

CHAPTER III  
LEGISLATIVE PROCEDURE AND  
ACTION



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#### LEGISLATIVE PROCEDURE

##### Sessions

Regular sessions of the Nevada Legislature are held biennially in odd-numbered years. They convene on the first Monday in February after the election of members of the Senate and Assembly. At other times, the Governor may, for a specific purpose, call the Legislature into special session,<sup>1</sup> or the Legislature may, upon a petition signed by two-thirds of the members elected to each house of the Legislature, convene a special session for a specific purpose without action by the Governor.<sup>2</sup>

Sessions are limited to 120 *calendar days* following the approval by voters of a constitutional amendment in 1998.<sup>3</sup> Previous sessions were unlimited in length following the repeal in 1958 of a constitutional provision setting a 60-day maximum limit on the duration of a session. Since 1958, there has been only one regular session of less than 60 days, that being the single annual session of 1960, which lasted 55 days. Between 1975 and 1997, regular sessions in Nevada ran between 113 and 169 days. Conversely, the 1989 Special Session was the shortest in history, lasting just over two hours in the Senate.

The *Nevada Constitution* also limits the number of days for which legislators may receive compensation. Since 2005, the salary of members has been set by NRS 218A.630 at a maximum of \$130 per day, adjusted by an amount equal to the cumulative increase or decrease in the salaries of State employees. However, the *Constitution* forbids compensation for services to be paid to legislators for more than 60 calendar days for any regular session and 20 days for any special session.<sup>4</sup> Reimbursement for certain expenses of members, however, may continue for the entire length of a session.

Special sessions of the Legislature may be convened on the call of the Governor or by petition of the Legislature.<sup>5</sup> After both houses have organized in special session, the Governor is required by the *Nevada Constitution* to state the purpose for which they have been convened. If the Legislature convened itself in special session, the purpose of the special session is included in the petition. The Legislature may not enact any bills or joint resolutions pertaining to subjects other than those for which it was convened. The Governor, however, may expand the reasons for calling the Legislature into session at any time during that session, thereby reducing the restrictions on legislative initiative.<sup>6</sup> The Legislature, at times, has adopted simple or concurrent resolutions to express its sentiments on matters not contained in the Governor's call. The last special session, which was the twenty-sixth in State history, was conducted during the interim period in 2010.

Legislative activities, including committee hearings, are open to the public. The *Constitution* also stipulates that neither house may, without the consent of the other, adjourn for more than three days nor move to any place other than where it is holding its session.<sup>7</sup> The Joint Rules of the Senate and Assembly specify that one or more adjournments, for a duration of more than three days, may be taken to permit standing committees, *select committees*, or the Legislative Counsel Bureau to prepare the matters respectively entrusted to them for the consideration of the Legislature as a whole. The total time taken for all such adjournments is not to exceed 20 days during any regular session.<sup>8</sup> The 1991, 1993, and 1995 Legislatures adjourned for two weeks early in the session to allow the Senate Committee on Finance and Assembly Committee on Ways and Means to work full-time on the review of proposed State agency budgets. During this same period, the remaining “morning” committees of the Legislature held hearings on bills and other legislative matters in the Las Vegas area. Beginning in 1999, the two *money committees* have conducted informational hearings in Carson City as a subcommittee acting under the auspices of the *Legislative Commission* during the two weeks immediately preceding the start of session.

In the case of a disagreement between the two houses with respect to the time of the Legislature’s final adjournment, the Governor is constitutionally empowered to adjourn the Legislature to such a time as deemed proper, but not, however, beyond the time fixed for the meeting of the next Legislature.<sup>9</sup>

## **Legislative Leadership**

### LEGISLATIVE OFFICERS: SENATE

To perform their proper roles efficiently, the two houses of the Nevada Legislature are authorized by the *Nevada Constitution* to choose their own officers (except for the *President of the Senate*). They also may determine the rules of their proceedings, punish their members for disorderly conduct, and, with the concurrence of two-thirds of all the members elected, expel a member.<sup>10</sup> From tradition and experience, both houses have created internal administrative structures that closely parallel one another. There are, however, certain differences in terminology and the assignment of responsibility that distinguish the two houses.

