

3/6/08

The italics indicate amendments since 2007.

SENATE BILL

49TH LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2009

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

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

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 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, opinions and experiences that fosters greater understanding;

C. “director” means the director of the office of peace; and

D. “office” means the office of peace.

Section 4. OFFICE ESTABLISHED.—The “office of peace” is created. The office shall be 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 successful administrative experience and no fewer than eighty hours of training in alternative dispute resolution, mediation and dialogue and at least one year 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.

It is the director's duty to manage all operations of the office. The director shall employ professional and clerical assistance, contractors and general counsel as deemed necessary and shall oversee staff performance, setting priorities within time and budget constraints. The director shall apply the resources and skills of the office to four areas: prevention, management and resolution of conflict; public peace education; the study and promotion of social, environmental and economic conditions that create a culture of peace; and public information.

B. In regard to the prevention, management and resolution of conflict, the director shall:

(1) organize and participate in public dialogues throughout the state, providing a diplomatic method for addressing controversial issues and conflicts;

(2) analyze and build upon existing policies and programs, develop new approaches and encourage innovation in collaboration and coordination with established institutional and agency efforts and nongovernmental organizations, including but not limited to, alternative dispute resolution centers, statewide peace studies programs, statewide peace and justice centers, and public school peer mediation programs, for preventing, managing and resolving social conflict,

***potentially* including:**

(a) spouse abuse, child abuse and mistreatment of the elderly;

(b) crime, punishment, rehabilitation and pursuit of restorative justice;

(c) school and gang violence;

(d) hate crimes, such as racial and ethnic violence and violence

based on sexual orientation;

(e) disputes between the police and community members;

(f) natural resource disputes in and between communities; and

(g) disputes within and between government agencies; and

(3) assist in establishing community-based violence prevention programs, including violence prevention counseling and peer mediation and dialogues in schools, and peaceful settlement programs for police and other public safety officers.

C. In regard to public education for peace and nonviolence the director shall:

(1) *work with other organizations to develop a peace education curriculum, which shall include the study of:*

(a) *historical governmental documents of the United States and New Mexico and the universal declaration of human rights adopted by the general assembly of the United Nations in 1948 to develop understanding as to how these documents serve the interests of peace;*

(b) *historical advancements in the peace, social justice, *spiritual*, and civil and human rights movements in the United States and throughout the world, with special emphasis on how individual and group commitment to nonviolence has contributed to advancements in the interests of peace and justice; and*

(c) *peace agreements and circumstances in which peaceful intervention has succeeded in stopping conflict;*

(2) *cooperate with the secretary of public education and *administrators and**

teachers of New Mexico public school districts to develop and make available curricula and supporting materials for use in school districts to facilitate instruction in peaceful conflict resolution, peace awareness and other peace objectives at public schools or any combination of public schools in a school district *and in private schools and youth organizations*;

(3) 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; and

(4) provide peace education grants for the creation and expansion of peace studies and programs and practice at all educational levels.

D. In regard to the study and promotion of social, environmental and economic conditions that create a culture of peace, the director shall:

(1) promote counseling and community support on behalf of victims of violence and for family members of perpetrators of violence;

(2) develop and support community-based strategies for celebrating diversity to promote tolerance and understanding among the diverse people in New Mexico and to help reduce racial and class tension;

(3) create a community peace block grant program to provide grants to nonviolent conflict resolution programs and local nongovernmental peace-building initiatives; and

(4) study and promote a sustainable, life-affirming economy that puts people and justice first, as an essential avenue to peace and security, including:

(a) offering nonviolent conflict resolution strategies on issues that threaten community well-being and security and disputes concerning wise use of water and other natural resources and protection of the environment;

(b) promoting renewable, sustainable technologies; and

(c) encouraging the conservation and restoration of natural resources to prevent future conflicts stemming from resource scarcity and environmental contamination.

E. In regard to public information, the director shall:

(1) gather information on effective community peace-building activities and disseminate the information;

(2) make studies available to the public that address the role of the media as it affects the escalation or recession of conflict;

(3) publish activities of the office and encourage scholarly participation; and

(4) sponsor and organize conferences to create awareness of the offices's findings and promote a forum for discussing peace issues and studies and exploring the meaning and practice of peace in the lives of New Mexicans with a focus on solutions and action.

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

A. The “citizens peace advisory council” is created and shall be composed of the director and ten appointed members as follows, who reflect the multicultural, gender, economic, geographic and political diversity of the people of New Mexico:

- (1) one representative from an established peace advocacy organization, appointed by the director;**
- (2) one representative from a religious or spiritual organization, appointed by the New Mexico faith community;**
- (3) one representative from a local, county, or state law enforcement agency, 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 an environmental and energy conservation organization with expertise in renewable energy use, appointed by the secretary of environment;**
- (6) one veteran who has served in an armed conflict, appointed by the secretary of veterans' services;**
- (7) one public school educator, appointed by the secretary of public education;**
- (8) one representative affiliated with the arts, appointed by the chairperson of the New Mexico arts commission;**
- (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 five 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 policies and practices relating to state peace activities;

(3) annually, assess peace 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 citizens of New Mexico.

E. Council members may receive per diem and mileage as provided for nonsalaried public officers in the Per Diem and Mileage Act and shall receive no other compensation, perquisite or allowance.

F. Council members and the staff may adopt an appropriate and recognizable logo to be used by the office of peace.

Section 8. APPROPRIATION.—Four hundred ninety-four thousand dollars (\$494,000) is appropriated from the general fund to the office of peace for expenditure in fiscal year 2010 to carry out the provisions of the Office of Peace Act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2010 shall not revert to the general fund.

Section 9. EFFECTIVE DATE.—The effective date of the provisions of this act is July 1, 2009.