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HOUSE BILL

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

INTRODUCED BY

FOR THE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE

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.