The Lieutenant Governor is the Senate’s presiding officer, sitting as the President of the Senate. The Lieutenant Governor is elected by the public for a four-year term in November of even-numbered years between presidential elections and is the first in line of succession to the governorship. The Lieutenant Governor presides over the Senate but is not a member of it; cannot vote on any question, except to break a tie vote; and is not permitted to vote on any measure (bill or joint resolution).<sup>11</sup>

The President calls the Senate to order, chairs the conduct of business before the body, is responsible for the maintenance of decorum in the chamber, and has the general direction of the Senate chamber. In addition, the President recognizes Senators

during debate; decides questions of parliamentary procedure, subject to appeal to the whole Senate; and signs all acts, addresses, joint resolutions, writs, warrants, and subpoenas.<sup>12</sup>

The *President Pro Tempore* presides over the Senate in the absence of the President. Unlike the President, the President Pro Tempore is a member of the Senate and elected by it. As a Senator, the President Pro Tempore may vote on all issues, may enter into debate by relinquishing the chair, and exercises all of the powers and responsibilities of the President.<sup>13</sup> Under the *Nevada Constitution*, the President Pro Tempore is the second in line of succession to the governorship, immediately after the Lieutenant Governor.<sup>14</sup>

If both the President of the Senate and the President Pro Tempore are absent or unable to discharge their duties, the Standing Rules of the Senate stipulate that the Chair of the Standing Committee on Legislative Operations and Elections or, if this officer is absent, the committee's Vice Chair should preside. In the event that none of the designated officers is able to preside, the rules provide for the Senate to elect one of its members as the presiding officer for that occasion.<sup>15</sup>

The Secretary of the Senate is elected by the members of the Senate to serve as administrative officer and parliamentarian. Responsible to the *Majority Floor Leader*, the Secretary coordinates the daily activities of floor sessions, reads official communications to the body, calls roll, tabulates votes, edits the *Journals and Histories of the Senate*, records all floor action, oversees the processing of bills and resolutions, and signs all acts passed by the Legislature. The Secretary also interviews and recommends to the Committee on Legislative Operations and Elections persons to be considered for employment by the Senate and supervises a cadre of administrative professionals. At the end of each working day, unless otherwise ordered by the Senate, the Secretary transmits to the Assembly those bills and resolutions upon which the next action is to be taken by that body.<sup>16</sup>

The Sergeant at Arms of the Senate is responsible for keeping order in and around the chamber, ensuring that only authorized persons are permitted on the floor, and handling other duties as directed by the Majority Floor Leader. The Sergeant at Arms is also responsible to maintain the Senate's chamber, private caucus room, kitchen, and meeting rooms for committees.<sup>17</sup> The Assistant Sergeant at Arms acts as the Senate doorkeeper, preserves order in the Senate chamber, and provides other assistance to the Sergeant at Arms.<sup>18</sup>

In addition to these major Senate officers, there are a number of employees hired to perform miscellaneous functions. Legislative assistants, clerks, and other staff are appointed to their positions via a one-house resolution. In the Assembly, these are referred to a *attachés*; in the Senate, *session staff*. Both houses have such employees, appointed in exactly the same manner. The number of officers and employees of the Senate and the Assembly is determined each session by each respective house.<sup>19</sup>

