

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 199

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Paul C. Bandy

AN ACT

RELATING TO OIL AND GAS; AMENDING AND ENACTING SECTIONS 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

.198850.1

underscored material = new
[bracketed material] = delete

underscoring material = new
[bracketed material] = delete

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

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

16 SECTION 2. A new section of Chapter 4 NMSA 1978 is
17 enacted to read:

18 "[NEW MATERIAL] COUNTY RESTRICTIONS.--A county shall not
19 adopt ordinances that restrict oil and gas activities."