The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 132

SENATE BILL 381

Introduced by

SENATOR JACOB R. CANDELARIA
CHAPTER 132

AN ACT

RELATING TO CHILDREN; ENACTING THE CARLOS VIGIL MEMORIAL ACT;
CREATING THE CARLOS VIGIL MEMORIAL BOARD TO AWARD GRANTS TO
PROGRAMS AND SERVICES TO ERADICATE BULLYING STATEWIDE;
CREATING THE ERADICATE BULLYING FUND; 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 "Carlos Vigil Memorial Act" in honor of Carlos Vigil.

SECTION 2. PURPOSES.--The purposes of the Carlos Vigil Memorial Act are to:

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

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

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

SECTION 3. CARLOS VIGIL MEMORIAL BOARD--CREATED.--

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

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

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

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

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

(4) coalescing and leading communities; or

(5) administering or delivering public health services.

C. Board appointments shall be as follows:

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

(2) one member shall be appointed by the minority floor leader of the senate;

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

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

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

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

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

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

SECTION 4. CARLOS VIGIL MEMORIAL BOARD--DUTIES.--The
Carlos Vigil memorial board shall:

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

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

C. process, evaluate and prioritize applications
based on the criteria delineated in the board's rules; and
D. award grants to the most qualified grant
applicants and reach a broad spectrum of New Mexicans.

SECTION 5. ERADICATE BULLYING FUND CREATED--GRANT
APPLICATION REVIEW.--

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

B. The fund shall consist of:

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

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

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

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

D. Unexpended and unencumbered balances in the
fund shall not revert to the general fund at the end of a
fiscal year.
E. An applicant may apply for a grant from the fund in accordance with rules promulgated by the Carlos Vigil memorial board. Allocations from the fund shall be based on a competitive process with applications reviewed by the board.
Approved by me this 10 day of April, 2015