## LEGISLATIVE OFFICERS: ASSEMBLY

The presiding officer of the Nevada Assembly is the Speaker. Unlike the President of the Senate, the Speaker of the Assembly is elected from among the membership of the Assembly. The 2011 Assembly Standing Rules provide that the Speaker shall, among other things: (1) preserve order and decorum and have general direction of the chamber; (2) decide all questions of order, subject to each member's right to appeal; (3) have the right to assign the duties of the Chair to any member for up to one *legislative day*; (4) have the power to accredit the persons who act as representatives of the news media and assign their seats; (5) sign all bills and resolutions passed by the Legislature and all subpoenas issued by the Assembly or any committee thereof; and (6) vote on final passage of a bill or resolution. The Speaker is not required to vote in ordinary legislative proceedings except when such a vote would be decisive. In all yea and nay votes, the Speaker's name is required to be called last.<sup>20</sup> The Speaker is third in the line of succession to the governorship, behind the Lieutenant Governor and President Pro Tempore of the Senate.<sup>21</sup> The tenures of the President Pro Tempore and the Speaker continue beyond the end of the session and until their successors are designated after the general election.<sup>22</sup>

It has been customary for the Assembly to elect a *Speaker Pro Tempore* to preside in the temporary absence of the Speaker. This officer's duties are comparable to those of the President Pro Tempore of the Senate, exclusive of the right of succession to the governorship. Assembly Standing Rule No. 1 requires that if a permanent vacancy occurs in the office of Speaker, the Assembly shall select a new Speaker.<sup>23</sup>

The Chief Clerk is elected by the members of the Assembly to serve as Administrative Officer, Parliamentarian, and *ex officio* member of the Committee on Legislative Operations and Elections. Responsible to the Speaker, the Chief Clerk coordinates the daily activities of floor sessions, reads official communications to the body, calls roll, tabulates votes, edits the *Journals and Histories of the Assembly*, records all floor actions, oversees the processing of bills and resolutions, and signs all acts passed by the Legislature. The Chief Clerk recruits, selects, trains, and supervises all attachés employed to assist with the work of the Assembly. At the end of each working day, unless otherwise ordered by the Assembly, the Chief Clerk traditionally transmits to the Senate those bills and resolutions upon which the next action is to be taken by that body.

The Sergeant at Arms of the Assembly is responsible for keeping order in and around the chamber, ensuring that only authorized persons are permitted on the floor, taking into custody any person who interferes with the legislative process, and handling other duties as directed by the Speaker and Chief Clerk. The Sergeant at Arms is also responsible to maintain the Assembly chamber, private caucus room, and kitchen.<sup>24</sup> The Assistant Sergeants at Arms act as the Assembly doorkeeper, preserve order in and around the Assembly chamber, and provide other assistance to the Sergeant at Arms.<sup>25</sup>

The law permits the Senate and Assembly to invite ministers of the different religious denominations to officiate alternately as chaplains of the respective houses.<sup>26</sup> By custom, the chaplains are usually selected from the local clergy association. Occasionally, however, ministers from other locations, Assembly staff, or legislators themselves serve as chaplains.

## FLOOR LEADERS

In addition to the formal leadership in the two houses of the Legislature, the partisan nature of the chambers makes it necessary to use party leadership positions to manage the legislative workload. In the Senate, the Majority and *Minority Floor Leaders* of their respective parties are selected during party caucuses. In the Assembly, the Speaker and the Minority Floor Leader are selected during party caucuses of their respective parties. The Senate and Assembly also have, by custom, established the positions of Assistant Majority Floor Leader, Assistant Minority Floor Leader, Majority *Whip*, Minority Whip, Assistant Majority Whip, and Assistant Minority Whip. House leaders are not legal officers of the houses, since their offices do not exist under provisions of law.<sup>27</sup> In Nevada, the Senate Majority Floor Leader is the actual leader of the Senate, with powers similar to those of the Speaker of the Assembly.

Generally, the Majority Floor Leader or the Assistant Majority Floor Leader manages the *referral* to committee of bills that are received from the other house and works closely with the presiding officer on parliamentary operations involving legislation being considered on the floor. Thus, a thorough knowledge of parliamentary procedure is an important attribute of a competent Majority Floor Leader or Assistant Majority Floor Leader.

