

Amendment No. 54

Senate Amendment to Senate Bill No. 108	(BDR 17-62)
<b>Proposed by:</b> Senate Committee on Legislative Operations and Elections	
<b>Amends:</b> 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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

SSH/KCP



Date: 4/1/2019

S.B. No. 108—Makes various changes relating to the Nevada Youth Legislature.  
(BDR 17-62)





## SENATE BILL NO. 108—SENATOR WOODHOUSE

PREFILED JANUARY 28, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to the Nevada Youth Legislature.  
(BDR 17-62)

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 the Nevada Youth Legislature; revising provisions governing vacancies on, meetings of and holding certain positions on the Nevada Youth Legislature; revising the qualifications for appointment to the Board of Directors for the corporation for public benefit that administers 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. ~~It~~ **and for the establishment of a Board of Directors appointed by the Legislative Commission to govern the corporation for public benefit that administers the Youth Legislature.** (NRS 219A.010-219A.310) Under ~~current~~ existing law, members of the ~~Nevada~~ Youth Legislature serve a term of 2 years and may be reappointed to one successive 2-year term. (NRS 219A.130) **Existing law also provides that a position on the Youth Legislature becomes vacant if a member has accrued two or more absences from meetings, activities or event days of the Youth Legislature, unless the absences are excused by the Chair or Vice Chair of the Board of Directors.** (NRS 219A.150)

**Section 1** of this bill ~~increases the number of unexcused absences from meetings, activities or event days a member may take before he or she may be removed from~~ **revises existing law to provide that a position on the Youth Legislature ~~from two to three~~ becomes vacant if the Chair or Vice Chair of the Board of Directors determines that the member has any combination of unexcused absences or incomplete assignments which, in the aggregate, amounts to three or more missed or incomplete activity credits during the member’s term. Section 1 also defines an “activity credit” as a credit, or any fractional portion of a credit, which the Board of Directors has determined that a member is eligible to earn for attending meetings or event days or completing any other assigned activities.**

Under existing law, the Youth Legislature elects a Chair and Vice Chair from among its members to serve for a term of 1 year. (NRS 219A.200) **Section 2** of this bill prohibits a member of the Youth Legislature who is elected to serve as Chair or Vice Chair of the Youth Legislature ~~during~~ **for any part of** the first year of his or her term from serving in either position ~~during~~ **for any part of** the second year ~~of his or her term~~. **Section 2 also requires a vacancy in the office of Chair or Vice Chair of the Youth Legislature to be filled for the remainder of the term in the same manner as the original election.**

Existing law establishes the powers and duties of the Youth Legislature and sets forth requirements regarding public meetings and other activities. (NRS 219A.210) Section 3 of this bill clarifies the types of issues the Youth Legislature may consider to include any environmental, legal, political or social issues. Section 3 also removes the requirement that each member must conduct at least one meeting to discuss certain issues with the youth of this State and instead provides that each member must complete, in the manner required by the Board of Directors, any assigned activities of the Youth Legislature.

Existing law requires the public meetings of the Youth Legislature and its committees to comply with the Open Meeting Law, which includes potential civil and criminal penalties for violations of its provisions. (NRS 219A.210; chapter 241 of NRS) Section 3 removes the requirement that the public meetings of the Youth Legislature and its committees must comply with the Open Meeting Law, chapter 241 of NRS, and instead requires such public meetings to comply, to the extent practicable, with the policies of the Legislature and its committees for holding public meetings. Section 3 further specifies certain types of meetings and other activities of the Youth Legislature and its committees that are not required to be open to the public, including meetings and other activities that are conducted solely for purposes of orientation, instruction or training of members or are related to internal organization, affairs or management.

Existing law ~~establishes a~~ provides that the members of the Board of Directors are appointed by the Legislative Commission ~~to govern the corporation for public benefit that administers the Youth Legislature,~~ but does not specify any particular requirements regarding the composition of the Board. (NRS 219A.300) Section 4 of this bill requires the Board to consist of at least one member of the Senate, one member of the Assembly, one member of the general public and, if practicable, one person who has previously served on the Youth Legislature.

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

**Section 1.** NRS 219A.150 is hereby amended to read as follows:

219A.150 1. A position on the Youth Legislature becomes vacant upon:

(a) The death or resignation of a member.

(b) The ~~absence~~ determination of the Chair or Vice Chair of the Board, as applicable, that a member has accrued, for any reason ~~from:~~

~~(1) Two Three 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 Three activities of the Youth Legislature;~~

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

~~(4) Any, any combination of [absences];~~

(1) Absences from meetings ~~activities~~ or event days of the Youth Legislature ~~;~~ or

(2) Incompletions of any other activities that are assigned to him or her by the Board as a member of the Youth Legislature,

if the combination of absences ~~therefrom equals two~~ or incompletions amounts to three or more ~~;~~

missed or unsuccessful activity credits during his or her term, unless the absences or incompletions are ~~as applicable,~~ excused in whole or in part, by the Chair or Vice Chair of the Board ~~;~~ as applicable.

(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. In addition to the provisions of subsection 1, a position on the Youth Legislature becomes vacant if:

(a) A member of the Youth Legislature graduates from high school or otherwise ceases to attend public school or private school for any reason other than to become a homeschooled child or opt-in child; or

(b) A member of the Youth Legislature who is a homeschooled child or opt-in child completes an educational plan of instruction for grade 12 or otherwise ceases to be a homeschooled child or opt-in child for any reason other than to enroll in a public school or private school.

