

## WEEKLY HIGHLIGHTS AT-A-GLANCE

### FEDERAL – Regulatory

- **Public Lands – Montana.** On October 30, Secretary of Agriculture Tom Vilsack sent a letter to Secretary of the Interior Sally Jewell recommending that BLM cancel 18 long-held oil and gas leases located on Forest Service land. These leases, originally issued in 1982, have been the focus of controversy for many years, largely based on their proximity to areas of cultural significance to the Blackfoot Tribe and Glacier National Park. Under an order from U.S. District Judge Richard Leon, BLM has until November 23 to either lift the suspensions or cancel the leases. If BLM cancels the leases, it is likely to face further legal challenges from the lessees. [Read more.](#)
- **Public Lands – Ohio.** Oil and gas companies formally expressed interest to the BLM to drill roughly 31,900 acres in Wayne National Forest in Southeastern Ohio. The BLM, which will begin [public hearings on November 17](#), is currently determining whether it owns mineral rights in those forest sections and will assess potential environmental risks. [Read more.](#)

### FEDERAL – Legislative

- **Tax – Texas Rep. Kevin Brady will become the next chairman of the U.S. House Ways and Means Committee,** in what has been called a win for the oil and gas industry. Brady, who succeeds the newly-elected Speaker of the House, Rep. Paul Ryan, will reign over tax policy affecting oil and gas drillers, energy developers, and other energy firms. Chairman Brady, speaking at the annual Tax Foundation's *Energy Tax Conference: Maximizing Value* in Houston, Texas, stressed the need to reform the federal income tax code and to expand and incentivize energy exploration and production in the United States, in part by lifting the ban on oil exports. [Read more.](#)

### STATE – Judicial

- **Impact Fees – Pennsylvania.** On November 3, the state Supreme Court agreed to hear arguments on the constitutionality of Act 13, the oil and gas law which governs the state's shale industry and which has been mired in legal battles since it took effect in 2012. Among other issues, the judicial review will include eminent domain favorable to operators and whether the state could withhold a municipality's share of the Marcellus Shale impact fee if a local ordinance bans production. [Read more.](#)

## **STATE – Regulatory**

- **New operations – West Virginia.** Despite this year’s slumping natural gas prices, potential profits that lay far beneath Putnam County’s surface are piquing some companies’ interests. On November 2, the state Department of Environmental Protection approved a permit for Charleston-based Hard Rock Exploration to drill a vertical test well into the Rogersville Shale. This deep-shale formation, at least 4,000 below the Marcellus, is still relatively uncharted, but may prove to be quite profitable. [Read more.](#)

**INDUSTRY NEWS FLASH:** Despite persistent media reports that most Americans oppose domestic onshore oil and gas exploration and production, a new survey shows otherwise. In fact, a poll conducted for the American Petroleum Institute by Harris Poll, and released last week, shows an overwhelming majority of voters, nearly 80%, support U.S. oil and gas development. [Read more.](#)

## **2015 Election and Ballot Measure Results**

The [State Elections 2015](#) report takes a state-by-state look at the attorneys general, gubernatorial and legislative races in the states where elections were held. The report also contains an overview of states that held special elections this past session and compiles an overview of their results and impact on party control.

The [2015 Ballot Measures](#) report contains the results of initiatives in the nine states that held such votes.

## **State-by-State Legislative Session Overview**

**Illinois, Massachusetts, Michigan, the New Jersey Senate, Ohio, the Pennsylvania House and Wisconsin** are in regular session. The **District of Columbia** Council and the **U.S.** Congress are also in regular session.

The **New Jersey** House is currently in recess and is expected to reconvene on November 9. The **Pennsylvania** Senate is also in recess and is scheduled to return on November 16. **California**’s special sessions on health and transportation have yet to adjourn, though the legislature has adjourned for the year and will not reconvene until January 4, the [Los Angeles Times](#) reports. **Hawaii**’s special session on judicial appointments is expected to adjourn on November 6.

The following states adjourned their special sessions on the dates provided: **Arizona** (October 30); the **Alaska** House (November 4) and Senate (November 5) and **Florida** (November 5). **New Hampshire** is expected to convene a special session to consider anti-drug legislation on November 18.

The following governors have bill signing deadlines on the dates provided: **South Carolina** Republican Gov. Nikki Haley has until January 14 to act on legislation or it becomes law without signature. **Maine** Republican Gov. Paul LePage has until January 16 to act on any bills sent to him on July 16. All other legislation has been acted on. **Montana** Democratic Gov. Steve Bullock has 10 days from presentment to act on legislation or it becomes law without signature. **New York** Democratic Gov. Andrew Cuomo has 10 days from presentment to act on legislation or it becomes law without signature. **Tennessee** Republican Gov. Bill Haslam has 10 days from presentment, Sundays excepted, to act on legislation or it becomes law without signature.

**Alabama, Florida**, the **Kansas** House, **Kentucky, Oklahoma** and the **Tennessee** House and Senate are now pre-filing for the 2016 legislative session.

The following states are currently holding interim committee hearings: **Alabama, Alaska, Arizona, Arkansas**, the **California** Assembly and Senate, **Colorado, Connecticut**, the **Florida** House and Senate, the **Georgia** House and Senate, **Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota**, the **Mississippi** House and Senate, the **Missouri** House and Senate, **Montana, Nebraska, Nevada, New Hampshire** House and Senate, **New Mexico**, the **New York** Assembly, **North Dakota**, the **Oklahoma** House and Senate, **Rhode Island**, the **South Carolina** House and Senate, **South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia** and **Wyoming**.

## Lands

**Wisconsin** [AB 319](#) passed the Assembly on November 3 and was messaged to the Senate, where it is awaiting committee referral. The bill would extend current laws relating to the condemnation of land for the construction of high-voltage transmission lines to include condemnation for natural gas distribution and transmission lines. It would impose a 90-day deadline for the utility and the owner of the land to agree on the fair market value of the land to be conveyed, except that this deadline could be extended by an additional 90 days if the two parties agree.

## Oil and Gas

### General Oil and Gas

**Michigan** [SB 600](#) was introduced and referred to the Senate Banking and Financial Institutions Committee on November 4. The bill is sponsored by four members of that committee: Sen. Darwin Booher, R-Ewart, who is the committee chair; Sen. Dale Zorn, R-Ida; Sen. Peter MacGregor, R-Rockford; and Sen. Curtis Hertel, D-East Lansing, who is the minority vice chair. The bill would clarify the fee for recording and indexing a statement claiming a lien for labor on an oil or gas well. If enacted, the bill would take effect 90 days after final passage and approval.