

Amendment No. 638

Assembly Amendment to Senate Bill No. 237 First Reprint (BDR 34-9)

Proposed by: Assembly Committee on Education**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/> _____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/> _____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/> _____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/> _____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/> _____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/> _____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

CLP/KCR



Date: 5/19/2011

S.B. No. 237—Revises provisions governing the Nevada Youth Legislature.
(BDR 34-9)



SENATE BILL NO. 237—SENATOR WIENER

MARCH 14, 2011

Referred to Committee on Education

SUMMARY—Revises provisions governing the Nevada Youth Legislature.
(BDR 34-9)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; revising certain provisions governing the Nevada Youth Legislature; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the creation, membership, powers and duties of the Nevada Youth Legislature. (NRS 385.505-385.575) **Sections 6 and 16** of this bill provide for the creation of a nonprofit corporation, with a Board of Directors appointed by the Legislative Commission, to provide educational programs and opportunities and administer and oversee the activities of the Youth Legislature. Pursuant to **sections 6, 9-12 and 16** of this bill, the Board, working cooperatively with the Legislative Counsel Bureau, assumes most of the duties currently performed by the Bureau and the Director of the Bureau. **Sections 5 and 14** of this bill provide for the creation of the Nevada Youth Legislature Account in the Legislative Fund, into which gifts, grants, donations and legislative appropriations ~~(must)~~ may be deposited and from which the expenses and operations of the Youth Legislature are paid. **Section 8** of this bill increases the term of a member of the Youth Legislature from 1 year to 2 years, with the possibility of a single, successive 2-year reappointment if the member continues to meet the qualifications for initial appointment. **Section 9** of this bill provides that if a member of the Youth Legislature changes his or her residency or school of enrollment in such a manner as to render the member ineligible for his or her original appointment, the member must so inform the Board, in writing, of that fact. **Section 9** also expands the eligibility requirements to allow pupils in grade 9 to apply for appointment to the Youth Legislature. **Section 10** of this bill sets forth that: (1) the position of a member of the Youth Legislature becomes vacant upon the unexcused absence of the member from any two official, scheduled meetings, courses, events, seminars or activities of the Youth Legislature; and (2) insofar as is practicable, a vacancy on the Youth Legislature must be filled within 30 days after the date on which the vacancy occurs. **Section 12** of this bill provides that, in addition to conducting at least one meeting, each member of the Youth Legislature must perform such other activities relating to the Youth Legislature as may be assigned by the Board. **Section 15** of this bill extends the date of reversion for the initial appropriation made to the Youth Legislature in 2007 from 2011 to 2013.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 385 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. *As used in NRS 385.505 to 385.575, inclusive, and sections 2 to 6, inclusive, of this act, unless the context otherwise requires, the words and terms defined in NRS 385.505 and sections 2.5 and 3 ~~and 4~~ of this act have the meanings ascribed to them in those sections.*

Sec. 2.5. *"Account" means the Nevada Youth Legislature Account created by section 5 of this act.*

Sec. 3. *"Board" means the Board of Directors described in subsection 2 of section 6 of this act.*

Sec. 4. ~~*"Fund" means the Nevada Youth Legislature Fund created by section 5 of this act.*~~ *(Deleted by amendment.)*

Sec. 5. 1. *There is hereby created ~~as a special revenue fund in the State Treasury~~ the Nevada Youth Legislature Account in the Legislative Fund.*

2. *Money for the ~~Fund must~~ Account may be provided:*

(a) *By ~~direct legislative~~ appropriation; ~~and~~ or*
(b) *Through the acceptance of gifts, grants and donations as authorized pursuant to ~~paragraph (c) of subsection 2 of~~ NRS 385.545 ~~and~~ section 6 of this act.*

3. ~~*The Fund must be administered by the Board.*~~

~~4.~~ *The money in the ~~Fund~~ Account must be held in trust for the Youth Legislature and may be used only:*

(a) *For the educational programs and operations of the Youth Legislature;*
(b) *To provide administrative support for the Youth Legislature;*
(c) *To pay for expenses directly related to the Youth Legislature; and*
(d) *For such other purposes directly related to the Youth Legislature as the Board may approve.*

