

underscored material = new
[bracketed material] = delete

1 other occurrences that create pollution of the ground water,
2 air and land and sometimes destruction of the land and its
3 associated resources; and

4 WHEREAS, state law currently provides that pipeline
5 companies may exercise the power of eminent domain to acquire
6 property for pipeline use, the law states only in very general
7 terms the conditions under which that power may be exercised,
8 and, unlike governmental entities, private pipeline companies
9 are not subject to the political process or to public scrutiny
10 in making decisions to condemn land;

11 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
12 STATE OF NEW MEXICO that the New Mexico legislative council
13 assign to an appropriate existing interim committee, or in the
14 alternative create a special interim committee, to study the
15 issues involved in the exercise of eminent domain powers by
16 pipeline companies and, if appropriate, make recommendations
17 for changes in the laws to the second session of the forty-
18 fourth legislature; and

19 BE IT FURTHER RESOLVED that a copy of this memorial be
20 delivered to the New Mexico legislative council for
21 consideration of its provisions at the council's first meeting
22 following the adjournment of the first regular session of the
23 forty-fourth legislature.

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

SJM 15/a

3
4 February 9, 1999

5
6 Mr. President:

7
8 Your CONSERVATION COMMITTEE, to whom has been referred

9
10 SENATE JOINT MEMORIAL 15

11
12 has had it under consideration and reports same with

13 recommendation that it DO PASS, amended as follows:

14
15 1. On page 2, line 6, after "use," insert the word "and".

16
17 2. On page 2, line 7 after "exercised" insert a "semi -
18 colon".

19
20 3. On page 2, strike lines "8, 9 and 10".,
21

22 and thence referred to the JUDICIARY COMMITTEE.
23

24 Respectfully submitted,
25

FORTY- FOURTH LEGISLATURE
FIRST SESSION, 1999

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

%%%

Arthur H. Rodarte, Vice-Chairman

Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Eisenstadt, Sanchez, Macias

Absent: None

SJ015C01

underscored material = new
[bracketed material] = delete