

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

HOUSE BILL 17

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2005

INTRODUCED BY

Daniel R. Foley

AN ACT

**RELATING TO ENERGY RESOURCES; REQUIRING AN EXPEDITED PROCESS
FOR THE ISSUANCE OF DRILLING PERMITS OR OTHER OPERATING PERMITS
FOR EXPLORATORY OIL AND GAS WELLS IN THE OTERO MESA AND OTHER
AREAS.**

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

**Section 1. EXPLORATORY WELLS--OIL AND GAS--PERMIT
ISSUANCE.--**

**A. A state agency having authority over the
issuance of drilling permits or any type of operating permit
for exploratory oil or gas wells shall promulgate rules to
expedite the issuance of those permits for oil and gas wells
located in the Otero mesa and other areas of the state. The
rules shall be issued by January 16, 2006.**

**B. Rules promulgated pursuant to Subsection A of
. 158870. 1**

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = del ete

1 this section shall require that the issuing agency shall issue
2 or deny a permit no later than thirty days after the
3 application for the permit is made, unless the applicant agrees
4 in writing to a longer period. If the agency has not acted on
5 a permit application within thirty days, the permit shall be
6 granted to the applicant. An appeal of an agency decision on
7 the issuance or denial of a permit shall be as otherwise
8 provided by law for the applicable permit, except that the
9 appeal shall be heard within thirty days and a decision
10 rendered within forty-five days of filing the appeal. An
11 appeal of a final decision may be appealed as provided by law.
12 The rules shall provide for an expedited administrative hearing
13 process to appeal a decision; provided that such hearing shall
14 be held within thirty days of the petitioner's request for
15 hearing.

16 - 2 -