~~5.~~ *4. The interest and income earned on the money in the ~~Fund~~ Account, after deducting any applicable charges, must be credited to the ~~Fund~~ Account. All claims against the ~~Fund~~ Account must be paid as other claims against the State are paid.*

~~6.~~ *5. Any money remaining in the ~~Nevada Youth Legislature Fund~~ Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the ~~Nevada Youth Legislature Fund~~ Account must be carried forward to the next fiscal year.*

~~7.~~ *6. Each year, the Board shall submit an itemized statement of the income and expenditures for the ~~Fund~~ Account to the Legislative Commission.*

Sec. 6. 1. *The Youth Legislature must be administered by a corporation for public benefit, as that term is defined in NRS 82.021, which must include providing educational programs and opportunities as its primary organizational goal.*

2. *The corporation for public benefit must be governed by a Board of Directors consisting of seven members appointed by the Legislative Commission.*

3. *A member of the Board serves a term of 2 years and until his or her successor is appointed. A member of the Board may be reappointed.*

4. *The members of the Board shall elect a Chair and a Vice Chair from among their number. The term of office of the Chair and the Vice Chair is 1 year.*

5. *The Board:*

(a) Shall administer the provisions of NRS 385.505 to 385.575, inclusive, and sections 2 to 6, inclusive, of this act.

~~(b) Shall administer the Fund.~~

~~(c)~~ May provide to the Youth Legislature such administrative, financial and other support and guidance as the Board may determine to be necessary or appropriate.

~~(d)~~ (c) May employ one or more persons to provide administrative support for the Youth Legislature or pay the costs incurred by one or more volunteers to provide any required administrative support.

~~(e)~~ (d) Shall oversee the activities of the Youth Legislature.

~~(f)~~ (e) May solicit and accept gifts, grants and donations from any source to provide educational programs and opportunities and for the support of the Youth Legislature in carrying out the provisions of NRS 385.505 to 385.575, inclusive, and sections 2 to 6, inclusive, of this act. Any such gifts, grants and donations must be deposited in the ~~Fund~~ Account.

~~(g)~~ (f) May perform such other functions in whatever manner the Board determines will best serve the interests of this State and the Youth Legislature.

Sec. 7. NRS 385.505 is hereby amended to read as follows:

385.505 ~~[As used in NRS 385.505 to 385.575, inclusive.]~~ "Youth Legislature" means the Nevada Youth Legislature created by NRS 385.515.

Sec. 8. NRS 385.515 is hereby amended to read as follows:

385.515 1. The Nevada Youth Legislature is hereby created, consisting of 21 members.

2. Each member of the Senate shall, taking into consideration any recommendations made by a member of the Assembly, appoint a person who submits an application and meets the qualifications for appointment set forth in NRS 385.525. A member of the Assembly may submit recommendations to a member of the Senate concerning the appointment.

3. After the initial terms:

(a) Except as otherwise provided in subsection 4, appointments to the Youth Legislature must be made by each member of the Senate before March 30 of each year.

(b) The term of each member of the Youth Legislature begins June 1 of the year of appointment.

4. If a member of the Senate does not make an appointment to the Youth Legislature by March 30 of a year, the members of the Assembly whose assembly districts are at least partially located within the senatorial district of that member of the Senate must collaborate to appoint a person who submits an application and meets the qualifications for appointment set forth in NRS 385.525.

5. Each member of the Youth Legislature serves a term of ~~1-year~~ 2 years and may be reappointed to one successive 2-year term if the member continues to meet the qualifications for appointment set forth in NRS 385.525.

Sec. 9. NRS 385.525 is hereby amended to read as follows:

385.525 1. To be eligible for appointment to the Youth Legislature, a person:

(a) Must be:

(1) A resident of the senatorial district of the Senator who appoints him or her;

(2) Enrolled in a public school or private school located in the senatorial district of the Senator who appoints him or her; or

(3) A homeschooled child who is otherwise eligible to be enrolled in a public school in the senatorial district of the Senator who appoints him or her;

(b) Must be enrolled in a public school or private school in this State in grade 9, 10, 11 or 12 for the school year in which he or she serves or be a homeschooled child who is otherwise eligible to enroll in a public school in this State in grade 9, 10, 11 or 12 for the school year in which he or she serves; and

(c) Must not be related by blood, adoption or marriage within the third degree of consanguinity or affinity to the Senator who appoints him or her or to any member of the Assembly who collaborated to appoint him or her.

