

Public Law 92-322

JOINT RESOLUTION

Consenting to an extension and renewal of the interstate compact to conserve oil and gas.

June 30, 1972
[S. J. Res. 72]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an extension and renewal for a period of three years from September 1, 1971, to September 1, 1974, of the interstate compact to conserve oil and gas, as amended, which was signed in its initial form in the city of Dallas, Texas, the 16th day of February 1935, by the representatives of Oklahoma, Texas, California, and New Mexico, and at the same time and place was signed by the representatives, as a recommendation for approval to the Governors and legislatures of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and which, prior to August 27, 1935, was presented to and approved by the legislatures and Governors of the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, and which so approved by the six States last above named was deposited in the Department of State of the United States, and thereafter was consented to by the Congress in Public Resolution Numbered 64, Seventy-fourth Congress, approved August 27, 1935, for a period of two years, and thereafter was extended by the representatives of the compacting States and consented to by the Congress for successive periods, without interruption, the last extension being for the period from September 1, 1969, to September 1, 1971, consented to by Congress by Public Law Numbered 91-158, Ninety-first Congress, approved December 24, 1969. The agreement to amend, extend, and renew said compact effective September 1, 1971, duly executed by representatives of the States of Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wyoming has been deposited in the Department of State of the United States, and reads as follows:

Oil and gas conservation compact.
Extension and renewal.

49 Stat. 939.

83 Stat. 436.

**“AN AGREEMENT TO AMEND, EXTEND AND RENEW THE
INTERSTATE COMPACT TO CONSERVE OIL AND GAS**

“WHEREAS, on the 16th day of February, 1935, in the City of Dallas, Texas, there was executed ‘An Interstate Compact to Conserve Oil and Gas’ which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado and Kansas, the original of which is now on deposit with the Department of State of the United States;

“WHEREAS, effective as of September 1, 1971, the several compacting states deem it advisable to amend said compact so as to provide that upon the giving of Congressional consent thereto in its amended form, said Compact will remain in effect until Congress withdraws such consent;

“WHEREAS, the original of said Compact as so amended will, upon execution thereof, be deposited promptly with the Department of State of the United States, a true copy of which follows:

“AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS

“ARTICLE I

“This agreement may become effective within any compacting state at any time as prescribed by that state, and shall become effective within those states ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas and New Mexico have ratified and Congress has given its consent. Any oil-producing state may become a party hereto as hereinafter provided.

“ARTICLE II

“The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

“ARTICLE III

“Each state bound hereby agrees that within a reasonable time it will enact laws, or if the laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

“(a) The operation of any oil well with an inefficient gas-oil ratio.

“(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas, in paying quantities.

“(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

“(d) The creation of unnecessary fire hazards.

“(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

“(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

“The enumeration of the foregoing subjects shall not limit the scope of the authority of any state.

“ARTICLE IV

“Each state bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

“ARTICLE V

“It is not the purpose of this compact to authorize the states joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

“ARTICLE VI

“Each state joining herein shall appoint one representative to a commission hereby constituted and designated as THE INTER-STATE OIL COMPACT COMMISSION, the duty of which said Commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said Commission deems beneficial it shall report its findings and recommendations to the several states for adoption or rejection.

“The Commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said states, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

“No action shall be taken by the Commission except: (1) By the affirmative votes of the majority of the whole number of the compacting states represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting states at said meeting, such interest to be determined as follows: Such vote of each state shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting states during said period.

“ARTICLE VII

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

“ARTICLE VIII

“This compact shall continue in effect until Congress withdraws its consent. But any state joining herein may, upon sixty (60) days' notice, withdraw herefrom.

“The representatives of the signatory states have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the governor of each of the signatory states.

“This compact shall become effective when ratified and approved as provided in Article I. Any oil-producing state may become a party thereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.

“Done in the City of Dallas, Texas, this sixteenth day of February, 1935.’

