control
11 techniques that will benefit the residents of New Mexico and
12 the mining industry in the state.

13 B. The purpose of Interstate Mining Compact Act is
14 to:

15 (1) advance the protection and restoration of
16 land, water and other resources affected by mining;

17 (2) assist in the reduction, elimination or
18 counteracting of pollution or deterioration of land, water and
19 air attributable to mining;

20 (3) encourage, with due recognition of
21 relevant regional, physical and other differences, programs in
22 each of the party states that will achieve comparable results
23 in protecting, conserving and improving the usefulness of
24 natural resources, to the end that the most desirable conduct
25 of mining and related operations may be universally

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1 facilitated;

2 (4) assist the party states in their efforts
3 to facilitate the use of land and other resources affected by
4 mining, so that such use may be consistent with sound land use,
5 public health and public safety and to study and recommend,
6 wherever desirable, techniques for the improvement, restoration
7 or protection of land and other resources; and

8 (5) assist in achieving and maintaining an
9 efficient and productive mining industry and in increasing
10 economic and other benefits attributable to mining.

11 SECTION 3. [NEW MATERIAL] MEMBERSHIP.--

12 A. The Interstate Mining Compact is adopted.
13 Pursuant to the findings and purpose set forth in the
14 Interstate Mining Compact Act, the governor is authorized to
15 participate in the Interstate Mining Compact as a member of the
16 Interstate Mining Compact commission.

17 B. The governor may designate the secretary of
18 energy, minerals and natural resources or the director of the
19 mining and minerals division of the energy, minerals and
20 natural resources department as the governor's alternate to the
21 Interstate Mining Compact commission.

22 SECTION 4. [NEW MATERIAL] LIMITATIONS.--

23 A. No provisions of the Interstate Mining Compact
24 Act or any policies of the Interstate Mining Compact commission
25 shall be construed to limit, repeal or supersede any law of the

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1 state of New Mexico.

2 B. The governor and the legislature or their
3 designated agents shall have the right to inspect the books and
4 accounts of the Interstate Mining Compact commission at any
5 reasonable time while the state of New Mexico is a member.

6 C. The secretary of energy, minerals and natural
7 resources shall file with the state records administrator a
8 copy of the bylaws of the Interstate Mining Compact commission
9 and any other compact documents required by Section 14-3-20
10 NMSA 1978.

11 SECTION 5. [NEW MATERIAL] EXPENSES.--The secretary of
12 energy, minerals and natural resources may pay annual
13 membership dues to the Interstate Mining Compact commission out
14 of fees collected under the Surface Mining Act or from funds
15 granted to the state by the federal office of surface mining
16 reclamation and enforcement of the department of the interior.

17 SECTION 6. [NEW MATERIAL] GENERAL POWER OF GOVERNOR AND
18 WITHDRAWAL.--

19 A. The governor is authorized to exercise all the
20 power of the office of the governor necessary to maintain the
21 state of New Mexico in good standing as a member of and to
22 participate on the Interstate Mining Compact commission.

23 B. After the governor has provided one year's
24 notice in writing to the governors of all other member states,
25 the legislature, by repeal of the Interstate Mining Compact

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Act, may withdraw from the Interstate Mining Compact.