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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/23/09  
LAST UPDATED 3/6/09      HB \_\_\_\_\_

SPONSOR Ortiz y Pino

SHORT TITLE Office Of Peace Act      SB 556/aSRC

ANALYST Haug

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$60.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Health (DOH)  
 Indian Affairs Department (IAD)  
 Department of Veterans Services (VSD)  
 Higher Education Department (HED)  
 Public Education Department (PED)  
 Department of Finance and Administration (DFA)

### SUMMARY

#### Synopsis of SRC Amendment

The Senate Rules Committee amendment broadens the scope of public education collaborators in the development of curricula and supporting materials from district superintendents only to include administrators and instructors and increases the scope of the use of the materials from school districts to school systems. The amendment further replaces the detailed Office of Peace logo specifications with a general authorization to adopt an appropriate and recognizable logo.

#### Synopsis of Original Bill

Senate Bill 556 would create the Office of Peace under the executive and be administratively attached to the Department of Finance and Administration. The Act would provide for the powers and duties of the Director of the Office and create the Citizens Peace Advisory Council.

### FISCAL IMPLICATIONS

The appropriation of \$60.0 thousand contained in this bill is a recurring expense to the general

fund. Any unexpended or unencumbered balance remaining at the end of Fiscal Year 2011 shall revert to the general fund.

The DFA states that SB 556 since the bill impacts the General Fund and revenues are severely limited due to the economic crisis, it is prudent to consider this legislation at another point in the future. In addition, the requirements of this legislation would require considerably more funding than \$60,000 per year. It would be a good idea to reevaluate the funding levels suggested and come up with a funding level that matches the requirements of the bill.

## **SIGNIFICANT ISSUES**

The Governor would appoint the Director with the consent of the Senate, and the Act outlines the qualifications of the Director, including having appropriate training in alternative dispute resolution and mediation, and two years experience in applying those skills. The Director would manage the operations of the Office to implement policies and programs for conflict resolution, violence prevention, public education and information dissemination, and the development of public school curricula related to peace studies and research. The Act specifies an extensive list of efforts to be undertaken by the Office.

The Act would also create the Council to be composed of the Director and 11 eleven representatives from state agencies, private organizations, and the public sector. Each representative would be appointed by the appropriate governing body, department secretary, or the Director according to the following:

- two representatives appointed by the Director from established state or local peace advocacy organizations;
- one representative appointed from the New Mexico Conference of Churches;
- one law enforcement representative appointed by the Secretary of Public Safety;
- one health professional representative appointed by the Secretary of Health;
- one representative appointed from the New Mexico Mediation Association;
- one armed conflict veteran appointed by the Secretary of Veteran's Services;
- one public educator appointed by the Secretary of Public Education;
- one representative appointed by the UNM Peace Studies Program;
- one youth representative between 15-24 years, appointed by the Lt. Governor; and
- one member appointed by the Secretary of Indian Affairs.

The Council would meet no less than twice per year and submit an annual report to the Director and the Governor for review of the Office's and impact on peace related activities for governmental and community entities.

The DOH states:

Interpersonal violence is a significant public health problem. Almost 30% of youth in the United States (or over 5.7 million) are estimated to be involved in bullying as either a bully, a target of bullying, or both. In a national survey of students in grades 6-10, 13% of the students reported bullying others, 11% reported being the target of bullies, and another 6% said that they bullied others and were bullied themselves (Nansel, Overpeck, Pilla, Ruan, Simons-Morton, & Scheidt, *Bullying Behaviors Among US Youth: Prevalence and Association With Psychosocial Adjustment*, 2001).

The 2005 New Mexico Youth Risk and Resiliency Survey (YRRS) reports the following findings: More than one-third (36.7%) of students were in a physical fight within the 30 days preceding the survey; fighting was more common among boys (43.5%) than among girls (29.4%). (NM YRRS 2005 Report of State Results).

Violence, including domestic violence is a serious public health problem in New Mexico. In 2007, 22,286 incidents of domestic violence involving 17,487 victim were reported to law enforcement agencies in New Mexico. (“Incidence and Nature of Domestic Violence In New Mexico VIII”, published in 2008, using 2007 data).

During 2005 – 2006, there were 1,127 violent deaths reported in New Mexico, including 696 Suicides and 282 Homicides (New Mexico Epidemiology, December 5, 2008, Vol. 2008, Number 10).

The DOH notes further that there are numerous programmatic efforts by the Department of Health (DOH) and other agencies to address the problem of violence in New Mexico that could be considered in relation to the proposed Office of Peace. Because there would be a comprehensive array of agencies and services impacted, this initiative would require extensive interagency cooperation, organization and collaboration.

The PED states:

All public schools in New Mexico are required to have a comprehensive Safe Schools Plan that includes four sections, as follows:

1. Prevention – provides a guideline for ensuring a safe school environment. Programs, such as health education, counseling, traffic safety, secure schools and safe building and grounds, will assist the school in providing a school environment that is healthy, safe and conducive to learning.
2. Policies and Procedures - provides staff with direction in the areas of discipline, dress, attendance, and abuse/neglect reporting, bullying, etc.
3. Response - is designed to assist the school staff in preparing for emergencies, managing emergency response efforts, and maintaining a safe school environment.
4. Recovery – provides school staff as school resumes after a critical incident has occurred.

Any curricula developed for use in school districts to facilitate instruction in peaceful conflict resolution, peace awareness and other peaceful objectives, as outlined in SB 556, must align to the New Mexico Content Standards, Benchmarks, and Performance Standards.

The HED notes that the Director is charged to help integrate the peace education curriculum into the training programs for new and experienced teachers and recommend peace studies courses as part of teacher education in New Mexico. Most teacher education programs in New Mexico have integrated considerations of peace education and social justice into their social methods courses and multicultural education courses. A Peace Studies course could be part of the Social Studies Teaching Field offered to elementary teachers or the Social Studies Endorsement offered to secondary teachers. The University of New Mexico has a Peace Studies Program that offers a Peace Studies Minor and a Peace and Justice Studies Certificate. UNM-Taos also offers a

Certificate in Peace Studies.

The DFA notes that the administrative implications of SB 556 involve the initial setup of the office as well as the issues involved in being administratively attached to the Department of Finance and Administration (DFA), which are outlined in section 9-1-7 NMSA 1978 and are summarized here:

1. Exercise its functions independently of the department and without approval or control of the department;
2. Submit its budgetary requests through the department;
3. Submit reports required of it by law or by the governor through the department.
4. Provide, if mutually agreed, the budgeting, record-keeping and related administrative and clerical assistance to the agency; and
5. Include the agency's budgetary requests, as submitted and without changes, in the departmental budget
6. Unless otherwise provided by law, the agency shall hire its own personnel in accordance with the Personnel Act.

#### **OTHER SUBSTANTIVE ISSUES**

The DFA suggest that it may be more appropriate, due to their overlapping missions, for this office to be administratively attached to the Martin Luther King Jr. Commission rather than DFA.

GH/mc