

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 Fund, into which gifts, grants, donations and legislative appropriations must 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



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28 the date of reversion for the initial appropriation made to the Youth Legislature in
29 2007 from 2011 to 2013.

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

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

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

9 **Sec. 3.** *“Board” means the Board of Directors described in*
10 *subsection 2 of section 6 of this act.*

11 **Sec. 4.** *“Fund” means the Nevada Youth Legislature Fund*
12 *created by section 5 of this act.*

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

15 2. *Money for the Fund must be provided:*

16 (a) *By direct legislative appropriation; and*

17 (b) *Through the acceptance of gifts, grants and donations as*
18 *authorized pursuant to paragraph (c) of subsection 2 of*
19 *NRS 385.545.*

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

21 4. *The money in the Fund may be used only:*

22 (a) *For the educational programs and operations of the Youth*
23 *Legislature;*

24 (b) *To provide administrative support for the Youth*
25 *Legislature;*

26 (c) *To pay for expenses directly related to the Youth*
27 *Legislature; and*

28 (d) *For such other purposes directly related to the Youth*
29 *Legislature as the Board may approve.*

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

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



7. Each year, the Board shall submit an itemized statement of the income and expenditures for the Fund 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) 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) Shall oversee the activities of the Youth Legislature.

(f) 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.

(g) 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



1 a person who submits an application and meets the qualifications for
2 appointment set forth in NRS 385.525. A member of the Assembly
3 may submit recommendations to a member of the Senate concerning
4 the appointment.

5 3. After the initial terms:

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

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

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

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

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

22 385.525 1. To be eligible for appointment to the Youth
23 Legislature, a person:

24 (a) Must be:

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

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

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

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

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

41 2. ***If, at any time, a person appointed to the Youth Legislature***
42 ***changes his or her residency or changes his or her school of***
43 ***enrollment in such a manner as to render the person ineligible***
44 ***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 ~~§~~ 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.

~~§~~ 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 ~~§~~ *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 sections 2 to 6, inclusive, of this act. Any such gifts, grants and donations must be deposited in the Fund.*

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~~ :



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

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

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

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

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

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

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

19 4. Except as otherwise provided in this subsection, the Youth
20 Legislature and its committees shall comply with the provisions of
21 chapter 241 of NRS. Any activities of the Youth Legislature which
22 are conducted solely for purposes of training, including, without
23 limitation, any orientation programs conducted for the Youth
24 Legislature, are not subject to the provisions of chapter 241 of NRS.

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

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

33 385.565 The Youth Legislature may:

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

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

44 3. Advise the ~~Director of the Legislative Counsel Bureau]~~
45 **Board** regarding the administration of any appropriations, gifts,



1 grants or donations received for the support of the Youth
2 Legislature.

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

4 385.575 The members of the Youth Legislature serve without
5 compensation. To the extent that money is available ~~[-, including,~~
6 ~~without limitation, money from gifts, grants and donations,]~~ **in the**
7 **Fund**, the members of the Youth Legislature may receive the per
8 diem allowance and travel expenses provided for state officers and
9 employees generally for attending a meeting of the Youth
10 Legislature or a seminar conducted by the Youth Legislature.

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

14 Sec. 8. 1. There is hereby appropriated from the State
15 General Fund to the disbursement account created by section
16 1 of this act the sum of \$35,000 to fund the Nevada Youth
17 Legislative Issues Forum created by Senate Bill 247 of the
18 2007 Legislative Session.

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

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

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

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

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

42 **Sec. 17.** All money previously appropriated, donated, granted
43 or otherwise supplied to the Nevada Youth Legislature, or its
44 successor in interest, remaining unexpended and unencumbered on
45 the effective date of this act must be transferred to the Nevada



- 1 Youth Legislature Fund created by section 5 of this act on or before
- 2 July 1, 2011.
- 3 **Sec. 18.** This act becomes effective upon passage and
- 4 approval.