“WHEREAS, the said ‘Interstate Compact to Conserve Oil and Gas’ in its initial form has heretofore been duly renewed and extended with the consent of the Congress to September 1, 1971; and

“WHEREAS, it is desired to amend said ‘Interstate Compact to Conserve Oil and Gas’ effective September 1, 1971, and to renew and extend said compact as so amended:

"NOW, THEREFORE, THIS WRITING WITNESSETH:

"It is hereby agreed that effective September 1, 1971, the Compact entitled 'An Interstate Compact to Conserve Oil and Gas' executed within the City of Dallas, Texas, on the 16th day of February, 1935, and now on deposit with the Department of State of the United States, be and the same is hereby amended by amending the first paragraph of Article VIII thereof to read as follows:

"'This compact shall continue in effect until Congress withdraws its consent. But any state joining herein may, upon sixty (60) days' notice, withdraw herefrom.'

and that said compact as so amended be, and the same is hereby renewed and extended. This agreement shall become effective when executed, ratified, and approved as provided in Article I of said compact as so amended.

"The signatory States have executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States. Any oil-producing State may become a party hereto by executing a counterpart of this agreement to be similarly deposited, certified, and ratified.

"Executed by the several undersigned States, at their several State capitols, through their proper officials on the dates as shown, as duly authorized by statutes and resolutions, subject to the limitations and qualifications of the acts of the respective State Legislatures.

"THE STATE OF ALABAMA

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF ALASKA

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF ARIZONA

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF ARKANSAS

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF COLORADO

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF FLORIDA

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

THE STATE OF ILLINOIS

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF INDIANA

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF KANSAS

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF KENTUCKY

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF LOUISIANA

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF MARYLAND

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF MICHIGAN

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF MISSISSIPPI

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF MONTANA

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF NEBRASKA

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

THE STATE OF NEW MEXICO

By _____, Governor
 Dated: _____
 Attest: _____
 Secretary of State (SEAL)

"THE STATE OF NEW YORK

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF NORTH DAKOTA

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF OHIO

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF OKLAHOMA

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE COMMONWEALTH OF PENNSYLVANIA

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF SOUTH DAKOTA

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF TENNESSEE

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF TEXAS

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF UTAH

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF WEST VIRGINIA

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)

"THE STATE OF WYOMING

By _____, Governor
Dated: _____
Attest: _____
Secretary of State (SEAL)"

SEC. 2. (a) The Attorney General of the United States shall make a report to Congress not later than two years after the date of enactment of this Act as to whether the activities of the Interstate Oil Compact Commission and the States under the provisions of such compact have been consistent with the purposes as set out in Article V of such compact, and have been limited to activities related directly to the immediate purpose of such compact as set out in Article II of such compact.

(b) Section 2 of Public Law 185, Eighty-fourth Congress (69 Stat. 391) is hereby repealed.

SEC. 3. The right to alter, amend, or repeal the provisions of the first section of this joint resolution is hereby expressly reserved.

Approved June 30, 1972.

Report to Congress.

Repeal.

Public Law 92-323

AN ACT

To amend the cruise legislation of the Merchant Marine Act, 1936.

June 30, 1972
[H. R. 9552]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 613 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1183), is amended as follows:

(a) Subsection (b) is amended as follows:

(A) By striking out "effective before January 2, 1960, is required for at least one-third of each year, but not" and inserting in lieu thereof "effective before January 2, 1960, is not required".

(B) By striking out "(1) on such service, route, or line for such part of each year" and inserting in lieu thereof "(1) on such service, route, or line for some part or no part of each year".

(C) By striking out "(2) on cruises for all or part of the remainder of each year" and inserting in lieu thereof "(2) on cruises for all or part of each year".

(b) Subsection (d) is amended as follows:

(A) By inserting after the numeral "(1)" the words "except as provided in subdivision (4) of this subsection" and a comma.

(B) By inserting a new subsection (4) to read as follows:

"(4) Any other provisions of the Merchant Marine Act, 1936, or of the Shipping Act, 1916, to the contrary notwithstanding, with the approval of the Secretary of Commerce, it may carry cargo and mail between ports to the extent such carriage is not in direct competition with a carrier offering United States-flag berth service between those ports, or, if such carriage is in direct competition with one or more carriers offering United States-flag berth service between such ports, with the consent of the next scheduled United States-flag carrier, which consent shall not be unreasonably withheld in the judgment of the Maritime Administrator."

(c) The first sentence of subsection (e) is amended by inserting after the words "after consideration of all relevant matter presented, shall" the words "approve the proposed cruise" and by striking out the last comma in the sentence and the words "approve the proposed cruise" at the end of the sentence.

Approved June 30, 1972.

Passenger
vessels.
Off-season
cruises.
75 Stat. 89;
82 Stat. 248;
84 Stat. 215.

49 Stat. 1985.
46 USC 1245.
39 Stat. 728.
46 USC 842.