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## FISCAL IMPACT REPORT

**SPONSOR** Lujan, B.      **DATE TYPED** 02/25/05      **HB** 1035

**SHORT TITLE** Eliminate Pesticide Advisory Review Board      **SB** \_\_\_\_\_

**ANALYST** Woods

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Section 76-4-36 NMSA 1978 (as amended)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Department of Agriculture (NMDA)

New Mexico Environment Department (NMED)

### SUMMARY

#### Synopsis of Bill

House Bill 1035 – Relating to Boards; Eliminating the Pesticide Advisory Review Board; Repealing a Section of the NMSA 1978 – repeals Section 76-4-36 NMSA 1978 (being Laws 1973, Chapter 366, Section 36, as amended) so as to eliminate the Pesticide Advisory Review Board.

There is no appropriation attached to this legislation.

#### Significant Issues

NMDA indicates that the Pesticide Advisory Board was created to review pesticide regulations, pesticides used in New Mexico, and to advise NMDA regarding designation and use of restricted use pesticides. Board members are from NMDA, New Mexico State University, and the departments of Environment, Natural Resources, and Finance and Administration. Four additional members are appointed by the director of NMDA. Findings of the board are submitted to the

NMSU Board of Regents in promulgating regulations. NMDA notes that:

- NMDA has assumed the duties to pesticide regulation review and use throughout the state;
- the federal Environmental Protection Agency reviews pesticides on a federal level;  
and
- other avenues exist for input from other agencies and interested parties.

NMED adds that the board functions simply in an advisory capacity, and can only make recommendations to the Board of Regents of New Mexico State University. Further, that while the Environment Department cabinet secretary is, by statute, one of the its members, the board has not actually “met in many years.”

#### **ADMINISTRATIVE IMPLICATIONS**

NMED suggests that since the board has not met in many years, its elimination will help to streamline government operations.

**BFW/sb**