Floor leaders are party officials in the Legislature and are responsible for maintaining party discipline in their respective houses. Straight party voting is relatively uncommon in the Nevada Legislature, as members customarily exercise wide latitude in voting. But in certain critical areas, the Majority and Minority Floor Leaders are expected to call a caucus to determine their party's stance on an issue. Once a position is agreed upon, the floor leaders act as "whips" to solidify partisan support for the caucus decision. The tenure of the floor leaders extends during the interim between regular sessions of the Legislature and until the election of their successors after the general election.<sup>28</sup>

## Procedure and Order of Business in the Senate and Assembly

The Senate and the Assembly function in accordance with constitutional provisions and judicial decisions thereon; adopted standing rules; custom, usage, and precedents; the *Nevada Revised Statutes*; *Mason's Manual of Legislative Procedure*; and parliamentary law.

The Senate and Assembly rules stipulate that *Mason's Manual of Legislative Procedure* shall govern in all cases in which it is not inconsistent with the Standing Rules and orders and the Joint Rules of the two houses.<sup>29</sup>

Under the Standing Rules of the Senate, precedence of authority is outlined within *Mason's Manual of Legislative Procedure*, Sec. 4.2. The precedence of parliamentary authority for the Assembly is outlined in its standing rules.

The Secretary of the Senate and the Chief Clerk of the Assembly serve as parliamentarians for their respective houses.

Under the rules of the Senate, the President calls the chamber to order at 11 a.m. each day of sitting unless the Senate has adjourned to some other day and hour.<sup>30</sup> The Assembly meets daily at 11:30 a.m., unless it has previously adjourned to some other hour.<sup>31</sup>

## **Quorum**

The *Nevada Constitution* states that a majority of all members elected to each house constitutes a quorum to transact business. However, a number smaller than this quorum may adjourn from day to day and may compel the attendance of absent members.<sup>32</sup>

## **Order of Business**

Each house has an official order of business incorporated into its Standing Rules. In the Senate, the order of business for the 2011 Session was as follows:

1. Roll Call.
2. Prayer and Pledge of Allegiance to the Flag.
3. Reading and Approval of the Journal.
4. Reports of Committees.
5. Messages from the Governor.
6. Messages from the Assembly.
7. Communications.
8. Waivers and Exemptions.
9. Motions, Resolutions and Notices.
10. Introduction, First Reading and Reference.
11. Consent Calendar.
12. Second Reading and Amendment.
13. General File and Third Reading.
14. Unfinished Business.
15. Special Orders of the Day.
16. Remarks from the Floor; Introduction of Guests. A Senator may speak under this order of business for a period of not more than 10 minutes.<sup>33</sup>



On the Assembly side, the 2011 order of business varied slightly:

1. Call to Order.
2. Reading and Approval of Journal.
3. Presentation of Petitions.
4. Reports of Standing Committees.
5. Reports of Select Committees.
6. Communications.
7. Messages from the Senate.
8. Motions, Resolutions and Notices.
9. Introduction, First Reading and Reference.
10. Consent Calendar.
11. Second Reading and Amendment.
12. General File and Third Reading.
13. Unfinished Business of Preceding Day.
14. Vetoed Bills and Special Orders of the Day.
15. Remarks from the Floor, limited to 10 minutes.<sup>34</sup>

Each item in the official order of business is considered as the house progresses through the day's program of business. From time to time, however, members may request that the presiding officer turn to items of business that are out of the usual order.

