

SENATE BILL NO. 53—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE DIVISION OF ENVIRONMENTAL
PROTECTION OF THE STATE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES)

PREFILED NOVEMBER 19, 2018

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing the review of certain
mining regulations. (BDR 46-218)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to mining; revising provisions governing the
review of certain mining regulations by the Mining
Oversight and Accountability Commission; and providing
other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Mining Oversight and Accountability Commission and requires the Commission to provide oversight of compliance with Nevada law relating to the activities of each state agency, board, bureau, commission, department or division with respect to the taxation, operation, safety and environmental regulation of mines and mining in this State. (NRS 514A.040, 514A.060) Under existing law, certain regulations relating to mines or mining are not effective unless they are reviewed by the Mining Oversight and Accountability Commission before they are approved by the Legislative Commission or its Subcommittee to Review Regulations. (NRS 514A.110) This bill provides that if the Mining Oversight and Accountability Commission fails to review certain regulations relating to mines or mining adopted by the Commission on Mineral Resources or the State Environmental Commission within 30 days after their adoption, the regulations will become effective in accordance with the applicable provisions of the Nevada Administrative Procedure Act.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 514A.110 is hereby amended to read as follows:

514A.110 ~~{A}~~

1. Except as otherwise provided in this section, a permanent regulation adopted by the:

~~{1}~~ **(a)** Nevada Tax Commission, pursuant to NRS 360.090, concerning any taxation related to the extraction of any mineral in this State, including, without limitation, the taxation of the net proceeds pursuant to chapter 362 of NRS and Section 5 of Article 10 of the Nevada Constitution;

~~{2}~~ **(b)** Administrator of the Division of Industrial Relations of the Department of Business and Industry for mine health and safety pursuant to NRS 512.131;

~~{3}~~ **(c)** Commission on Mineral Resources pursuant to NRS 513.063, 513.094 or 519A.290; and

~~{4}~~ **(d)** State Environmental Commission pursuant to NRS 519A.160,

↪ is not effective unless it is reviewed by the Mining Oversight and Accountability Commission before it is approved pursuant to chapter 233B of NRS by the Legislative Commission or the Subcommittee to Review Regulations appointed pursuant to subsection 6 of NRS 233B.067. After conducting its review of the regulation, the Mining Oversight and Accountability Commission shall provide a report of its findings and recommendations regarding the regulation to the Legislative Counsel for submission to the Legislative Commission or the Subcommittee to Review Regulations, as appropriate.

2. If the Mining Oversight and Accountability Commission fails to review a permanent regulation described in paragraph (c) or (d) of subsection 1 within 30 days after its adoption, the regulation becomes effective in accordance with the provisions of NRS 233B.070.

Sec. 2. This act becomes effective upon passage and approval.