2. *If, at any time, a person appointed to the Youth Legislature changes his or her residency or changes his or her school of enrollment in such a manner as to render the person ineligible under his or her original appointment, the person shall inform the Board, in writing, within 30 days after becoming aware of such changed facts.*

3. A person who wishes to be appointed or reappointed to the Youth Legislature must submit an application on the form prescribed pursuant to subsection ~~3~~ 4 to the Senator of the senatorial district in which the person resides, is enrolled in a public school or private school or, if the person is a homeschooled child, the senatorial district in which he or she is otherwise eligible to be enrolled in a public school. A person may not submit an application to more than one Senator in a calendar year.

~~3~~ 4. The ~~Director of the Legislative Counsel Bureau~~ Board shall prescribe a form for applications submitted pursuant to this section, which must require the signature of the principal of the school in which the applicant is enrolled or, if the applicant is a homeschooled child, the signature of a member of the community in which the applicant resides other than a relative of the applicant.

Sec. 10. NRS 385.535 is hereby amended to read as follows:

385.535 1. A position on the Youth Legislature becomes vacant upon:

(a) The death or resignation of a member.

(b) The absence of a member for any reason from ~~two~~:

(1) *Two meetings of the Youth Legislature, including, without limitation, meetings conducted in person, meetings conducted by teleconference, meetings conducted by videoconference and meetings conducted by other electronic means;*

(2) *Two activities of the Youth Legislature;*

(3) *Two event days of the Youth Legislature; or*

(4) *Any combination of absences from meetings, activities or event days of the Youth Legislature, if the combination of absences therefrom equals two or more,*

unless the absences are, as applicable, excused by the Chair ~~of the Youth Legislature~~ or Vice Chair of the Board.

(c) A change of residency or a change of the school of enrollment of a member which renders that member ineligible under his or her original appointment.

2. A vacancy on the Youth Legislature must be filled ~~for~~:

(a) *For* the remainder of the unexpired term in the same manner as the original appointment.

(b) *Insofar as is practicable, within 30 days after the date on which the vacancy occurs.*

3. *As used in this section, "event day" means any single calendar day on which an official, scheduled event of the Youth Legislature is held, including, without limitation, a course of instruction, a course of orientation, a meeting, a seminar or any other official, scheduled activity.*

Sec. 11. NRS 385.545 is hereby amended to read as follows:

385.545 1. The Youth Legislature shall elect from among its members, to serve a term of 1 year beginning on June 1 of each year:

(a) A Chair, who shall conduct the meetings and , *in cooperation with the Board*, oversee the formation of committees as necessary to accomplish the business of the Youth Legislature; and

(b) A Vice Chair, who shall assist the Chair and conduct the meetings of the Youth Legislature if the Chair is absent or otherwise unable to perform his or her duties.

2. The Director of the Legislative Counsel Bureau ~~and~~ *upon request of the Board:*

(a) Shall provide meeting rooms and teleconference and videoconference facilities for the Youth Legislature.

(b) Shall, in the event of a vacancy on the Youth Legislature, notify the appropriate appointing authority of such vacancy.

(c) May accept gifts, grants and donations from any source for the support of the Youth Legislature in carrying out the provisions of NRS 385.505 to 385.575, inclusive ~~and~~ *and sections 2 to 6, inclusive, of this act. Any such gifts, grants and donations must be deposited in the ~~Fund~~ Account.*

Sec. 12. NRS 385.555 is hereby amended to read as follows:

385.555 1. The Youth Legislature shall:

(a) Hold at least two public hearings in this State each school year. The Youth Legislature may simultaneously teleconference or videoconference each public hearing to two or more prominent locations throughout this State.

(b) Evaluate, review and comment upon issues of importance to the youth in this State, including, without limitation:

- (1) Education;
- (2) Employment opportunities;
- (3) Participation of youth in state and local government;
- (4) A safe learning environment;
- (5) The prevention of substance abuse;
- (6) Emotional and physical well-being;
- (7) Foster care; and
- (8) Access to state and local services.

(c) Conduct a public awareness campaign to raise awareness about the Youth Legislature and to enhance outreach to the youth in this State.