### **THE LEGISLATURE IN ACTION: A BILL BECOMES A LAW**

The steps through which a bill progresses toward enactment are outlined in a chart entitled "Nevada's Legislative Process," which is located in Appendix C at the end of this manual. The following discussion provides a brief overview of the process. The 2011 Regular Session of the Nevada Legislature considered 1,089 bills and an initiative petition (IP)—582 bills from the Assembly, 506 bills from the Senate, and 1 initiative petition. The Senate and Assembly combined also considered over 68 resolutions. Of the 1,089 bills and the IP that were considered during the 2011 Session, 560 bills were approved. The Governor vetoed a total of 28 bills, 10 of which were not overridden by the 2011 Legislature. The remaining 18 vetoed bills were vetoed after the 2011 Session ended; these bills will be returned to the houses in which they originated for reconsideration when the 2013 Legislature convenes. The Governor signed 531 bills, and he allowed 1 bill to become law without his signature. Therefore, 532 bills became law.<sup>35</sup>

### **Organizing the Legislature**

When the Legislature convenes in February of odd-numbered years, there are no operative rules and, in the Assembly, no presiding officer. The Secretary of State calls the Assembly to order at the beginning of a session and appoints a Temporary Chief Clerk. After call to order, the Secretary of State appoints a temporary Committee on Legislative Operations and Elections, which examines a certified copy of the Abstract of Votes and recommends the seating of legislators whose certificates are in order. Once the members of the Assembly have been sworn in by a Justice

of the Supreme Court, the Secretary of State customarily asks for nominations for Speaker. Since the speakership is usually predetermined in caucus, by tradition, the procedure is to nominate only one candidate, who is then elected. The Secretary of State then turns the chair over to the new Speaker, who proceeds to conduct elections for Speaker Pro Tempore and Chief Clerk of the Assembly.<sup>36</sup> After the Assembly is organized and standing rules are adopted, committees are appointed to inform the Senate and Governor that the Assembly is ready for business. However, these procedures may not be necessary if a special session of the Legislature has recently been held.

On the Senate side, the Lieutenant Governor presides over the chamber as President, in accordance with the provisions of the *Nevada Constitution*. With the exception of the election of a presiding officer (which is dispensed with in the Senate), the procedures parallel those of the Assembly. The major difference is that the Senate is not an entirely new body. Approximately one-half of the Senators are elected at each general election, the remainder serving in a holdover capacity.

In recent years, the *State of the State Address* by the Governor has been given to a joint gathering of the members of the Senate and Assembly prior to the start of the session. The text of the message is then officially accepted on the first day of the session. In this message to the Legislature, the Governor outlines the major problems confronting the State and proposes legislative solutions for the consideration of the houses. Under usual circumstances, the speech highlights the most important elements of the Governor's party's legislative program. It constitutes the "action" agenda of the session, for even if the legislative majority party is not of the same political persuasion, the Governor's message will delineate the significant sphere of issues to be resolved.

Long before the Legislature convenes in February, the legislative process is set in motion in subtle and frequently intangible ways. Social problems enter the forum of public debate, and through the exchange of ideas among the citizenry, certain opinions and issues are given the impetus needed to find expression in the legislative arena. Contending positions on public questions are identified, and proposed solutions to problems and conflicts are advocated in the press, among the people, in the academic community, within various interest groups, and among concerned governmental agencies and officials. But whatever the source of an idea for resolving a civic issue, that idea must be translated into a concrete legislative proposal for action—a bill or resolution—before it can formally enter the legislative forum for consideration.

In Nevada, only members of the Legislature or standing committees from either house can introduce legislation. Advocates of proposed legislation must secure a legislative *sponsor* in order to see their ideas enacted into law. Once a sponsor is obtained, a proposal may then be drafted in the form of a bill or a resolution, whichever is appropriate to the matter under consideration. Much of the proposed legislation is initiated by the legislators themselves.

