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FISCAL IMPACT REPORT

ORIGINAL DATE 02/15/13

SPONSOR Ortiz y Pino LAST UPDATED _____ HB _____

SHORT TITLE Create Office of Peace SB 66

ANALYST Daly

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	Substantial*	Substantial*	Substantial*	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

*See Fiscal Implications

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

Department of Health (DOH)

Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 66 (SB 66) enacts the Office of Peace Act, which creates the Office of Peace (Office) under the executive branch and is administratively attached to the Department of Finance and Administration (DFA). The Act provides for the powers and duties of the Director of the Office and also creates the Citizens Peace Advisory Council. The effective date of this bill is July 1, 2013.

FISCAL IMPLICATIONS

SB 66 impacts the General Fund and would create continuing demands on the General Fund. The establishment of the Office of Peace, even administratively attached to the DFA, and its continuing operations would contribute substantial additional cost. Even a relatively small agency can have operating costs of \$500 thousand or more per year.

SIGNIFICANT ISSUES

The governor appoints the director of the Office 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 manages the operations of the Office to implement policies and programs for prevention, management and resolution of conflict; public education on peace and nonviolence; the study and promotion of social, environmental and economic conditions that create a culture of peace; and the development of a peace education curriculum, including restorative justice programs, with educators and schools at all levels.

The Act also creates the Council, which is composed of the Director and 11 representatives from state agencies, private organizations, and the public sector. Each representative is appointed according to these criteria:

- Two representatives from established state or local peace advocacy organizations, appointed by the Director;
- One representative from the New Mexico faith community appointed by the Director;
- One representative from a local, county, or state law enforcement agency who has specialized in violence prevention, appointed by the Secretary of Public Safety;
- One health professional with expertise in behavioral and public health issues, appointed by the Secretary of Health;
- One representative from the New Mexico Mediation Association, appointed by that organization's body;
- One veteran who has served in armed conflict, appointed by the Secretary of Veterans' Services;
- One public school educator with knowledge of peace curriculum development, appointed by the Secretary of PED;
- One representative from the UNM Peace Studies Program, appointed by that program's body;
- One youth representative between 15-24 years, appointed by the Lt. Governor; and
- One member appointed by the Secretary of Indian Affairs.

The Council shall meet no less than twice per year and submit an annual report to the Director and the Governor reviewing the impact of state peace activities on governmental entities and communities.

The Department of Health (DOH) provides this information relating to the issue that SB 66 attempts to address:

Violence, which may be defined as the opposite of peace, is a public health problem of epidemic proportions, both nationally and in New Mexico. New Mexico has the second highest violent death rate in the nation: 28.5 deaths per 100,000 population (The Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. WISQARS, 2010: <http://www.cdc.gov/ncipc/wisqars>).

Homicide is a specifically significant violence-related problem in New Mexico. In 2011, homicide was the third leading cause of death among persons 15-34 years of age (New Mexico Death Certificate Database, Office of Vital Records and Health Statistics, NMDOH). In 2010 NM's homicide rate was the sixth highest in the nation (7.6 per 100,000).

In addition to deaths and the effects of these deaths on communities and families, New Mexico faces other significant burdens due to violence. In 2010 there were an estimated 1,484 inpatient hospital discharges and 8,557 visits to emergency departments for violence-related injuries in NM (New Mexico State Injury Indicators Report, NMDOH, 2010; New Mexico Emergency Department Data, Epidemiology and Response Division, NMDOH, 2010 ED Interim Dataset.). In 2011, there were 21,368 victims in 18,740 domestic violence incidents reported to statewide law enforcement agencies.

One form of violence, bullying, can result in physical injury, social and emotional distress, and even death. According to the 2011 New Mexico Youth Risk and Resiliency Survey, 18.7% (almost 1 in 5) of New Mexico high school students reported they were bullied on school property. Victimized youth are at increased risk for mental health problems such as depression, anxiety and poor school adjustment. And youth who bully others are at increased risk for substance use, academic problems, and violence later in adolescence and in adulthood. In addition, 6.5% of New Mexico high school students reported carrying a weapon in the past month in 2011; this rate is higher than the US rate of 5.4%.

