

12/10/09

**SENATE BILL
49TH LEGISLATURE – STATE OF NEW MEXICO**

DISCUSSION DRAFT

AN ACT

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

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, social justice and human rights; training that will enable the prevention, management and resolution of conflict without violence; and the study and implementation of appropriate educational curricula at all levels and of conditions that are conducive to a culture of peace.

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

- A. “council” means the citizens peace advisory council;**
- B. “dialogue” means a facilitated process of a group of people taking turns talking and listening to each other to allow an exchange of diverse ideas, information, opinions and**

experiences to foster greater understanding between people;

C. “restorative justice” means a facilitated process allowing everyone involved in a conflict to be heard and take responsibility for any harm caused, seeking ways to repair the harm, making things right as much as possible, restoring relationships and community;

D. “director” means the director of the office; and

E. “office” means the office of peace.

Section 4. OFFICE ESTABLISHED.—The “office of peace” is created. The office is administratively attached to the department of finance and administration. For purposes of this section, the term “administratively attached” has the meaning specified in section 9-1-7 NMSA 1978.

Section 5. DIRECTOR—APPOINTMENT.—

A. The administrative head of the office is the “director of the office of peace”, who shall be appointed by the governor with the consent of the senate.

B. The director shall be an administrator who has shown successful administrative experience and has no fewer than eighty hours of training in alternative dispute resolution, mediation, dialogue and/or restorative justice, and at least two years of experience in applying these skills in a community setting or equivalent life experience.

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

Section 6. DIRECTOR—DUTIES.—

A. The director is responsible to the governor for the operation of the office. The director shall manage all operations of the office. The director may employ professional and clerical assistance, contractors and general counsel as deemed necessary and oversee

staff performance, setting priorities within time and budget constraints. The director may accept grants and gifts on behalf of the office. The director shall apply the resources and skills of the office statewide to the following areas: prevention, management and resolution of conflict; public education on peace and nonviolence; the study and promotion of social, environmental and sustainable 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.

B. The director shall assist in the analysis and growth of existing policies and programs and develop new approaches and encourage innovation, in collaboration and coordination with established institutional and agency efforts and nongovernmental organizations, including alternative dispute resolution centers, statewide peace studies programs, statewide peace and justice centers and public school peer mediation, dialogue and restorative justice programs.

C. The director shall 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.

D. The director shall provide peace education grants for the creation and expansion of peace studies programs and practice at all educational levels and provide grants to nonviolent communication and nonviolent conflict resolution programs and local nongovernmental peace-building initiatives.

E. The director shall gather information on effective community peace-building activities and disseminate the information by sponsoring and organizing conferences creating awareness of the activities of the office, facilitating a forum for discussing peace issues and studies and exploring the meaning and practice of peace and nonviolence in the lives of New Mexicans.

Section 7. COUNCIL—CREATION—MEMBERS—RESPONSIBILITIES.—

A. The “citizens peace advisory council” is created and shall be composed of the director and eleven appointed members as follows, who reflect a concern for the integrity of the environment and the creative imagination of the arts and the multicultural, gender, economic, geographic and political diversity of the people of New Mexico:

- (1) two representatives from established state or local peace advocacy organizations, appointed by the director;**
- (2) one representative from the New Mexico faith community, appointed by the director;**
- (3) one representative from a local, county or state law enforcement agency who has specialized in violence prevention, appointed by the secretary of public safety;**
- (4) one health professional with expertise in behavioral and public health issues, appointed by the secretary of health;**
- (5) one representative from the New Mexico mediation association, appointed by that organization’s body;**
- (6) one veteran who has served in an armed conflict, appointed by the secretary of veterans’ services;**
- (7) one public school educator with knowledge of peace curriculum development, appointed by the secretary of public education;**
- (8) one representative of the university of New Mexico’s peace studies program, appointed by that program’s body;**
- (9) one youth representative, between the ages of fifteen and twenty-four years, appointed by the lieutenant governor; and**
- (10) one member appointed by the secretary of Indian affairs.**

B. The term of service of appointed council members shall be four years. The initial terms shall be staggered. The terms of six members shall expire at the end of the initial two years, and the terms of five members shall expire at the end of the initial four years. The initial terms shall be selected by random drawing. An appointed citizen member of the council shall not serve more than two full terms. In the event of a vacancy on the council, a new member shall be appointed by the original appointing authority for the unexpired term.

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

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

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

(2) provide assistance and make recommendations to the director and the governor concerning peace-related policies and practices;

(3) annually, assess peace-related activities in the state and submit a report to the director and the governor reviewing the impact of state peace activities on governmental entities and communities; and

(4) publicize and allot time to receive and report citizen input at regular council meetings, maintaining a grassroots connection with the people of New Mexico.

Section 8. EFFECTIVE DATE.—The effective date of the provisions of this act is July 1, 2010.

