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**SENATE MEMORIAL 27**

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

**INTRODUCED BY**

**Gerald P. Ortiz y Pino**

**A MEMORIAL**

**REQUESTING THE OIL CONSERVATION DIVISION OF THE ENERGY,  
MINERALS AND NATURAL RESOURCES DEPARTMENT TO EXAMINE THE  
REGULATION OF THE OIL AND GAS INDUSTRY IN NEW MEXICO PURSUANT  
TO THE OIL AND GAS ACT TO DETERMINE IF MEASURES NEED TO BE  
TAKEN TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THAT  
REGULATION.**

**WHEREAS, the oil and gas industry in New Mexico is a vital  
source of revenue that supports programs of benefit to the  
citizens of New Mexico; and**

**WHEREAS, the oil and gas industry is regulated by the oil  
conservation division of the energy, minerals and natural  
resources department; and**

**WHEREAS, the oil conservation division is empowered by the  
Oil and Gas Act to prevent waste prohibited by the Oil and Gas**

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1 Act, to protect correlative rights and to protect public health  
2 and the environment; and

3 WHEREAS, many statutes regulating the industry were  
4 originally enacted over fifty years ago and have not been  
5 updated since then; and

6 WHEREAS, significant technological and environmental  
7 advances have taken place during that period; and

8 WHEREAS, the environmental regulatory programs of the oil  
9 conservation division were reviewed in the report entitled  
10 *State Review of Oil and Natural Gas Environmental Regulations*,  
11 and that report made recommendations for improvements in the  
12 oil conservation division's environmental regulatory programs;  
13 and

14 WHEREAS, oil conservation division staff and stakeholders  
15 have identified opportunities to update and improve certain  
16 provisions of the Oil and Gas Act; and

17 WHEREAS, it is vitally important to the citizens of New  
18 Mexico, the state and the oil and gas industry that the oil and  
19 gas industry be appropriately and carefully regulated;

20 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
21 STATE OF NEW MEXICO that the oil conservation division of the  
22 energy, minerals and natural resources department, with input  
23 from stakeholder groups, be requested to review the Oil and Gas  
24 Act to ensure that the statutory mandates are appropriate for  
25 current regulation of the oil and gas industry and that the oil

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1 conservation division report back to the second session of the  
2 forty-seventh legislature with proposed amendments to the Oil  
3 and Gas Act to improve regulatory effectiveness and with  
4 proposed changes to oil conservation division staffing and  
5 funding to improve the ability of the division to accomplish  
6 its statutory mandates; and

7 BE IT FURTHER RESOLVED that copies of this memorial be  
8 transmitted to the director of the oil conservation division of  
9 the energy, minerals and natural resources department and to  
10 the secretary of energy, minerals and natural resources.