

10956

I N A S S E M B L Y

May 5, 2010

Introduced by M. of A. LUPARDO -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to integrated royalty owners in the New York Marcellus Shale region

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subparagraph 3 of paragraph a of subdivision 3 of section
2 23-0901 of the environmental conservation law, as amended by chapter 386
3 of the laws of 2005, is amended to read as follows:
4 (3) "Integrated royalty owner" means an owner who has either elected
5 to be an integrated royalty owner or who does not elect to become either
6 a participating owner or a non-participating owner. [The integrated]
7 INTEGRATED royalty [owner] OWNERS, OTHER THAN INTEGRATED ROYALTY OWNERS
8 IN THE NEW YORK MARCELLUS SHALE REGION, shall receive a royalty equal to
9 the lowest royalty in an existing lease in the spacing unit, but no less
10 than one-eighth. INTEGRATED ROYALTY OWNERS IN THE NEW YORK MARCELLUS
11 SHALE REGION SHALL RECEIVE A ROYALTY EQUAL TO THE HIGHEST ROYALTY IN AN
12 EXISTING LEASE IN THE SPACING UNIT, BUT NO LESS THAN 18.75 PERCENT. The
13 integrated royalty owner shall have no obligation to the well operator
14 or any other owner for any charges, taxes or fees associated with the
15 operation of the oil or gas well and, notwithstanding any other law to
16 the contrary, shall not be liable by reason of the owner's status as an
17 integrated royalty owner for any claims for personal injury or property
18 damage suffered by any person relating to the drilling and operation of
19 the well.
20 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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