3. A vacancy on the Youth Legislature must be filled:

(a) For the remainder of the unexpired term in the same manner as the original appointment, except that, if the remainder of the unexpired term is less than 1 year, the member of the Senate who made the original appointment may appoint a person who:

(1) Is enrolled in a public school or private school in this State in grade 12 or who is a homeschooled child or opt-in child who is otherwise eligible to enroll in a public school in this State in grade 12; and

(2) Satisfies the qualifications set forth in paragraphs (a) and (c) of subsection 1 of NRS 219A.140.

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

4. As used in this section ~~["event"]~~:

(a) "Activity credit" means a credit, or any fractional portion thereof, that the Board has determined a member is eligible to earn for:

(1) Attending meetings or event days of the Youth Legislature; or

(2) Completing, in the manner required by the Board, any other activities that are assigned to him or her by the Board as a member of the Youth Legislature.

(b) "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. 2.** NRS 219A.200 is hereby amended to read as follows:

219A.200 1. ~~["The"]~~ Except as otherwise provided in this section, 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. A vacancy in the office of Chair or Vice Chair must be filled for the remainder of the unexpired term in the same manner as the original election.

3. A member who is elected to serve as Chair or Vice Chair pursuant to [subsection 1 during] this section for any part of the first year of his or her term may not be elected to serve in either office for any part of the second year of his or her term.

~~["3."]~~ 4. 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 this chapter. Any such gifts, grants and donations must be deposited in the Account.

**Sec. 3.** NRS 219A.210 is hereby amended to read as follows:

219A.210 1. The Youth Legislature shall:

(a) Hold at least two public ~~hearings~~ meetings in this State each school year ~~in accordance with the provisions of paragraph (a) of subsection 4.~~ The Youth Legislature may simultaneously teleconference or videoconference each public ~~hearing~~ meeting 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 ~~;~~ and

(9) Any environmental, legal, political or social issues.

(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 ~~;~~

~~(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~~ complete, in the manner required by the Board, any activities that are 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 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.

4. ~~Except as otherwise provided in this subsection,~~ The public meetings of the Youth Legislature and its committees shall:

(a) Must comply, to the extent practicable, with the [provisions of chapter 241 of NRS. Any activities of the Youth Legislature which are conducted] policies followed by the Legislature and its committees for holding public meetings.

(b) Do not include, without limitation, any meetings or other activities that are:

(1) Conducted solely for purposes of orientation, instruction or training [including, without limitation, any orientation programs conducted] for the members of the Youth Legislature ; or

(2) Related to the internal organization, affairs or management of the Youth Legislature.

5. The public meetings and any other meetings or activities of the Youth Legislature and its committees and members are not subject to the provisions of chapter 241 of NRS.

~~[5.]~~ 6. On or before May 30 of each year, the Youth Legislature shall submit a written report to the Board and to the Governor describing the activities of the Youth Legislature during the immediately preceding school year and any recommendations for legislation. The Board shall transmit the written report to the Legislative Committee on Education and to the next regular session of the Legislature.

**Sec. 4.** NRS 219A.300 is hereby amended to read as follows:

219A.300 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 ~~[H]~~ consisting of at least:

(a) *One member of the Senate;*

(b) *One member of the Assembly;*

(c) *One representative of the general public; and*

(d) *If practicable, one person who previously served as a member of the Youth Legislature.*

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 this chapter.

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

(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.

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

(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 this chapter. Any such gifts, grants and donations must be deposited in the Account.

(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. 5.** ~~NRS 241.016 is hereby amended to read as follows:~~

~~241.016 1. The meetings of a public body that are quasi-judicial in nature are subject to the provisions of this chapter.~~

~~2. The following are exempt from the requirements of this chapter:~~

~~(a) The Legislature of the State of Nevada.~~

~~(b) Judicial proceedings, including, without limitation, proceedings before the Commission on Judicial Selection and, except as otherwise provided in NRS 1.4687, the Commission on Judicial Discipline.~~

~~(c) Meetings of the State Board of Parole Commissioners when acting to grant, deny, continue or revoke the parole of a prisoner or to establish or modify the terms of the parole of a prisoner.~~

~~3. Any provision of law, including, without limitation, NRS 91.270, [219A.210,] 228.495, 239C.140, 281A.350, 281A.690, 281A.735, 281A.760, 284.2620, 286.150, 287.0415, 287.04345, 287.238, 288.220, 289.387, 295.121, 360.247, 388.261, 388A.495, 388C.150, 388G.710, 388G.730, 392.147, 392.467, 394.1699, 396.2295, 432.534, 435.610, 462.110, 622.320, 622.340, 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170, 696B.550, 703.196 and 706.1725, which~~

~~(a) Provides that any meeting, hearing or other proceeding is not subject to the provisions of this chapter; or~~

~~(b) Otherwise authorizes or requires a closed meeting, hearing or proceeding, prevails over the general provisions of this chapter.~~

~~4. The exceptions provided to this chapter, and electronic communication, must not be used to circumvent the spirit or letter of this chapter to deliberate or act, outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.] (Deleted by amendment.)~~

**Sec. 6.** Notwithstanding the amendatory provisions of section 4 of this act, any person who, on the effective date of this act, is a member of the Board of Directors for the corporation for public benefit that administers the Nevada Youth Legislature may continue to serve in that capacity until a successor is appointed pursuant to NRS 219A.300, as amended by section 4 of this act.

**Sec. 7.** This act becomes effective upon passage and approval.