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SENATE BILL 293

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Jacob R. Candelaria and James E. Smith

AN ACT

RELATING TO SCHOOLS; ENACTING THE CARLOS VIGIL MEMORIAL ACT;
CREATING THE CARLOS VIGIL MEMORIAL BOARD TO AWARD GRANTS;
CREATING THE ERADICATE BULLYING FUND; MAKING AN APPROPRIATION.

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

SECTION 1. A new section of Chapter 21 NMSA 1978 is
enacted to read:

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

SECTION 2. A new section of Chapter 21 NMSA 1978 is
enacted to read:

"[NEW MATERIAL] PURPOSES.--The purposes of the Carlos
Vigil Memorial Act are to:

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

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1 B. educate the school community about recognizing
2 bullying behaviors and understanding the potential consequences
3 of bullying; and

4 C. provide grants for providers of services and
5 programs for the prevention, resolution and eradication of
6 bullying in schools."

7 **SECTION 3.** A new section of Chapter 21 NMSA 1978 is
8 enacted to read:

9 "[NEW MATERIAL] CARLOS VIGIL MEMORIAL BOARD--CREATED.--

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

13 B. The board shall consist of five voting members
14 who together provide diverse experience and expertise in:

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

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

20 (3) administering a school or school district
21 or providing teacher professional development workshops on the
22 topic of bullying or suicide prevention;

23 (4) coalescing and leading communities; or

24 (5) administering or delivering public health
25 services.

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1 C. Board appointments shall be as follows:

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

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

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

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

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

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

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

24 F. Public members of the board may be paid per diem
25 and mileage as provided for nonsalaried officers in the Per

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1 Diem and Mileage Act but shall receive no other compensation,
2 perquisite or allowance."

3 SECTION 4. A new section of Chapter 21 NMSA 1978 is
4 enacted to read:

5 "[NEW MATERIAL] CARLOS VIGIL MEMORIAL BOARD--DUTIES.--The
6 Carlos Vigil memorial board shall:

7 A. promulgate such rules as are necessary to govern
8 the acceptance, evaluation and prioritization of applications
9 for grants, including applicant qualifications and the format,
10 procedure and deadlines for grant applications;

11 B. review grant applications from public agencies,
12 including schools, or nonprofit private entities that indicate
13 the qualifications and expertise to provide services for the
14 prevention, resolution and eradication of bullying;

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

17 D. award grants to the most qualified grant
18 applicants and reach a broad spectrum of schools."

19 SECTION 5. A new section of Chapter 21 NMSA 1978 is
20 enacted to read:

21 "[NEW MATERIAL] ERADICATE BULLYING FUND CREATED--GRANT
22 APPLICATION REVIEW.--

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

4 B. The fund shall consist of:

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

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

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

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

15 D. Unexpended and unencumbered balances in the fund
16 shall not revert to the general fund at the end of a fiscal
17 year.

18 E. An applicant may apply for a grant from the fund
19 in accordance with rules promulgated by the Carlos Vigil
20 memorial board. Allocations from the fund shall be based on a
21 competitive process with applications reviewed by the board."

22 SECTION 6. APPROPRIATION.--Two hundred thousand dollars
23 (\$200,000) is appropriated from the general fund to the
24 eradicate bullying fund for expenditure in fiscal year 2015 and
25 subsequent fiscal years to carry out the provisions of the

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1 Carlos Vigil Memorial Act. Any unexpended or unencumbered
2 balance remaining at the end of a fiscal year shall not revert
3 to the general fund.

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