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HOUSE BILL 280

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

W. Ken Martinez

AN ACT

**RELATING TO EXECUTIVE REORGANIZATION; CREATING THE OFFICE OF
PEACE; PROVIDING POWERS AND DUTIES; CREATING THE CITIZENS PEACE
ADVISORY COUNCIL; MAKING AN APPROPRIATION.**

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

**Section 1. SHORT TITLE. --This act may be cited as the
"Office of Peace Act".**

**Section 2. PURPOSE. --The purpose of the Office of Peace
Act is to establish an office dedicated to peacemaking, justice
and human rights; training that will enable the prevention,
management and resolution of conflict without violence; and the
study and implementation of conditions that are conducive to a
culture of peace.**

**Section 3. DEFINITIONS. --As used in the Office of Peace
Act:**

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1 A. "council" means the citizens peace advisory
2 council;

3 B. "dialogue" means a facilitated process of a
4 group of people taking turns talking and listening to each
5 other to allow an exchange of diverse ideas, opinions and
6 experiences that fosters greater understanding;

7 C. "director" means the director of peace; and

8 D. "office" means the office of peace.

9 Section 4. OFFICE ESTABLISHED. --The "office of peace" is
10 created. The office shall be administratively attached to the
11 department of finance and administration. For purposes of this
12 section, the term "administratively attached" has the meaning
13 specified in Section 9-1-7 NMSA 1978.

14 Section 5. DIRECTOR--APPOINTMENT. --

15 A. The administrative head of the office is the
16 "director of peace", who shall be appointed by the governor
17 with the consent of the senate.

18 B. The director shall have no fewer than fifty
19 hours of training in peacemaking mediation, conflict resolution
20 or dialogue and at least one year of experience in applying
21 these skills in a community setting or equivalent life
22 experience.

23 C. The director shall serve and have all the
24 duties, responsibilities and authority of the office during the
25 time prior to final action by the senate confirming or

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1 rejecting the appointment.

2 Section 6. DIRECTOR--DUTIES.--

3 A. The director is responsible to the governor for
4 the operation of the office. It is the director's duty to
5 manage all operations of the office. The director shall employ
6 professional and clerical assistance, contractors and general
7 counsel as deemed necessary and shall oversee staff
8 performance, setting priorities within time and budget
9 constraints. The director shall apply the resources and skills
10 of the office to four areas: prevention, management and
11 resolution of conflict; public education; policy; and public
12 information.

13 B. In regard to the prevention, management and
14 resolution of conflict, the director shall have the duty to:

15 (1) organize and participate in public
16 dialogues throughout the state, providing a diplomatic method
17 for addressing controversial issues and conflicts;

18 (2) analyze and build upon existing policies
19 and programs and develop new approaches, in collaboration with
20 established institutional and agency efforts and
21 nongovernmental organizations, for preventing, managing and
22 resolving social conflict, including:

23 (a) spouse abuse, child abuse and
24 mistreatment of the elderly;

25 (b) crime, punishment, rehabilitation

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1 and pursuit of restorative justice;

2 (c) school and gang violence;

3 (d) hate crimes, such as racial and
4 ethnic violence and violence based on sexual orientation;

5 (e) disputes between the police and
6 community members;

7 (f) natural resource disputes within and
8 between communities; and

9 (g) disputes within and between
10 government agencies; and

11 (3) assist in establishing community-based
12 violence prevention programs, including violence prevention
13 counseling and peer mediation and dialogues in schools, and
14 peaceful settlement programs for police and other public safety
15 officers.

16 C. In regard to public education, the director
17 shall have the duty to:

18 (1) develop a peace education curriculum,
19 which shall include the study of:

20 (a) the constitutions of the United
21 States and New Mexico and the universal declaration of human
22 rights adopted by the general assembly of the United Nations in
23 1948 to develop understanding as to how these documents serve
24 the interests of peace;

25 (b) historical advancements in the

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1 peace, civil, social justice and human rights movements in the
2 United States and throughout the world, with special emphasis
3 on how individual and group commitment to nonviolence has
4 contributed to advancements in the interests of peace and
5 justice; and

6 (c) peace agreements and circumstances
7 in which peaceful intervention has succeeded in stopping
8 conflict;

9 (2) cooperate with the secretary of public
10 education and superintendents of New Mexico public school
11 districts to develop and make available curricula and
12 supporting materials for use in school districts to facilitate
13 instruction in peaceful conflict resolution, peace awareness
14 and other peace objectives at public schools or any combination
15 of public schools in a school district; and

16 (3) provide peace education grants for the
17 creation and expansion of peace studies and programs at all
18 educational levels.

