

HOUSE AGRICULTURE, ACEQUIAS AND WATER RESOURCES  
COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 34

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

AN ACT

RELATING TO THE ENVIRONMENT; REQUIRING THE OIL CONSERVATION  
DIVISION OF THE ENERGY, MINERALS AND NATURAL RESOURCES  
DEPARTMENT AND THE OIL CONSERVATION COMMISSION TO IMPLEMENT THE  
OIL AND GAS ACT IN A MANNER THAT PROTECTS PUBLIC HEALTH AND THE  
ENVIRONMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 70-2-11 NMSA 1978 (being Laws 1935,  
Chapter 72, Section 9, as amended) is amended to read:

"70-2-11. POWER OF COMMISSION AND DIVISION TO PREVENT  
WASTE AND PROTECT CORRELATIVE RIGHTS.--

A. The division is hereby empowered and it is its  
duty to prevent waste prohibited by ~~[this]~~ the Oil and Gas Act,  
~~[and to]~~ protect correlative rights as ~~[in this act]~~ provided  
in that act and implement that act in a manner that protects

.230080.1

underscored material = new  
[bracketed material] = delete

1 public health and the environment. To that end, the division  
2 [~~is empowered to~~] may make and enforce rules, regulations and  
3 orders and [~~to~~] do whatever may be reasonably necessary to  
4 carry out the purpose of [~~this~~] that act, whether or not  
5 indicated or specified in any section [~~hereof~~] of that act.

6 B. The commission shall have concurrent  
7 jurisdiction and authority with the division to the extent  
8 necessary for the commission to perform its duties as required  
9 by law."

underscoring material = new  
[bracketed material] = delete