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HOUSE BILL 293

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

TED HOBBS

AN ACT

RELATING TO THE ENERGY, MINERALS AND NATURAL RESOURCES
DEPARTMENT; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978
PERTAINING TO THE ORGANIZATION OF THE DEPARTMENT.

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

Section 1. Section 9-5A-3 NMSA 1978 (being Laws 1987,
Chapter 234, Section 3) is amended to read:

"9-5A-3. DEPARTMENT ESTABLISHED. --

A. There is created in the executive branch the
"energy, minerals and natural resources department". The
department shall be a cabinet department and ~~[shall include, but
not be limited to]~~ includes the following organizational units:

(1) the administrative services division;

(2) the state ~~[park and recreation]~~ parks
division;

Underscored material = new
[bracketed material] = delete

1 (3) the forestry division; [~~which shall include~~
2 ~~a soil and water conservation bureau;~~

3 (~~4~~) ~~the energy conservation and management~~
4 ~~division;~~

5 (~~5~~)] (4) the mining and minerals division; and

6 [~~6~~] (5) the oil conservation division.

7 B. The secretary of energy, minerals and natural
8 resources may organize the department and the divisions
9 specified in Subsection A of this section, including the
10 transfer or merging of functions among divisions in the interest
11 of efficiency and economy.

12 C. The governor may by executive order merge,
13 abolish or create divisions of the department in the interest of
14 efficiency and economy.

15 [~~B.~~] D. The state game commission is
16 administratively attached to the department."

17 Section 2. Section 9-5A-4 NMSA 1978 (being Laws 1987,
18 Chapter 234, Section 4) is amended to read:

19 "9-5A-4. DIVISIONS--DUTIES.--In addition to the duties
20 assigned to each division of the energy, minerals and natural
21 resources department by the secretary of energy, minerals and
22 natural resources:

23 A. the administrative services division shall
24 provide clerical, recordkeeping and administrative support to
25 the department in the areas of personnel, budget, procurement

Underscored material = new
[bracketed material] = delete

1 and contracting;

2 ~~[B. the energy conservation and management division~~
3 ~~shall plan, administer, review, provide technical assistance,~~
4 ~~maintain records and monitor state and federal energy~~
5 ~~conservation and alternative energy technology programs;~~

6 ~~C.]~~ B. the forestry division shall enforce and
7 administer all laws and regulations relating to forestry; [~~and~~
8 ~~soil and water conservation on lands within the state;~~

9 ~~D.]~~ C. the mining and minerals division shall
10 enforce and administer laws and regulations relating to mine
11 safety, [~~coal surface mine~~] operation and reclamation of coal
12 and non-coal mines and abandoned mine lands reclamation;

13 ~~E.]~~ D. the oil conservation division shall
14 administer the laws and regulations relating to oil, gas and
15 geothermal resources, except those laws specifically
16 administered by another authority; and

17 ~~F.]~~ E. the state [~~park and recreation~~] parks
18 division shall develop, maintain, manage and supervise all state
19 parks and state-owned or state-leased recreation areas. "

20 Section 3. A new section of the Energy, Minerals and
21 Natural Resources Department Act is enacted to read:

22 "[NEW MATERIAL] ENERGY PROGRAMS. --The secretary of energy,
23 minerals and natural resources may administer energy
24 conservation, energy efficiency programs and alternative energy
25 programs through the office of the secretary or other divisions

Underscored material = new
[bracketed material] = delete

1 of the energy, minerals and natural resources department as
2 deemed appropriate. "

3 Section 4. A new section of the Energy, Minerals and
4 Natural Resources Department Act is enacted to read:

5 "[NEW MATERIAL] STATE PARKS DIVISION DESIGNATION. --As used
6 in the NMSA 1978, "state park and recreation division" means the
7 state parks division of the energy, minerals and natural
8 resources department. "

9 Section 5. EFFECTIVE DATE. --The effective date of the
10 provisions of this act is July 1, 1997.

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State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 11, 1997

Mr. Speaker:

Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 293

has had it under consideration and reports same WITHOUT RECOMMENDATION, amended as follows:

1. On page 2, strike lines 7 through 14 in their entirety and renumber subsection accordingly.,

and thence referred to the ENERGY AND NATURAL RESOURCES COMMITTEE.

Underscored material = new
[bracketed material] = delete

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

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Respectfully submitted,

Lynda M. Lovejoy, Chairwoman

Adopted _____	Not Adopted _____
(Chief Clerk)	(Chief Clerk)

Date _____

The roll call vote was 6 For 2 Against

Yes: 6
No: Beam, Taylor, JG
Excused: None
Absent: None

M \ H0293

Underscored material = new
[bracketed material] = delete