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HOUSE BILL 95

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

Tara L. Lujan and Debra M. Sariñana

AN ACT

RELATING TO PUBLIC LAND; MANDATING THAT THE COMMISSIONER OF PUBLIC LANDS ESTABLISH A RENEWABLE ENERGY OFFICE.

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

SECTION 1. Section 19-1-2 NMSA 1978 (being Laws 1912, Chapter 82, Section 2, as amended) is amended to read:

"19-1-2. DUTIES OF [~~land~~] COMMISSIONER.--

A. The commissioner shall have a seal with an appropriate device thereon [~~and such~~]. The seal affixed to any contract, deed, lease or other instrument executed by the commissioner shall be prima facie evidence of the due execution [~~thereof. Said~~] of the instrument. The commissioner shall receive and pass upon all applications for leasing or purchasing state lands and timber and shall execute and authenticate for the state all deeds, leases, contracts or

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1 other instruments affecting such lands. All [~~such~~] leases,
2 deeds, contracts and grants [~~heretofore or hereafter~~] executed
3 shall be entitled to record without acknowledgment, and record
4 [~~thereof~~] of the execution in the county in which the land
5 described [~~therein~~] in the execution is situated shall be
6 constructive notice to all persons of the contents thereof.
7 [~~Said~~]

8 B. The commissioner shall have power to provide all
9 necessary books, blanks, records, property, equipment and
10 appurtenances of every kind [~~whatsoever~~] for the proper
11 management of [~~said~~] the state land office and the lands under
12 [~~his~~] the commissioner's control; to deed by quitclaim or
13 otherwise to the United States any or all claims that the state
14 may have in and to lands within any private land grant or
15 reservation made or confirmed in pursuance of authority of
16 congress or to such of its lands as may be needed by the United
17 States or for reclamation of water power sites for the purpose
18 of selecting indemnity lands therefor; also to such of its
19 lands as may be desired by the United States for agricultural
20 experiment purposes; to collect all [~~moneys~~] money due to the
21 state for the lease, purchase or use of state lands; to receive
22 all [~~moneys~~] money due to the state derived from any state
23 lands and credit [~~said moneys so~~] the money received to the
24 separate funds created for the respective purposes named in
25 grants by congress, or otherwise; and [~~he~~] the commissioner

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1 shall pay over to the state treasurer, on or before the tenth
2 day of the next succeeding month, all [~~such moneys~~] money
3 received during each month to be credited to the several funds
4 [~~respectively entitled thereto. He~~].

5 C. The commissioner shall keep a full and complete
6 record of all [~~his~~] the commissioner's official acts and shall
7 submit a report to the governor by December 1 of each year [~~a~~
8 ~~report bearing date the first day of December~~], and at any
9 other time on request, which shall contain a statement of the
10 business and expenses of [~~said~~] the state land office and the
11 amount of [~~moneys~~] money received and turned over by [~~him~~] the
12 commissioner to the state treasurer for each fund, together
13 with such recommendations as [~~he may deem~~] the commissioner
14 deems proper for the better management and control of state
15 lands. [~~He~~] The commissioner shall cause to be printed
16 biennially, for the use and information of the legislature, the
17 annual reports [~~thus~~] made to the governor for the two [~~(2)~~]
18 years preceding each regular session [~~thereof~~] of the
19 legislature, and [~~he~~] the commissioner shall charge the cost of
20 [~~such~~] printing to the state lands maintenance fund
21 [~~hereinafter in this chapter created. He~~].

22 D. The commissioner shall establish and maintain a
23 renewable energy office to advance the production and
24 development of renewable energy.

25 E. The commissioner shall employ a person qualified

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1 and experienced as a geologist or petroleum engineer who in
2 turn is [~~hereby~~] authorized to appoint, with the approval of
3 the commissioner, such inspectors, clerks and additional
4 assistants as [~~he may deem~~] the commissioner deems necessary to
5 collect and compile information, under the direction and
6 supervision of the commissioner, relative to oil and gas
7 leasing development and production within the state [~~which~~]
8 that may affect state lands and prepare maps and reports
9 necessary and expedient for the proper supervision and leasing
10 of lands belonging to the state for oil and gas purposes. The
11 salary of [~~said~~] the geologist or petroleum engineer and
12 inspectors, clerks and additional assistants [~~as provided~~]
13 shall be fixed by the commissioner, and [~~said~~] the salaries and
14 expenses [~~to~~] shall be paid out of the state [~~land office~~]
15 lands maintenance fund. [~~He~~]

16 F. The commissioner shall make rules [~~and~~
17 ~~regulations~~] for the control, management, disposition, lease
18 and sale of state lands and perform such other duties as may be
19 prescribed by law."

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