

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Fenberg

1 Amend printed bill, page 15, line 14, strike "(1)" and substitute "(1); and
2 **add (4)**".

3 Page 16, after line 24 insert:

4 "(4) (a) EXCEPT AS SPECIFIED IN SUBSECTION (4)(b) OF THIS
5 SECTION, NOTHING IN THIS ARTICLE 60 AUTHORIZES THE STATE OR ITS
6 LOCAL GOVERNMENTS, INCLUDING THE COMMISSION, BOARDS OF COUNTY
7 COMMISSIONERS, AND MUNICIPALITIES, TO REGULATE THE ACTIVITIES OF:

8 (I) FEDERALLY RECOGNIZED INDIAN TRIBES, THEIR POLITICAL
9 SUBDIVISIONS, OR TRIBALLY CONTROLLED AFFILIATES, UNDERTAKEN OR
10 TO BE UNDERTAKEN WITH RESPECT TO MINERAL EVALUATION,
11 EXPLORATION, OR DEVELOPMENT ON LANDS WITHIN THE EXTERIOR
12 BOUNDARIES OF AN INDIAN RESERVATION LOCATED WITHIN THE STATE; OR

13 (II) THIRD PARTIES, UNDERTAKEN OR TO BE UNDERTAKEN WITH
14 RESPECT TO MINERAL EVALUATION, EXPLORATION, OR DEVELOPMENT ON
15 INDIAN TRUST LANDS WITHIN THE EXTERIOR BOUNDARIES OF AN INDIAN
16 RESERVATION LOCATED WITHIN THE STATE.

17 (b) REGULATION BY THE STATE OR ITS LOCAL GOVERNMENTS,
18 INCLUDING THE COMMISSION, BOARDS OF COUNTY COMMISSIONERS, AND
19 MUNICIPALITIES, APPLICABLE TO NON-INDIANS CONDUCTING OIL AND GAS
20 OPERATIONS ON LANDS WITHIN THE EXTERIOR BOUNDARIES OF THE
21 SOUTHERN UTE INDIAN RESERVATION MAY APPLY TO LANDS WHERE BOTH
22 THE SURFACE AND THE OIL AND GAS ESTATES ARE OWNED IN FEE BY A
23 PERSON OTHER THAN THE SOUTHERN UTE INDIAN TRIBE, REGARDLESS OF
24 WHETHER THE LANDS ARE COMMUNITIZED OR POOLED WITH INDIAN
25 MINERAL LANDS."

** ** ** ** **