VETOES

Summary Points:

1. The Governor has 5 days to return a bill, excluding Sundays, or it becomes law.

2. The bill is returned to the House of origin. Overriding a veto requires a vote of 2/3 of the members elected to each House: 28 “yes” votes in the Assembly and 14 “yes” votes in the Senate.

3. If 2/3 of the members vote in the House of origin to approve the bill notwithstanding the objections of the Governor, it is transmitted to the second House. If a 2/3 vote is not achieved, the veto is sustained.

4. If 2/3 of the members vote in the second House to approve the bill notwithstanding the objections of the Governor, it becomes law. If a 2/3 vote is not achieved, the veto is sustained.

5. If the Legislature adjourns before a veto is returned (i.e., a bill delivered to the Governor in the last few days of session), the Governor has 10 days (excluding Sundays) after adjournment to veto the bill and deliver it to the Secretary of State. The Secretary of State will return the bill to the next regular session of the Legislature.

6. A bill returned to the next session of the Legislature is considered in the same manner as a bill returned during session (it starts in the House of origin, and a vote of 2/3 of the members elected to each House is required to override the veto).

Constitution:

Sec: 35. Bills to be presented to governor; approval; disapproval and reconsideration by legislature; failure of governor to return bill. Every bill which may have passed the Legislature, shall, before it becomes a law be presented to the Governor. If he approve it, he shall sign it, but if not he shall return it with his objections, to the House in which it originated, which House shall cause such objections to be entered upon its journal, and proceed to reconsider it; If after such reconsideration it again pass both Houses by yeas and nays, by a vote of two thirds of the members elected to each House it shall become a law notwithstanding the Governors objections. If any bill shall not be returned within five days after it shall have been presented to him (Sunday excepted) exclusive of the day on which he received it, the same shall be a law, in like manner as if he had signed it, unless the Legislature by its final adjournment, prevent such return, in which case it shall be a law, unless the Governor within ten days next after the adjournment (Sundays excepted) shall file such bill with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next Session, in like manner as if it had been returned by the Governor, and if the same shall receive the vote of two-thirds of the members elected to each branch of the Legislature, upon a vote taken by yeas and nays to be entered upon the journals of each house, it shall become a law.
Statutes:

NRS 218D.675 Procedure upon delivery to Governor; computation of time for action; approval by Governor; delivery of bill to Secretary of State if approved.

1. As soon as an enrolled bill is delivered to the Governor, any person duly authorized shall endorse by stamp, on the back of the enrolled copy of such bill, over the Governor’s signature, from whom and which House the bill was received, the date and hour of receipt, and the number of pages comprising the bill, and shall compute and note thereon the time limit for action by the Governor, excluding the day of receipt and Sundays, which must not exceed the constitutional limit for such action.

2. Within such time limit, the bill must, if approved, be signed by the Governor immediately after the signatures of the officials of both Houses as follows:

State of Nevada
Executive Department
Approved

......a.m....p.m.
........(month)......(day)......(year)
...........................(Governor)

3. Immediately following such approval, without alteration or correction, the bill must be deposited with the Secretary of State, who shall endorse on the back thereof, following the endorsement of such duly authorized person:

Received and filed.
......(hour)
........(month)......(day)......(year)
...........................(Secretary of State)

NRS 218D.680 Inaction or veto by Governor before adjournment of Legislature; reconsideration of vetoed bill; delivery of bill to Secretary of State if veto overridden.

1. If the Governor does not approve a bill within 5 days, Sundays excepted, after it has been presented to the Governor, the bill becomes a law without the Governor’s signature, unless the Governor has returned it to the House in which it originated, with the Governor’s objections thereto, which must be entered in its journal.

2. Such House shall thereupon proceed to reconsider the vetoed bill and if thereafter it again passes both Houses by a two-thirds vote of the members elected to each House, the bill becomes a law notwithstanding the objections of the Governor, and must be delivered by the Legislative Counsel directly to the Secretary of State for filing, who shall receipt to the Legislative Counsel therefor.

NRS 218D.685 Inaction or veto by Governor after adjournment of Legislature; reconsideration of vetoed bill at next regular session; delivery of bill to Secretary of State if veto overridden.

1. If the Legislature, by its final adjournment, prevents the return of a bill within 5 days after delivery to the Governor, Sundays excepted, the bill becomes a law without the Governor’s signature, unless within 10 days next after the adjournment, Sundays excepted, the Governor files the bill with the Governor’s objections thereto with the Secretary of State.

2. The Secretary of State shall lay the bill before the Legislature at its next regular session in like manner as if it had been returned by the Governor directly to the House in which it originated. If the bill receives the vote of two-thirds of the members elected to each House of the Legislature, upon a vote taken by yeas and nays, to be entered upon the journals of each House, the bill becomes a law and must be delivered by the Legislative Counsel directly to the Secretary of State for filing, who shall receipt to the Legislative Counsel therefor.
SPECIAL SESSIONS

Summary Points:

1. The Governor alone can convene a special session, and does so by proclamation.

2. The Legislature may only consider business “for which they were specially convened” or other business called to the attention of the Legislature by the Governor while in session.

3. There is no limit on the length of special session, though the Governor may set an ending date and time (and has for recent special sessions).

4. Legislators are paid salary for the first 20 days of a special session.

5. Other than the restriction on the business to be considered, the legislative process is otherwise unchanged from a regular session.

Constitution:

Sec. 9. Special sessions of Legislature; business at special session. The Governor may on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses when organized, the purpose for which they have been convened, and the Legislature shall transact no legislative business, except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in Session.

Sec. 2. Biennial sessions of Legislature: Commencement; limitation on duration; void actions; submission of proposed executive budget.

1. The sessions of the Legislature shall be biennial, and shall commence on the 1st Monday of February following the election of members of the Assembly, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

2. The Legislature shall adjourn sine die each regular session not later than midnight Pacific standard time 120 calendar days following its commencement. Any legislative action taken after midnight Pacific standard time on the 120th calendar day is void, unless the legislative action is conducted during a special session convened by the Governor.

3. The Governor shall submit the proposed executive budget to the Legislature not later than 14 calendar days before the commencement of each regular session.

Sec. 33. Compensation of members of Legislature; payment for postage, stationery and other expenses; additional allowances for officers. The members of the Legislature shall receive for their services, a compensation to be fixed by law and paid out of the public treasury, for not to exceed 60 days during any regular session of the legislature and not to exceed 20 days during any special session convened by the governor; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected Provided, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.