

**LFC Requester:****Helen Gaussoin**

**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**Analysis.nmlegis.gov**

*{Analysis must be uploaded as a PDF}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**     **Amendment**    \_\_\_\_\_  
**Correction**    \_\_\_\_\_ **Substitute**    \_\_\_\_\_

**Date** 1/31/24

**Bill No:** HM 33

**Sponsor:** Kristina Ortez  
**Short Title:** POLLINATOR PROTECTION  
PLAN WORK GROUP

**Agency Name and Code**    NMDA 199  
**Number:** \_\_\_\_\_  
**Person Writing**    Jeff Witte  
**Phone:** 575-646-5063    **Email** hrickner@nmsa.nmsu.edu

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
N/A	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
N/A	N/A	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	\$15.5	N/A	N/A	\$15.5	Nonrecurring	Other State Funds

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: House Memorial (HM) 33 requests that the New Mexico department of agriculture (NMDA) convenes a working group composed of representatives from NMDA, New Mexico food and agriculture policy council, and New Mexico beekeepers’ association (NMBKA) to consider a pollinator protection plan as proposed by NMBKA. HM 33 requests the working group to develop recommendations for immediate and continued assessments of the number of beekeepers and hives across the state and to report its recommendations to relevant legislative committee by October 1, 2024. Additionally, HM 33 requests the working group to create educational material regarding best practices for farmers, land stewards, pesticide applicators, and beekeepers.

**FISCAL IMPLICATIONS**

NMDA expects to utilize 0.25 FTE equivalency of a specialist position to meet requests outlined in HM 33. NMDA expects to remain within existing fiscal resources utilizing the state’s regulatory apiculturists and state’s regulatory entomologist’s knowledge and experience.

**SIGNIFICANT ISSUES**

Approximately 39 states have adopted or are in the process of developing pollinator protection or conservation plans, which are non-binding documents that provide state agencies direction on evaluating, monitoring, and improving pollinator population health. It is expected that upon completion of the Pollinator Protection Plan, a subsequent memorial will be considered to request legislative approval of the document as New Mexico’s Pollinator Protection Plan.

Survey results and observations by experienced beekeepers have identified inadequate varroa mite management (parasitic mite of bees), and other deficient beekeeping husbandry practices as contributors to reductions in bee health in the state. It is expected that development of regionalized educational material will contribute to improvements in honeybee health.

**PERFORMANCE IMPLICATIONS**

The work requested in HM 33 will assist in the development of a pollinator protection strategies through data collecting and outreach/education to improve honeybee and other pollinator’s health in New Mexico. HM 33 will assist in collaboration with the New Mexico Beekeepers Association

and state agencies to determine location of non-commercial and backyard apiaries for the purpose of tracking potential threats to apiary health.

Recommendations developed by the working group created by NMDA will report to the interim legislative committees dealing with conservation and environmental issues by October 1, 2024.

Working group recommendations may lead to future legislation with additional operating budget impacts in future fiscal years.

## **ADMINISTRATIVE IMPLICATIONS**

None

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None

## **TECHNICAL ISSUES**

None

## **OTHER SUBSTANTIVE ISSUES**

New Mexico Department of Agriculture is concerned that current memorial language limits participation in a pollinator working group to only three parties, New Mexico Department of Agriculture, New Mexico Beekeepers Association, and New Mexico Food and Agriculture Policy Council. Memorial language appears to limit the pollinator working group's participation to only an approval rather than a collaborative process regarding the content of a New Mexico Beekeepers Association's draft of a state Pollinator Protection Plan.

## **ALTERNATIVES**

None

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

New Mexico's progress toward legislative endorsement of the state's pollinator protection plan, will be slowed. Educational material currently utilized and relied upon by beekeepers in New Mexico may not be relevant for the state's various ecosystems or current factors affecting pollinator health. Knowledge of non-commercial/backyard apiary locations; abiotic and biotic factors affecting non-commercial/backyard apiaries; and potential for transmittal of factors to commercial apiaries will be reduced.

## **AMENDMENTS**

Page 2, Lines 21-25: NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico department of agriculture be requested to convene a working group to [~~consider acceptance of a pollinator protection plan as proposed by the New Mexico beekeeper association~~] develop and approve a

Pollinator Protection Plan for adoption through a legislative process and assess . . .

Page 3, Lines 3-11: BE IT FURTHER RESOLVED that the working group be composed of representatives of the New Mexico department of agriculture, the New Mexico food and agriculture policy council, [~~and the~~] New Mexico beekeepers association, and other interested parties; and