

2019 LEGISLATIVE SUMMARY, APRIL 13

New Mexico Environmental Law Center—Executive Director Douglas Meiklejohn, Staff Attorney Charles de Saillan

State Representative Matthew McQueen, Chairman House Energy, Environment and Natural Resources Committee

Representative McQueen and Law Center staff went through some of the major bills that were considered during the recent legislative session, highlighting both achievements and what still needs to be done. Overall, Rep. McQueen stressed how valuable it was this session to get support from government agencies. He urged citizens and environmental groups to do their advocacy work now, during the off-season; don't wait until the session starts! The worst time to lobby is during the session when members are swamped.

Bills That Passed

Oil Conservation Act. Gives the state authority to impose fines on oil and gas producers of up to \$10000 per day, up from \$1000.

Produce Water Bill. Allows state to regulate the sale of water used in drilling; operators in the Permian basin currently use approximately twice as much water as the entire city of Albuquerque. Some is reused in drilling, while some is sold for 'other purposes.'

Energy Transition Act. Requires New Mexico to be 100% 'carbon free' by 2045. Rep McQueen said he voted for the bill even though it included overly generous terms for PNM. He speculated that PNM knows its grid is 'going away' and is fighting for every penny.

Bills That Didn't Pass

Environmental Review Act. (Passed the House, not the Senate). Would require state agencies to do an environmental review for state projects, similar to the Federal NEPA Act. State agencies are concerned about the extra expense and time this would entail. It will probably need some limitations if it is re-introduced.

Mining Permit Corporate Guarantees (Did not pass—Democrats divided). This bill would have made more stringent requirements for mining companies to guarantee to restore mine sites and remediate environmental damage. According to McQueen, mining companies conducted a misleading campaign, telling communities that the bill would cause mines to shut down.

Rural vs. Urban

Rep McQueen was a leader on bills that arguably pitted rural vs. urban interests, such as the ban on coyote-killing contests. McQueen said these divisions are often overblown by Republicans, who seek to use them as wedge issues. In his district, which is largely rural, there are plenty of people who opposed coyote hunts and supported restrictions on trapping.

Adam Wasserman