

LFC Requester:	Sunny Liu, LFC
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**AGENCY BILL ANALYSIS
2018 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply: **Date** 01/29/18
Original **Amendment** **Bill No:** SJM4
Correction **Substitute**

Sponsor: Senator Mimi Stewart **Agency Code:** 924
Short OVERWEIGHT BACKPACK **Person Writing** Debbie Rael
Title: HEALTH RISKS **Phone:** 827-5800 **Email** DebbieM.Rael@state.nm.u

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY18	FY19		
NFI	NFI	Nonrecurring	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY18	FY19	FY20		
NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI	Nonrecurring	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: None as of 1/18/18

Duplicates/Relates to Appropriation in the General Appropriation Act: None as of 1/18/18

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Senate Joint Memorial 4 (SJM4) encourages schools and parents to recognize and reduce the health risks to children from carrying overweight backpacks. School administrators, teachers, parents and students are to be educated about the potential health impact of heavy backpacks and to take proactive measures to avoid student injury. Schools are also requested to consider the recommended weight and design of a student's backpack, the possibility of moving towards e-materials, to consider using a hanging scale in the classroom to assess the weight of students' backpacks and to track data regarding this topic.

FISCAL IMPLICATIONS

SJM4 is not requesting any appropriation of funding; therefore, there are no fiscal implications for the New Mexico Public Education Department (PED). Any administrative oversight, such as communication with the schools, can be performed with existing PED resources. If the schools opt to implement any interventions or purchase e-materials/books related to the information contained in SJM4, any related costs would be carried by the individual schools.

SIGNIFICANT ISSUES

SJM4 provides several facts related to the risks of overweight backpack use and provides recommendations for proper use of backpacks in children. SJM4 states backpacks should be no more than ten percent of a child's body weight, have individualized compartments, and have wide, padded, and adjustable straps to fit the child's body. The American Academy of Pediatrics (AAP, 2017) recommends choosing a backpack with "wide, padded shoulder straps and a padded back." The AAP also states that the backpack should not weigh more than ten to twenty percent of the child's body weight and should be worn on both shoulders rather than one. The AAP further states that "slinging a backpack over one shoulder can strain muscles." As SJM4 contains reputable recommendations regarding backpack use and requires that copies of the memorial be distributed to parent-teacher associations, local superintendents and charter school head administrators, it may increase knowledge and awareness of proper backpack use in school communities and assist in preventing back injury in youth.

Source:<https://www.aap.org/en-us/about-the-aap/aap-press-room/news-features-and-safety-tips/Pages/Back-to-School-Tips.aspx>

SJM4 also suggests schools consider "moving toward e-textbooks as federal and state funding

becomes available.” Per 1978 NMSA 22-15-9-C, “an amount not to exceed fifty percent of the allocations attributed to each school district or state institution may be used for instructional material not included on the multiple list.” This gives the districts and state institutions autonomy over the instructional material purchases. The statutory definition of “instructional material” in 1978 NMSA 22-15-means “school textbooks and other educational media that are used as the basis for instruction, including combinations of textbooks, learning kits, supplementary material and electronic media.”

Electronic media includes e-textbooks. Currently, this statute allows for districts and state-chartered charter schools to purchase e-textbooks using their instructional material allocations. If a district or state-chartered charter school opts to purchase items from the multiple list, per 1978 NMSA 22-15-13-E, “publishers of instructional material on the multiple list shall be required to provide those materials in both written and electronic formats.” This makes e-textbooks available for purchase. Also, according to the PED Instructional Materials Bureau, the average cost of an e-textbook on the state adopted list is \$55.15 and the average cost of a print student edition textbook is \$65.63. In some cases, certain companies will provide the e-textbook free with the purchase of the print textbook. The fact that e-textbooks are comparatively priced, and in some cases less expensive, may make e-materials a viable option for schools.

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

If enacted, SJM4 would require the PED and its staff to communicate the information associated with SJM4 with school administrators, teachers, parents and students. Furthermore, as indicated in page 3, lines 23-25 and page 4, lines 1-3, the memorial would need to be distributed by the secretary of public education to parent-teacher associations, local superintendents and charter school head administrators.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None as of 1/18/2018

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SJM4 is not enacted, school administrators, teachers, parents and students may not receive the

educational information provided in the memorial and therefore may not be encouraged to recognize and reduce the health risks to children associated with carrying overweight backpacks.

AMENDMENTS

None