In New Mexico, nearly one in five (19.5%), or 149,000 adult women reported being raped at some time in their lives (Black, *et al.* 2011. *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report*. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention).

As to SB 66 itself, the Public Education Department (PED) reports it impacts public education in these ways:

- Resources and skills generated by the Office of Peace will focus on public education and peace and nonviolence.
- The Office of Peace Director will oversee the development of peace education curriculum in cooperation with educators at all levels.
- The Office of Peace Director will assist in the analysis and growth of public school peer mediation and dialogue and mediation and restorative justice programs.
- The Office of Peace will provide peace education grants for the creation and expansion of peace studies programs and practice at all levels.
- One public school educator will serve on the Citizens Peace Advisory Council.

The PED notes that SB 66 does not specify if the peace curriculum will be optional for public schools to use. It also does not specify if the curriculum would be for use solely with peer mediation and dialogue and mediation and restorative justice programs, or if the curriculum would be available for use in classrooms at the elementary and mid/junior high levels, or with elective credit courses at the high school level.

The DFA points out that the Office of Peace is tasked with analyzing growth of existing policies, but the legislation does not provide standards on how to measure such growth. The Office is also tasked with integrating peace education into training curriculum for teachers, but the proposed

legislation does not provide state or federal guidelines that trainings must meet. The legislation also allows the Office to provide education grants for all educational levels but does not provide a fund or funds to do so. If funds are provided for educational purposes for all educational levels, the PED and the Higher Education Department should be consulted to ensure making these funds available will not jeopardize other funding opportunities for public schools and institutions of higher education.

In addition, the DFA raises several issues arising from SB 66's creation of the Council. The proposed legislation describes the members of the council, their terms, and how they are appointed. It is not clear if the CPAC will also be administratively attached to the DFA, since the legislation only states the Office will be administratively attached to the DFA. The proposed legislation does not state the relationship between the Office and the CPAC. It also does not state who will be responsible for providing staff and meeting space for the CPAC to function. Finally, although most members of councils created in legislation are entitled to receive mileage and per diem, although this bill does not authorize such reimbursements.

PERFORMANCE IMPLICATIONS

The DOH reports that this bill may impact FY2014 Strategic Plan, Goal 1: Improved Health Outcomes for the People of New Mexico. In addition, the 2012 State Health Improvement Plan lists the reduction of drug overdose deaths and of alcohol-related deaths as two of its nine priority health areas. Under SB 66, there may be an indirect improvement in the alleviation of violence in New Mexico. Violence is often an outcome of excessive drug or alcohol abuse.

ADMINISTRATIVE IMPLICATIONS

The DOH points out since the Council is a collaboration of agencies and other persons representing various constituencies, it will require extensive interagency cooperation, organization and collaboration. In addition, the DFA advises that since this bill creates an Office director position and authorizes the director to employ professional and clerical assistance, contractors and general counsel as necessary, the DFA would need additional office space to house this agency and its staff.

OTHER SUBSTANTIVE ISSUES

The DOH provides this additional information:

Certain NM populations experience more violence than others. For example, women experience far more incidence of sexual violence than men. Nevertheless, domestic violence and intimate partner violence (including rape) substantially affect both sexes, either as a victim or a perpetrator.

Sex differences and racial/ethnic differences in homicide and suicide rates exist. From 2009-2011, the male homicide rate was 4 times higher than the female rate. Among males, American Indian and Black males had the highest homicide rates, followed by Hispanic males. Male suicide rates in NM were 4-5 times higher than female suicide rates. White males have the highest suicide rates, followed by American Indian males (New Mexico Death Certificate Database, Office of Vital Records and Health Statistics, NMDOH. Accessed September 28, 2012, from Indicator-Based Information System (IBIS): <http://www.ibis.health.state.nm.us/>).

There are also sex and racial/ethnic differences among high school students and their experiences of violence (Mexico Youth Risk and Resiliency Survey (YRRS), NMDOH, 2011). Boys are more likely than girls to carry a weapon onto school property but girls are more likely than boys to attempt suicide. White high school students had a lower rate of suicide attempts than their American Indian or Asian/Pacific Islander counterparts. Asian American and White high school students were bullied on school property at higher rates than American Indians and Hispanics.

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