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SENATE BILL 491

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Mark Boitano

AN ACT

RELATING TO DOMESTIC AFFAIRS; CREATING THE NEW MEXICO MARRIAGE
COMMISSION.

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

SECTION 1. FINDINGS AND PURPOSE.--

A. The legislature finds that:

(1) New Mexico has among the highest rates in
the nation of teen pregnancy, low education outcomes, juvenile
crime and women and children living in poverty;

(2) children born to single mothers are more
than three and one-half times as likely to be poor as children
raised by their two biological parents;

(3) the percentage of children living in
poverty in New Mexico is twenty-five and one-half percent
higher than the national average;

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1 (4) research shows that the social, health and
2 economic outcomes of children in healthy two-parent families
3 are better than those living in single-parent households; and

4 (5) it is the policy of the state to help halt
5 the breakup of the nuclear family.

6 B. The purpose of this act is to create a
7 commission to explore ways that state and local governments can
8 partner with private organizations to:

9 (1) reduce teen pregnancy;

10 (2) encourage engaged fatherhood, family
11 formation, healthy marriages and best practices for
12 relationships;

13 (3) create better social, health and economic
14 outcomes for children; and

15 (4) reduce the rate of unnecessary divorces in
16 New Mexico.

17 SECTION 2. NEW MEXICO MARRIAGE COMMISSION CREATED--
18 MEMBERSHIP--DUTIES.--

19 A. The "New Mexico marriage commission" is created
20 and is administratively attached to the children, youth and
21 families department.

22 B. The New Mexico marriage commission shall consist
23 of thirteen members appointed by the governor, unless otherwise
24 specified, including:

25 (1) a representative from the office of the

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1 governor;

2 (2) a state senator appointed by the senate
3 president pro tempore;

4 (3) a state representative appointed by the
5 speaker of the house of representatives;

6 (4) the secretary of children, youth and
7 families or the secretary's designee;

8 (5) a representative from the human services
9 department;

10 (6) a representative from the judiciary; and

11 (7) seven commissioners from the public and
12 private sector, including family studies departments at state
13 institutions of higher education and community and faith-based
14 organizations, who have expertise on issues related to
15 marriage.

16 C. The appointed members of the New Mexico marriage
17 commission shall serve at the pleasure of the governor, and the
18 members' appointments shall be reviewed at the commencement of
19 each gubernatorial term. The governor shall designate one
20 member as the chair, and the position of the chair shall be
21 limited by a term of two years.

22 D. The New Mexico marriage commission shall meet,
23 pursuant to the Open Meetings Act, at the call of the chair at
24 least six times annually. For the purposes of conducting
25 business, a majority of the members of the commission

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1 constitutes a quorum.

2 E. The New Mexico marriage commission shall:

3 (1) advise the governor and the legislature on
4 ways to improve the social, health and economic well-being of
5 the people of New Mexico by encouraging family formation,
6 strengthening marriages and family units and reducing the
7 incidence of single parenting;

8 (2) review and analyze all laws, rules,
9 programs and policies of the state of New Mexico that pertain
10 to marriage licensing, marital dissolution, public assistance,
11 including temporary assistance for needy families, education,
12 child custody and other public services to ensure that those
13 services do everything possible to promote the institution of
14 marriage and engaged fatherhood and provide support for
15 children;

16 (3) collect and analyze data on the social,
17 health and economic outcomes of marriage and divorce within the
18 state of New Mexico;

19 (4) increase public awareness of the problems
20 of families, including divorce, violence, poverty, substance
21 abuse and lack of access to community systems and support;

22 (5) analyze and propose programs, policies,
23 initiatives, incentives and community-based partnerships,
24 including those that may be funded by temporary assistance for
25 needy families, that may be utilized or developed to:

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1 (a) encourage and support strong,
2 healthy, long-term marriages;

3 (b) encourage the formation and
4 maintenance of two-parent families;

5 (c) analyze ways to reduce the incidence
6 of births to single parents;

7 (d) strengthen existing families and
8 teach marriage, communication, conflict resolution and
9 parenting skills and help couples to understand gender
10 differences;

11 (e) encourage postponing parenthood
12 until after both parents have attained post-secondary education
13 or job training; and

14 (f) promote responsible fatherhood;

15 (6) analyze the policy considerations and
16 issues involved in encouraging or requiring counseling or
17 mediation prior to divorce and providing such counseling or
18 mediation with public funds; and

19 (7) report annually before October 1 to an
20 appropriate legislative interim committee and the governor on
21 marriage issues.

22 **SECTION 3. TERMINATION OF AGENCY LIFE--DELAYED REPEAL.--**

23 The New Mexico marriage commission is terminated on July 1,
24 2015 pursuant to the provisions of the Sunset Act. The board
25 shall continue to operate according to the provisions of

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1 Sections 1 and 2 of this act until July 1, 2016. Effective
2 July 1, 2016, Sections 1 and 2 of this act are repealed.

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