

AN ACT

RELATING TO NATURAL RESOURCES; PROVIDING FOR REGULATION AND  
CONSERVATION OF HELIUM AND OTHER NON-HYDROCARBON GASES.

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

Section 1. Section 70-2-34 NMSA 1978 (being Laws 1935, Chapter 72,  
Section 28, as amended) is amended to read:

"70-2-34. REGULATION, CONSERVATION AND PREVENTION OF WASTE OF  
CARBON DIOXIDE, HELIUM AND OTHER NON-HYDROCARBON GASES.--

A. The oil conservation division shall adopt and administer rules on the  
conservation, the production and the prevention of waste of carbon dioxide, helium  
and other non-hydrocarbon gases in the same manner as it regulates, conserves and  
prevents waste of natural or hydrocarbon gas. Where applicable, the provisions of the  
Oil and Gas Act relating to gas or natural gas shall also apply to carbon dioxide, helium  
and other non-hydrocarbon gases.

B. The commission shall have concurrent jurisdiction and authority with  
the oil conservation division to the extent necessary for the commission to perform its  
duties as required by law.

C. As used in this section:

(1) "carbon dioxide" means a noncombustible gas composed  
chiefly of carbon dioxide occurring naturally in underground rocks;

(2) "helium" means a gas composed of the elemental gas  
helium and found in underground rocks, often along with other gases; and

(3) "other non-hydrocarbon gases" means noncombustible

gases found in underground rocks, often along with other gases."

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