



LEGISLATURE OF THE STATE OF IDAHO



Sixty-fourth Legislature

First Regular Session - 2017

IN THE _____

BILL NO. _____

BY _____

AN ACT

1
2 RELATING TO OIL AND GAS; AMENDING CHAPTER 3, TITLE 47, IDAHO CODE, BY THE
3 ADDITION OF A NEW SECTION 47-331, IDAHO CODE, RATIFYING, APPROVING,
4 ADOPTING AND CONFIRMING THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS,
5 TO PROVIDE FOR EFFECTIVITY, TO PROVIDE FOR STATES BECOMING PARTIES TO
6 THE COMPACT, TO PROVIDE A PURPOSE, TO PROVIDE FOR THE PREVENTION OF
7 CERTAIN WASTE, TO PROVIDE FOR THE DENIAL OF ACCESS TO COMMERCE AND FOR
8 PENALTIES, TO CLARIFY THE LIMITATION OF THE PURPOSE OF THE COMPACT, TO
9 PROVIDE FOR THE INTERSTATE OIL COMPACT COMMISSION, TO CLARIFY THE LACK
10 OF CERTAIN FINANCIAL OBLIGATION, TO PROVIDE FOR CONTINUATION OF THE
11 COMPACT UNTIL CONGRESS WITHDRAWS CONSENT, TO PROVIDE FOR WITHDRAWAL,
12 TO PROVIDE FOR THE PROCESSING OF A SIGNED SINGLE ORIGINAL AGREEMENT,
13 TO PROVIDE FOR RATIFICATION AND APPROVAL PURSUANT TO SPECIFIED TERMS,
14 TO PROVIDE A PROCEDURE FOR BECOMING A PARTY TO THE COMPACT, TO PROVIDE
15 FOR NOTICE BY THE GOVERNOR, TO AUTHORIZE THE GOVERNOR IN HIS DISCRETION
16 TO WITHDRAW THE STATE FROM THE COMPACT AND TO PROVIDE THAT THE GOVERNOR
17 SHALL APPOINT A REPRESENTATIVE TO THE INTERSTATE OIL AND GAS COMPACT
18 COMMISSION.

19 Be It Enacted by the Legislature of the State of Idaho:

20 SECTION 1. That Chapter 3, Title 47, Idaho Code, be, and the same is
21 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
22 ignated as Section 47-331, Idaho Code, and to read as follows:

23 47-331. INTERSTATE COMPACT FOR CONSERVATION OF OIL AND GAS RATI-
24 FIED. (1) The state of Idaho does hereby ratify, approve, adopt and confirm
25 the interstate compact to conserve oil and gas heretofore executed in the
26 city of Dallas, Texas, on February 16, 1935, and is now deposited with the
27 department of state of the United States and which has been extended with
28 the consent of congress to September 1, 1947, which said compact is substan-
29 tially as follows:

30 INTERSTATE COMPACT TO CONSERVE OIL AND GAS

31 ARTICLE I

32 This agreement may become effective within any compacting state at any
33 time as prescribed by that state, and shall become effective within those
34 states ratifying it whenever any three of the states of Texas, Oklahoma, Cal-
35 ifornia, Kansas and New Mexico have ratified and congress has given its con-
36 sent. Any oil-producing state may become a party hereto as hereinafter pro-
37 vided.

38 ARTICLE II

1 The commission shall have the power to recommend the coordination of the
2 exercise of the police powers of the several states within their several ju-
3 risdictions to promote the maximum ultimate recovery from the petroleum re-
4 serves of said states, and to recommend measures for the maximum ultimate
5 recovery of oil and gas. Said commission shall organize and adopt suitable
6 rules and regulations for the conduct of its business.

7 No action shall be taken by the commission except: (1) by the affirma-
8 tive votes of the majority of the whole number of the compacting states rep-
9 resented at any meeting, and (2) by a concurring vote of a majority in inter-
10 est of the compacting states at said meeting, such interest to be determined
11 as follows: such vote of each state shall be in the decimal proportion fixed
12 by the ratio of its daily average production during the preceding calendar
13 half-year to the daily average production of the compacting states during
14 said period.

15 ARTICLE VII

16 No state joining herein shall become financially obligated to any other
17 state, nor shall the breach of the terms hereof by any state subject such
18 state to financial responsibility to the other states joining herein.

19 ARTICLE VIII

20 This compact shall continue in effect until congress withdraws its con-
21 sent. But any state joining herein may, upon sixty (60) days notice, with-
22 draw herefrom.

23 The representatives of the signatory states have signed this agreement
24 in a single original which shall be deposited in the archives of the depart-
25 ment of state of the United States, and a duly certified copy shall be for-
26 ward to the governor of each of the signatory states.

27 This compact shall become effective when ratified and approved as pro-
28 vided in article I of this compact. Any oil-producing state may become a
29 party hereto by affixing its signature to a counterpart to be similarly de-
30 posited, certified, and ratified.

31 (2) Notice of approval of said compact shall be given by the governor
32 of Idaho to the interstate oil and gas compact commission (IOGCC) and to the
33 department of state of the United States.

34 (3) That the governor of the state of Idaho be and hereby is authorized
35 and empowered, for and on behalf of the state of Idaho, to determine when and
36 if it shall be for the best interests of the state of Idaho to withdraw from
37 said compact, upon sixty (60) days' notice, as provided by terms thereof,
38 and in the event he shall determine that the state should withdraw from said
39 compact, he shall have full power and authority to give necessary notice and
40 take any and all other steps necessary to effect the withdrawal of the state
41 of Idaho from said compact.

42 (4) The governor of the state of Idaho shall appoint one (1) representa-
43 tive of the state of Idaho to the IOGCC, whose duty and authority on behalf of
44 the state of Idaho shall be as provided in said compact.