## **Catastrophic Emergencies**

The Legislature has established a plan for the continuation of State and local governmental operations in the event of a catastrophic emergency. The Governor must first determine that the provisions in the *Nevada Constitution* and the *Nevada Revised Statutes* are not able to provide for a sufficiently expedient continuity of government and temporary succession of power as a result of vacancies in office created by the catastrophic emergency.<sup>37</sup> Under the plan, if vacancies occur in more than 15 percent of the seats in either house of the Legislature (three in the Senate or six in the Assembly) as a result of a catastrophic emergency, the remaining legislators available for duty constitute the Legislature and have full power to act in separate or joint assembly by majority vote of those present. Legislative measures may be approved in the same proportion necessary as if the entire Legislature were present. Any requirement for a quorum must initially be suspended and adjusted as vacant offices are filled. The Legislature may meet at a location other than the location the legislative body ordinarily meets (Carson City), if the legislative body determines that such a change is needed due to safety and related concerns.

## **Bill Drafting**

Before starting its journey through the Legislature, each piece of proposed legislation must be drafted in suitable form and terminology. Under law, this function for the Nevada Legislature is performed by bill drafters employed by the Legislative Counsel.<sup>38</sup> The Legislative Counsel and bill drafting staff provide legal services at no charge for all legislators, regardless of political party. The service is confidential, and contents of proposed legislation will not be divulged to anyone without the express consent of the sponsor or sponsors.

After obtaining the facts and objectives from a sponsor, the bill drafter must translate the information into proper legal terminology, form, and style. The bill must be coherent, concise, understandable, and free of ambiguity; it must be checked for conformance with the *U.S. Constitution* and the *Nevada Constitution*; court decisions relevant to the legislation must be checked; and the Nevada statutes must be studied to ascertain whether there are conflicts. To the extent practicable, the Legislative Counsel shall cause each bill or joint resolution introduced in the Legislature to include a digest. The digest must be printed on the bill immediately following the *title* of the bill.<sup>39</sup>

In addition, the bill drafter must check the measure for compliance with the provision in the *Nevada Constitution* that requires that each law enacted by the Legislature must be limited to one subject area.<sup>40</sup>

The Legislative Counsel, insofar as it is possible, processes legislators' bill drafting requests in the order in which they are received. However, legislators may designate different drafting priorities for their own bills and resolutions.

In addition to drafting bills for legislators, the Legislative Counsel also prepares bills for the Executive Branch when authorized by the Governor or a designated staff member.<sup>41</sup> The Legislative Counsel also prepares legislative measures requested by the Supreme Court.<sup>42</sup> Authorization for bill drafts on behalf of State constitutional officers, local governments, school districts, and other groups are also specified in statute.<sup>43</sup> Appendices A and B provide a general overview of the statutory limitations and deadlines for *bill draft requests* (BDRs).

After November 1 of the year preceding the next regular session, full priority is given to legislative members' requests for bill drafting, and the Legislative Counsel is not permitted to prepare any proposed legislation during any regular session of the Legislature except as authorized by statute or joint rule of the Legislature.<sup>44</sup> On July 1 of the year preceding the next regular session (and each week thereafter until adjournment of the Legislature), the Legislative Counsel prepares a list of all requests received for the preparation of measures to be submitted to the Legislature.<sup>45</sup> The BDR list is available to the public in booklet form and on the Nevada Legislature's website (<http://www.leg.state.nv.us/>).

### **Prefiling of Bills**

A majority of states, including Nevada, authorize the prefiling of bills. Prefiling allows drafted bills and joint resolutions, upon the approval of the primary sponsor, to be numbered, printed and made available for public review, and scheduled for hearing before the start of session. On the first day of session, these measures are formally introduced and referred to committee. Prefiled bills and resolutions could be heard in committee as early as the second or third day of session. The process of prefiling is designed to help expedite the review of a significant number of bills early in the session.

The statutory provisions regarding prefiling are generally found in NRS 218D.575 through NRS 218D.585. Legislation passed in 2007 provides that all requests for measures submitted by certain nonlegislative entities (including local governments, the Executive Branch, and the Supreme Court) must be prefiled by December 20 preceding a legislative session or they will be deemed withdrawn.

