

1 SENATE BILL 381

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Jacob R. Candelaria

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9  
10 AN ACT

11 RELATING TO CHILDREN; ENACTING THE CARLOS VIGIL MEMORIAL ACT;  
12 CREATING THE CARLOS VIGIL MEMORIAL BOARD TO AWARD GRANTS TO  
13 PROGRAMS AND SERVICES TO ERADICATE BULLYING STATEWIDE; CREATING  
14 THE ERADICATE BULLYING FUND; MAKING AN APPROPRIATION.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be  
18 cited as the "Carlos Vigil Memorial Act" in honor of Carlos  
19 Vigil.

20 SECTION 2. [NEW MATERIAL] PURPOSES.--The purposes of the  
21 Carlos Vigil Memorial Act are to:

22 A. cultivate a statewide culture where bullying is  
23 not accepted;

24 B. educate New Mexicans about recognizing bullying  
25 behaviors and understanding the potential consequences of

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1 bullying; and

2 C. provide grants for providers of services and  
3 programs for the prevention, resolution and eradication of  
4 bullying statewide.

5 SECTION 3. [NEW MATERIAL] CARLOS VIGIL MEMORIAL BOARD--  
6 CREATED.--

7 A. The "Carlos Vigil memorial board" is created to  
8 review grant applications and to award grants from the  
9 eradicate bullying fund.

10 B. The board consists of five voting members who  
11 together provide diverse experience and expertise in:

12 (1) administering or delivering services in an  
13 organization focused on preventing bullying or suicide;

14 (2) administering or delivering services in an  
15 organization focused on providing counseling and support  
16 services to victims and perpetrators of bullying;

17 (3) professional development workshops on the  
18 topic of bullying or suicide prevention;

19 (4) coalescing and leading communities; or

20 (5) administering or delivering public health  
21 services.

22 C. Board appointments shall be as follows:

23 (1) one member shall be appointed by the  
24 president pro tempore of the senate;

25 (2) one member shall be appointed by the

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1 minority floor leader of the senate;

2 (3) one member shall be appointed by the  
3 speaker of the house of representatives;

4 (4) one member shall be appointed by the  
5 minority floor leader of the house of representatives; and

6 (5) one member shall be appointed by the  
7 governor from department of health staff.

8 D. The chair of the board shall be elected by a  
9 quorum of the board members. The board shall meet at the call  
10 of the chair or whenever two members submit a request in  
11 writing to the chair, but not less often than once each  
12 calendar year. A majority of members constitutes a quorum for  
13 the transaction of business. The affirmative vote of a  
14 majority of a quorum present shall be necessary for an action  
15 to be taken by the board.

16 E. Members of the board shall be appointed to two-  
17 year terms. Vacancies shall be filled by appointment by the  
18 governor for the remainder of the unexpired term. Any member  
19 of the board shall be eligible for reappointment.

20 F. Public members of the board may be paid per diem  
21 and mileage as provided for nonsalaried officers in the Per  
22 Diem and Mileage Act but shall receive no other compensation,  
23 perquisite or allowance.

24 SECTION 4. [NEW MATERIAL] CARLOS VIGIL MEMORIAL BOARD--  
25 DUTIES.--The Carlos Vigil memorial board shall:

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1           A. adopt and promulgate rules governing the  
2 acceptance, evaluation and prioritization of applications for  
3 grants, including applicant qualifications and the format,  
4 procedure and deadlines for grant applications;

5           B. review grant applications from public agencies  
6 and institutions and nonprofit private entities that indicate  
7 the qualifications and expertise to provide services for the  
8 prevention, resolution and eradication of bullying;

9           C. process, evaluate and prioritize applications  
10 based on the criteria delineated in the board's rules; and

11           D. award grants to the most qualified grant  
12 applicants and reach a broad spectrum of New Mexicans.

13           SECTION 5. [NEW MATERIAL] ERADICATE BULLYING FUND  
14 CREATED--GRANT APPLICATION REVIEW.--

15           A. The "eradicate bullying fund" is created in the  
16 state treasury. The fund shall be administered by the board of  
17 regents of the university of New Mexico. Money in the fund is  
18 appropriated to the board of regents of the university of New  
19 Mexico for disbursement to grant recipients selected by the  
20 Carlos Vigil memorial board.

21           B. The fund shall consist of:

22                   (1) money appropriated by the legislature to  
23 carry out the purposes of the Carlos Vigil Memorial Act;

24                   (2) grants, gifts, donations and bequests to  
25 the fund; and

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1 (3) earnings from investment of the money in  
2 the fund.

3 C. Disbursements from the fund shall be made by  
4 warrant of the secretary of finance and administration pursuant  
5 to vouchers signed by the president of the board of regents of  
6 the university of New Mexico or the president's designee.

7 D. Unexpended and unencumbered balances in the fund  
8 shall not revert to the general fund at the end of a fiscal  
9 year.

10 E. An applicant may apply for a grant from the fund  
11 in accordance with rules promulgated by the Carlos Vigil  
12 memorial board. Allocations from the fund shall be based on a  
13 competitive process with applications reviewed by the board.