2. During his or her term, each member of the Youth Legislature shall ~~conduct~~ *:*

(a) Conduct at least one meeting to afford the youth of this State an opportunity to discuss issues of importance to the youth in this State.

(b) Complete such other activities as may be assigned to him or her by the Board as a member of the Youth Legislature.

3. The Youth Legislature may, within the limits of available money ~~and~~ *and if approved by the Board:*

(a) During the period in which the Legislature is in a regular session, meet as often as necessary to conduct the business of the Youth Legislature and to advise the Legislature on proposed legislation relating to the youth in this State.

(b) Form committees, which may meet as often as necessary to assist with the business of the Youth Legislature.

(c) Conduct periodic seminars for its members regarding leadership, government and the legislative process.

~~[(d) Employ a person to provide administrative support for the Youth Legislature or pay the costs incurred by one or more volunteers to provide any required administrative support.]~~

4. Except as otherwise provided in this subsection, the Youth Legislature and its committees shall comply with the provisions of chapter 241 of NRS. Any

activities of the Youth Legislature which are conducted solely for purposes of training, including, without limitation, any orientation programs conducted for the Youth Legislature, are not subject to the provisions of chapter 241 of NRS.

5. On or before May 30 of each year, the Youth Legislature shall submit a written report to the ~~{Director of the Legislative Counsel Bureau}~~ **Board** and to the Governor describing the activities of the Youth Legislature during the immediately preceding school year and any recommendations for legislation. The ~~{Director}~~ **Board** shall transmit the written report to the Legislative Committee on Education and to the next regular session of the Legislature.

Sec. 13. NRS 385.565 is hereby amended to read as follows:

385.565 The Youth Legislature may:

1. Request the drafting of not more than one legislative measure which relates to matters within the scope of the Youth Legislature. A request must be submitted to the Legislative Counsel on or before December 1 preceding the commencement of a regular session of the Legislature unless the Legislative Commission authorizes submitting a request after that date.

2. Adopt procedures to conduct meetings of the Youth Legislature and any committees thereof. Those procedures may be changed upon approval of a majority vote of all members of the Youth Legislature who are present and voting.

3. Advise the ~~{Director of the Legislative Counsel Bureau}~~ **Board** regarding the administration of any appropriations, gifts, grants or donations received for the support of the Youth Legislature.

Sec. 14. NRS 385.575 is hereby amended to read as follows:

385.575 The members of the Youth Legislature serve without compensation. To the extent that money is available ~~{, including, without limitation, money from gifts, grants and donations,}~~ **in the ~~{Fund}~~ Account,** the members of the Youth Legislature may receive the per diem allowance and travel expenses provided for state officers and employees generally for attending a meeting of the Youth Legislature or a seminar conducted by the Youth Legislature.

Sec. 15. Section 8 of chapter 345, Statutes of Nevada 2007, as amended by chapter 74, Statutes of Nevada 2009, at page 256, is hereby amended to read as follows:

Sec. 8. 1. There is hereby appropriated from the State General Fund to the disbursement account created by section 1 of this act the sum of \$35,000 to fund the Nevada Youth Legislative Issues Forum created by Senate Bill 247 of the 2007 Legislative Session.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, ~~{2011,}~~ **2013**, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September ~~{16, 2011,}~~ **20, 2013**, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September ~~{16, 2011,}~~ **20, 2013**.

Sec. 16. As soon as practicable after the effective date of this act, the Legislative Commission shall:

1. Create or cause to be created the corporation for public benefit described in section 6 of this act. The corporation must be created in accordance with the requirements set forth in chapter 82 of NRS.

2. Appoint a Board of Directors for the corporation for public benefit described in section 6 of this act.

1 3. Perform such other activities as are necessary to provide initial support to
2 the corporation for public benefit described in section 6 of this act.

3 **Sec. 17.** All money previously appropriated, donated, granted or otherwise
4 supplied to the Nevada Youth Legislature, or its successor in interest, remaining
5 unexpended and unencumbered on the effective date of this act must be transferred
6 to the Nevada Youth Legislature ~~Fund~~ Account created by section 5 of this act on
7 or before July 1, 2011.

8 **Sec. 18.** This act becomes effective upon passage and approval.