### **Fiscal Notes**

A *fiscal note* is a document that details the fiscal effect of certain bills and resolutions and is attached to or becomes a part of the bill or resolution. An example of a fiscal note may be found in Appendix D. The statutory provisions regarding fiscal notes for bills and joint resolutions are found in NRS 218D.400 through NRS 218D.495, inclusive. A bill or joint resolution is required to have a fiscal note if it meets any of the following criteria:

- It creates or increases a fiscal liability or decreases revenue for the State government by more than \$2,000;
- It increases or provides for a new term of imprisonment in the State prison or makes release on parole or probation from the State prison less likely; or
- It creates or increases a fiscal liability or decreases revenue for any local government or school district. (A fiscal note is not required if the only impact on a local government is that a bill or joint resolution increases or newly provides for a term of imprisonment in a county or city jail or detention facility, or makes release on probation therefrom less likely.)<sup>46</sup>

Information regarding the necessity of a fiscal note can be found in the *summary* of the bill or joint resolution.<sup>47</sup> All bills or joint resolutions which propose ballot questions have fiscal notes.

When a bill or resolution is drafted, the Legislative Counsel consults with the Fiscal Analysis Division to determine if a fiscal note is required. If the requester is a legislator, the Fiscal Analysis Division then informs the legislator requesting the bill draft that a fiscal note is required and requests permission to obtain fiscal notes from the affected State or local government entities. If the legislator does not give permission, requests for fiscal notes are made automatically upon *introduction* of the bill. Although a bill or joint resolution can be introduced without a fiscal note, the fiscal note shall be obtained by the Fiscal Analysis Division before a vote is taken on such a bill or joint resolution by a committee of the Senate or the Assembly.<sup>48</sup>

A fiscal note is required only on the original bill or joint resolution, but is not required on amendments. If an amendment by either house invalidates the original fiscal note, the presiding officer (the Senate Majority Leader or the Speaker of the Assembly) may direct the Fiscal Analysis Division to obtain a new fiscal note showing the effect of the *amended* bill or joint resolution.<sup>49</sup> Any legislator may request that a fiscal note be done on any bill while it is before the house of the Legislature to which the legislator belongs. Upon receiving the request, the presiding officer shall request the Fiscal Analysis Division to obtain a fiscal note if the presiding officer determines that the bill or joint resolution requires a fiscal note.<sup>50</sup>

A bill or joint resolution that is sent to a State or local government entity for a fiscal note may be used by that entity for official purposes only, and may not be copied or otherwise disseminated by that entity until the bill or joint resolution has been made public, or with permission of the party who has requested the bill or joint resolution.<sup>51</sup> The Fiscal Analysis Division does not release the name of the party requesting the bill to the entity requested to complete the fiscal note. State agencies have five working days from the date of request to provide a response of the fiscal impact, send it to the Department of Administration for review and comments, and

return it to the Fiscal Analysis Division. The Fiscal Analysis Division may grant up to a ten-day extension if the subject requires extensive research.<sup>52</sup> Fiscal notes completed by the Judicial Branch, the Legislature, or other non-Executive Branch agencies are returned directly to the Fiscal Analysis Division and are not subject to review by the Department of Administration.<sup>53</sup>

Local governments are allowed eight working days to provide a response to a request for a fiscal note, but may not be given an extension beyond that period. Completed fiscal notes from local governments are compiled by the Fiscal Analysis Division from the information provided by the appropriate local government agencies.<sup>54</sup>

### **Introduction and First Reading**

After a bill has been drafted, it is ready for introduction in the Legislature. Only legislators and standing committees are authorized to introduce a bill. Under the *Nevada Constitution*, any bill may originate in either house, and all bills passed by one may be amended in the other.<sup>55</sup> This is a significant departure from the practice in the United States Congress, where bills raising revenue must originate in the House of Representatives. But in Nevada, as in Congress, bills originating in one house must be sponsored by a member or a committee of that house. Joint sponsorship of legislation by standing committees and by one or more legislators from one or both houses (Senate and Assembly) is authorized.<sup>56</sup>

