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SENATE BILL 296

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

Mark Boitano

AN ACT

RELATING TO DOMESTIC AFFAIRS; CREATING THE NEW MEXICO FAMILY
PRESERVATION COMMISSION.

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

SECTION 1. SHORT TITLE.--This act may be cited as the
"New Mexico Family Preservation Commission Act".

SECTION 2. FINDINGS AND PURPOSE.--

A. The legislature finds that:

(1) a key to economic recovery in New Mexico
is a healthy, stable and well-educated work force;

(2) it is the policy of the state to support
intact and functioning families, to strengthen families and to
help halt the breakup of the nuclear family;

(3) research shows that the social,
educational, health and economic outcomes of children in

1 healthy two-parent families are better than those living in
2 single-parent households;

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

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

9 (6) children born to single mothers are more
10 than three and one-half times as likely to be poor as children
11 raised by their two biological parents.

12 B. The purpose of this act is to create a
13 commission to explore ways that state and local governments can
14 be more effective and partner with private organizations to:

15 (1) encourage engaged fatherhood, family
16 formation, healthy marriages and best practices for
17 relationships;

18 (2) create better social, educational, health
19 and economic outcomes for children by strengthening fragile
20 families in New Mexico;

21 (3) reduce the rate of unnecessary divorces in
22 New Mexico;

23 (4) measure the effectiveness of existing
24 programs that serve children and families using established
25 measures, including assessing the impact of policies and

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1 programs on families;

2 (5) reduce teen pregnancy; and

3 (6) evaluate existing child custody and child
4 support laws.

5 SECTION 3. NEW MEXICO FAMILY PRESERVATION COMMISSION
6 CREATED--MEMBERSHIP--DUTIES.--

7 A. The "New Mexico family preservation commission"
8 is created and is administratively attached to the children,
9 youth and families department.

10 B. The New Mexico family preservation commission
11 shall consist of the following members, including:

12 (1) a representative from the office of the
13 governor appointed by the governor;

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

16 (3) a state representative appointed by the
17 speaker of the house of representatives;

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

20 (5) the secretary of human services or the
21 secretary's designee;

22 (6) a representative from the judiciary
23 appointed by the governor;

24 (7) an epidemiologist from the department of
25 health; and

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1 (8) seven members appointed by the governor
2 from the public and private sector, including family studies
3 departments at state institutions of higher education and
4 community and faith-based organizations, who have expertise on
5 issues related to marriage, families and children and to
6 increasing the social, educational, health and economic
7 outcomes for children and families.

8 C. The appointed members of the New Mexico family
9 preservation commission shall serve at the pleasure of the
10 governor, and the members' appointments shall be reviewed at
11 the commencement of each gubernatorial term. The governor
12 shall designate one member as the chair, and the position of
13 the chair shall be limited by a term of two years.

14 D. The New Mexico family preservation commission
15 shall meet, pursuant to the Open Meetings Act, at the call of
16 the chair at least six times annually. For the purposes of
17 conducting business, a majority of the members of the
18 commission constitutes a quorum.

19 E. The New Mexico family preservation commission
20 shall:

21 (1) advise the governor and the legislature on
22 ways to improve the social, educational, health and economic
23 well-being of the people of New Mexico by encouraging family
24 formation, strengthening marriages and family units and
25 reducing the incidence of single parenting;

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1 (2) review and analyze all laws, rules,
2 programs and policies of the state that pertain to marriage
3 licensing; marital dissolution; public assistance, including
4 temporary assistance for needy families; education; child
5 custody; and other public services to ensure that those
6 services do everything possible to promote healthy marriages
7 and engaged fatherhood and to provide support for children;

8 (3) increase public awareness of the problems
9 of families, including divorce, violence, poverty, substance
10 abuse and lack of access to community systems and support;

11 (4) analyze and propose programs, policies,
12 initiatives, incentives and community-based partnerships,
13 including those that may be funded by temporary assistance for
14 needy families, that may be utilized or developed to:

15 (a) encourage and support healthy, long-
16 term marriages;

17 (b) encourage the formation and
18 maintenance of two-parent families;

19 (c) analyze ways to reduce the incidence
20 of births to single parents;

21 (d) strengthen existing families; teach
22 marriage, communication, conflict resolution and parenting
23 skills; and help couples to understand gender differences;

24 (e) encourage postponing parenthood
25 until after both parents have attained post-secondary education

1 or job training; and

2 (f) promote responsible fatherhood;

3 (6) analyze the policy considerations and
4 issues involved in encouraging or requiring counseling or
5 mediation prior to divorce and providing such counseling or
6 mediation with public funds; and

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

10 SECTION 4. TERMINATION OF AGENCY LIFE--DELAYED REPEAL.--

11 The New Mexico family preservation commission is terminated on
12 July 1, 2016 pursuant to the provisions of the Sunset Act. The
13 commission shall continue to operate according to the
14 provisions of the New Mexico Family Preservation Commission Act
15 until July 1, 2017. Effective July 1, 2017, the New Mexico
16 Family Preservation Commission Act is repealed.