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SENATE BILL 4

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Carroll H. Leavell

AN ACT

RELATING TO PUBLIC SAFETY; PROVIDING FOR REMEDIATION OF THE
DANGER POSED BY THE CARLSBAD BRINE WELL; CREATING THE CARLSBAD
BRINE WELL REMEDIATION ADVISORY AUTHORITY; CREATING THE
CARLSBAD BRINE WELL REMEDIATION FUND.

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

SECTION 1. [NEW MATERIAL] CARLSBAD BRINE WELL REMEDIATION
ADVISORY AUTHORITY--CREATED--MEMBERSHIP--ADMINISTRATION OF THE
CARLSBAD BRINE WELL REMEDIATION.--

A. The "Carlsbad brine well remediation advisory
authority" is created. The membership of the board of
directors of the authority shall consist of the following seven
members:

(1) the mayor of the city of Carlsbad, who
shall serve as chair of the board, or the mayor's designee;

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1 (2) the chair of the Eddy county board of
2 county commissioners or the chair's designee;

3 (3) the secretary of energy, minerals and
4 natural resources or the secretary's designee;

5 (4) the secretary of environment or the
6 secretary's designee;

7 (5) the secretary of transportation or the
8 secretary's designee;

9 (6) the manager of the Carlsbad irrigation
10 district or the manager's designee; and

11 (7) the attorney general or the attorney
12 general's designee.

13 B. The advisory authority:

14 (1) shall set policy for and advise the oil
15 conservation division of the energy, minerals and natural
16 resources department on the remediation of the Carlsbad brine
17 well located at: Unit Letter M (SW/4 of the SW/4) in Section
18 17, Township 22 South, Range 27 East, NMPM; Eddy County, New
19 Mexico; and

20 (2) is granted all powers necessary and
21 appropriate to provide advice to the division for a revenue
22 source dedicated to the Carlsbad brine well remediation fund.

23 SECTION 2. [NEW MATERIAL] CARLSBAD BRINE WELL REMEDIATION
24 FUND--CREATED--PURPOSE--CONDITIONS.--

25 A. There is created the "Carlsbad brine well

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1 remediation fund". The fund shall be used by the oil
2 conservation division of the energy, minerals and natural
3 resources department to the extent that revenues are available
4 to remediate the Carlsbad brine well.

5 B. Money in the fund may consist of federal grants,
6 appropriations, donations, earnings from investment of the fund
7 and other revenue that from time to time may accrue to the fund
8 from other sources for remediation of the Carlsbad brine well.

9 C. Money in the fund shall be subject to
10 appropriation by the legislature and shall not revert at the
11 end of any fiscal year.

12 SECTION 3. [NEW MATERIAL] TERMINATION OF AGENCY LIFE--
13 DELAYED REPEAL.--The Carlsbad brine well remediation advisory
14 authority is terminated on July 1, 2029 pursuant to the Sunset
15 Act. The advisory authority shall continue to operate
16 according to the provisions of this act until July 1, 2030.
17 Effective July 1, 2030, this act is repealed.

18 SECTION 4. EFFECTIVE DATE.--The effective date of the
19 provisions of this act is July 1, 2017.