

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
Second Regular Session  
2020

# HOUSE BILL 2456

## AN ACT

AMENDING SECTIONS 27-514 AND 27-515, ARIZONA REVISED STATUTES; REPEALING SECTIONS 41-3022.09 AND 41-3022.24, ARIZONA REVISED STATUTES; AMENDING SECTION 49-186, ARIZONA REVISED STATUTES; REPEALING SECTION 49-238, ARIZONA REVISED STATUTES; REPEALING LAWS 1998, CHAPTER 298, SECTION 30, AS AMENDED BY LAWS 2001, CHAPTER 178, SECTION 2, LAWS 2004, CHAPTER 140, SECTION 1 AND LAWS 2010, CHAPTER 277, SECTION 1; RELATING TO ENVIRONMENTAL QUALITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 27-514, Arizona Revised Statutes, is amended to  
3 read:

4 27-514. Commission; appointment; terms; compensation

5 A. There is created an oil and gas conservation commission WITHIN  
6 THE DEPARTMENT OF ENVIRONMENTAL QUALITY. THE DEPARTMENT OF ENVIRONMENTAL  
7 QUALITY SHALL PROVIDE STAFF SUPPORT TO THE COMMISSION TO ADMINISTER THIS  
8 CHAPTER.

9 B. The commission shall consist of the state land commissioner ex  
10 officio who shall have no vote, and five members to be appointed by the  
11 governor, ~~no~~ NOT more than three of whom shall be of the same political  
12 party. The appointive members shall be United States citizens and shall  
13 have been residents of ~~Arizona~~ THIS STATE for not less than the five years  
14 immediately preceding their appointment. Three members of the commission  
15 shall constitute a quorum for the transaction of business.

16 C. Of the members first appointed, one shall be appointed for a  
17 term ending December 31, 1960, and one each for terms ending one, two,  
18 three and four years thereafter. ~~Subsequent~~ Appointments shall be for a  
19 full term of five years ~~which shall~~ AND expire on the third Monday in  
20 January in the appropriate year.

21 D. Appointive members of the commission shall receive compensation  
22 as determined pursuant to section 38-611 for each day actually spent in  
23 the performance of official duties.

24 Sec. 2. Section 27-515, Arizona Revised Statutes, is amended to  
25 read:

26 27-515. Administration; powers of the commission; fees

27 A. The commission shall administer and enforce this article and  
28 other laws relating to conservation of oil and gas. The commission and  
29 administrative staff, at any time, may enter property and inspect wells  
30 drilled for oil or gas, and well records, and shall control property,  
31 machinery and appliances necessary to gauge the wells. ~~The department of~~  
32 ~~environmental quality shall provide staff support to the commission to~~  
33 ~~administer this chapter.~~

34 B. The commission may:

35 1. Administer oaths to a witness in any hearing, investigation or  
36 proceeding held under this article or any other law relating to  
37 conservation of oil and gas.

38 2. Issue subpoenas requiring attendance and testimony of witnesses  
39 and production of books, papers and records deemed material or necessary,  
40 and direct service of subpoenas by a sheriff or other officer authorized  
41 by law to serve process.

42 3. Prescribe rules and do all acts necessary or advisable to carry  
43 out this article.

44 4. Collect fees to cover the costs of services, including  
45 reproduction of records or any portion of records and copies of rules.

1 The monies collected are not subject to section 27-523 but shall be  
2 deposited, pursuant to sections 35-146 and 35-147, by the commission in  
3 the fund from which the expenditure was originally made.

4 5. Publish technical maps, cross sections and reports and sell  
5 these materials for fees that will cover the costs incurred in their  
6 preparation, reproduction and distribution.

7 C. The commission may enter into cooperative agreements with  
8 agencies of the United States government, with agencies of state or local  
9 government or with Indian tribes for the purpose of protection of the  
10 fresh water supplies of this state from contamination or pollution brought  
11 about by the drilling of any well or for any other purpose of this  
12 article.

13 D. The commission may apply for and accept gifts, devises and  
14 donations of books, well records, maps or other materials. All donated  
15 materials shall become public records.

16 E. Monies collected under subsection B, paragraph 5 of this section  
17 are not subject to section 27-523 but shall be deposited, pursuant to  
18 sections 35-146 and 35-147, in the permit administration fund established  
19 by section 49-455 and shall be used to prepare, reproduce and distribute  
20 further publications.

21 Sec. 3. Repeal

22 Sections 41-3022.09 and 41-3022.24, Arizona Revised Statutes, are  
23 repealed.

24 Sec. 4. Section 49-186, Arizona Revised Statutes, is amended to  
25 read:

26 49-186. Rules; no licensing

27 A. The department shall adopt rules as necessary to implement  
28 section 49-179. The adoption of rules under this section is not a  
29 prerequisite for implementation of this article.

30 ~~B. The program established by this article ends on July 1, 2020~~  
31 ~~pursuant to section 41-3102.~~

32 ~~B.~~ B. Title 41, chapter 6, article 7.1 and section 41-1009 do not  
33 apply to this article.

34 Sec. 5. Repeal

35 A. Section 49-238, Arizona Revised Statutes, is repealed.

36 B. Laws 1998, chapter 298, section 30, as amended by Laws 2001,  
37 chapter 178, section 2, Laws 2004, chapter 140, section 1 and Laws 2010,  
38 chapter 277, section 1 is repealed.