

| | |
|-----------------------|------------------|
| LFC Requester: | Sunny Liu |
|-----------------------|------------------|

**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 2/9/18
Original **Amendment** **Bill No:** SM101
Correction **Substitute**

Sponsor: Senator Mimi Stewart **Agency Code:** 924
Short Title: OVERWEIGHT BACKPACK HEALTH RISKS **Person Writing:** Debbie Rael
Phone: 505-827-1421 **Email:** Debbiem.rael@state.nm.us

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)

Relates to: Relates to the Senate Joint Memorial 4 (SJM4), Overweight Backpack Health Risks
Duplicates/Relates to Appropriation in the General Appropriation Act: None as of 2/8/18

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Senate Memorial 101 (SM101) 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

SM101 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 SM101, any related costs would be carried by the individual schools.

SIGNIFICANT ISSUES

SM101 provides several facts related to the risks of overweight backpack use and provides recommendations for proper use of backpacks in children. SM101 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 SM101 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>

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

SM101 may support PED’s strategic lever to ensure students are healthy and ready for success.

ADMINISTRATIVE IMPLICATIONS

If enacted, SM101 would require the PED and its staff to communicate the information associated with SM101 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

Relates to SJM4, Overweight Backpack Health Risks

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SM101 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