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SENATE BILL 17

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Carroll H. Leavell

AN ACT

RELATING TO OIL AND GAS; AMENDING A SECTION OF THE NMSA 1978 TO
PROVIDE FOR JURISDICTION OVER OIL AND GAS OPERATIONS.

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

Section 1. Section 70-2-6 NMSA 1978 (being Laws 1935,
Chapter 72, Section 4, as amended) is amended to read:

"70-2-6. COMMISSION'S AND DIVISION'S POWERS AND DUTIES.--

A. The oil conservation division [~~shall have, and
is hereby given~~] of the energy, minerals and natural resources
department has jurisdiction and authority over all matters
relating to the conservation of oil and gas and the prevention
of waste of potash as a result of oil or gas operations in this
state. [~~It shall have~~] The division has jurisdiction,
authority and control of and over all persons, matters or
things necessary or proper to enforce effectively the

.174176.1

underscored material = new
[bracketed material] = delete

1 provisions of [~~this~~] the Oil and Gas Act or any other law of
2 this state relating to the conservation of oil or gas and the
3 prevention of waste of potash as a result of oil or gas
4 operations, and no political subdivision or other
5 instrumentality of the state shall have jurisdiction, authority
6 or control relating to oil and gas operations, except those
7 specifically provided pursuant to law.

8 B. The commission [~~shall have~~] has concurrent
9 jurisdiction and authority with the oil conservation division
10 to the extent necessary for the commission to perform its
11 duties as required by law. In addition, any hearing on any
12 matter may be held before the commission if the division
13 director, in [~~his~~] the director's discretion, determines that
14 the commission shall hear the matter."

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