

# IPANM Legislative Update, March 10, 2013

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At the NM legislature today, HB 429, the Private Right of Action bill was killed on the House floor on a 36-30 vote. Again, we needed several folks to cross the aisle to help vote with us or take a walk. This session, with all the bad legislation, it has been so important to develop and maintain those relationships with members of both parties in both chambers. Several members have had to refute pressure from their leadership on several bills in order to vote with industry both in the House Energy Committee and on the floor.

HB 531, the attorney generals Contingency Lawyer bill passed the House Floor on a 36 to 34 vote and is now sitting in Senate Consumer and Public Affairs awaiting a hearing. Unfortunately, this committee is not a strong one for industry. If the bill passes SPAC, it will go to Senate Judiciary and then possibly to the floor.

In addition, as I suspected, a dummy bill was used to try an attack on industry. Last Thursday I became aware of an attempt by the Chair of the House Energy Committee to use Dummy bill HB 662 to try to run a surprise committee substitute. This new bill would have required the OCC to hold hearings before November 1, 2013 to receive public input on ground water testing and monitoring by our industry. If the OCC felt there was sufficient public interest in the matter, it would have to direct the OCD to promulgate rules on water monitoring. The basis of this bill is the recent ground water protection rules passed in Colorado. HB 662 was not heard on Friday but I suspect it will pop up either tomorrow or Wednesday in the House Energy Committee. Due to the late introduction, there is little likelihood of passage.