19 D. In regard to policy, the director shall have the
20 duty to:

21 (1) promote counseling and community support
22 on behalf of victims of violence and for family members of
23 perpetrators of violence;

24 (2) develop and support community-based
25 strategies for celebrating diversity to promote tolerance and

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1 understanding among the diverse people in New Mexico and to
2 help reduce racial and class tension;

3 (3) create a community peace block grant
4 program to provide grants to nonviolent conflict resolution
5 programs and local nongovernmental peace-building initiatives;
6 and

7 (4) study and promote a sustainable, life-
8 affirming economy that puts people and justice first, as an
9 essential avenue to peace and security, including:

10 (a) offering nonviolent conflict
11 resolution strategies on issues that threaten community well-
12 being and security and disputes concerning wise use of water
13 and other natural resources and protection of the environment;

14 (b) promoting renewable, sustainable
15 technologies; and

16 (c) encouraging the conservation and
17 restoration of natural resources to prevent future conflicts
18 stemming from resource scarcity and environmental
19 contamination.

20 E. In regard to public information, the director
21 shall have the duty to:

22 (1) gather information on effective community
23 peace-building activities and disseminate the information;

24 (2) make studies available to the public that
25 address the role of the media as it affects the escalation or

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1 recession of conflict;

2 (3) publish activities of the office and
3 encourage scholarly participation; and

4 (4) hold conferences to create awareness of
5 the office's findings.

6 Section 7. COUNCIL-- CREATION-- MEMBERS-- RESPONSIBILITIES--
7 COMPENSATION.--

8 A. The "citizens peace advisory council" is created
9 and shall be composed of the director and ten appointed members
10 as follows, who reflect the multicultural, gender, economic,
11 geographic and political diversity of the people of New Mexico:

12 (1) one representative from an established
13 peace advocacy organization, appointed by the director;

14 (2) one representative from a religious or
15 spiritual organization, appointed by the director;

16 (3) one representative from a local, county or
17 state law enforcement agency, appointed by the secretary of
18 public safety;

19 (4) one health professional with expertise in
20 behavioral and public health issues, appointed by the secretary
21 of health;

22 (5) one representative from an environmental
23 and energy conservation organization with expertise in
24 alternative energy use, appointed by the secretary of
25 environment;

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1 (6) one veteran who has served in an armed
2 conflict, appointed by the secretary of veterans' services;

3 (7) one public school educator, appointed by
4 the secretary of public education;

5 (8) one representative affiliated with the
6 arts, appointed by the chairperson of the New Mexico arts
7 commission;

8 (9) one youth representative, between the ages
9 of fifteen and twenty-four years, appointed by the director;
10 and

11 (10) one member appointed by the secretary of
12 Indian affairs.

13 B. The term of service of council members shall be
14 four years. The initial terms shall be staggered. The terms
15 of five members shall expire at the end of the initial two
16 years and the terms of five members shall expire at the end of
17 the initial four years. The initial terms shall be selected by
18 random drawing. A citizen member of the council shall not
19 serve more than two full terms. In the event of a vacancy on
20 the council, a new member shall be appointed for the unexpired
21 term.

22 C. The council shall select a chairperson, a vice
23 chairperson and other officers as it deems necessary.

24 D. The council shall meet no less than twice
25 annually and may meet more frequently upon the call of the

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1 chairperson. The council shall:

2 (1) use the dialogue process in its
3 interactions with each other and the staff;

4 (2) provide assistance and make
5 recommendations to the director and the governor concerning
6 policies and practices relating to state peace activities;

7 (3) annually submit a report to the director
8 and the governor reviewing the impact of state peace activities
9 on local governments and communities; and

10 (4) publicize and allot time to receive and
11 report citizen input at regular council meetings maintaining
12 the grassroots connection with the citizens of New Mexico.

13 E. Council members shall receive per diem and
14 mileage as provided for nonsalaried public officers in the Per
15 Diem and Mileage Act and shall receive no other compensation,
16 perquisite or allowance.

17 Section 8. OFFICE LOGO.--The logo is an ancient universal
18 symbol most recently copyrighted in 1935 by artist Nicholas
19 Roerich to symbolize an international pact for the preservation
20 of culture. The Roerich museum in New York city has granted
21 permission to any state creating a department or office of
22 peace the right to use this symbol. The office shall use this
23 logo on appropriate correspondence and publications.

24 Section 9. APPROPRIATION.--Two hundred fifty thousand
25 dollars (\$250,000) is appropriated from the general fund to the

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1 office of peace for expenditure in fiscal year 2006 to carry
2 out the provisions of the Office of Peace Act. Any unexpended
3 or unencumbered balance remaining at the end of fiscal year
4 2006 shall not revert to the general fund.

5 Section 10. EFFECTIVE DATE. --The effective date of the
6 provisions of this act is July 1, 2005.

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