The Senate and the Assembly have joint rules that place a time and number limit on legislators' requests for the drafting of bills and resolutions. After a regular legislative session has convened, each Senator is entitled to four, and each member of the Assembly is entitled to two, requests for the drafting of a bill that must be submitted by the eighth calendar day of session.<sup>57</sup> The number of requests for bills by standing committees is also limited, and these requests must be submitted by the fifteenth calendar day of session.<sup>58</sup> Emergency bills may be authorized by the Majority Floor Leader of the Senate, the Speaker of the Assembly, the Minority Leader of the Senate, and the Minority Leader of the Assembly.<sup>59</sup> All bill draft requests must be introduced no later than ten calendar days after initial delivery.<sup>60</sup> Appendix A provides an overview of the deadlines for introduction and passage of legislation.

All bills in Nevada, except for those placed on a *consent calendar*, are required by the *Constitution* to be read by sections in each house on three separate days. In an emergency, two-thirds of the house where a bill is pending may order this rule dispensed with on the *first* and *second readings*, but a bill must be read by sections on its final passage.<sup>61</sup> To comply with the constitutional requirements, the houses have first, second, and *third readings* on every bill and joint resolution. However, because of the volume of bills processed through the chambers, time considerations have necessitated a liberal interpretation of the meaning of the phrase to "read by sections." At the time the *Constitution* was framed, printed bills were not available

to each legislator for analysis, so three full readings permitted a greater study and understanding of a bill's contents and any amendments added to it prior to the vote on final passage. Today, of course, bills are readily available with the latest amendments incorporated into their texts.

The *first reading* in both houses is for information only.<sup>62</sup> When the bills are introduced and first read, they are delivered by a legislator or legislative staff member to the desk of the Secretary or Chief Clerk, as the case may be, who assigns numbers to the bills and gives them first reading by title. In the Senate, bills and resolutions are usually referred to committees with jurisdiction over measures affecting specific titles and chapters of NRS as prescribed in Senate Standing Rule No. 40. Although a bill may initially be referred to a particular committee, on occasion, different committees may be proposed from the floor. In the Assembly, a motion is usually made for referral to committees by the introducer. As with all bill referrals the whole house votes on the question. A duplicate copy is transmitted to the Legislative Counsel for photocomposition and filing.<sup>63</sup> By the following day, the official printed copies of the bills and resolutions are delivered to the Secretary or Chief Clerk. Immediately thereafter, the official printed copies are delivered by receipt to the chairs of the committees to which the bills or resolutions were referred. (When a bill introduced and passed in the first house is presented to the other house, it is typically the Assistant Majority Floor Leader in the Senate and the Majority Floor Leader in the Assembly who make a motion to refer it to committee.)

## **Committees**

### STANDING COMMITTEES

Each house of the Nevada Legislature has its own standing committees, the members of which are announced (Senate) or appointed (Assembly) by the presiding officer in accordance with current standing rules.<sup>64</sup> The number of members is determined by these rules, and there are often changes made at the beginning of each session. In the Senate, the composition and leadership of the committees is determined by the Majority Floor Leader. Minority member party memberships in the Senate committees are recommended in caucuses of the minority party. In the Assembly, the Speaker traditionally makes the committee appointments and uses such appointments as part of the campaign to be Speaker. The Speaker also designates the Chair and Vice Chair of each committee.<sup>65</sup> Usually, minority party memberships in Assembly committees are determined in caucuses of the minority party, and the Speaker appoints the members as agreed to in such caucuses. With some exceptions, the general practice is for the party membership on committees to reflect the composition of the entire Assembly. Basic rules for the functioning of committees are contained in the standing rules of the houses, the adopted rules of the committees, and *Mason's Manual of Legislative Procedure*, which has been adopted by both houses as the basis of parliamentary practice in cases in which it is applicable and in which it is



not inconsistent with the *Constitution* and the standing rules and customs, usage, and precedence of the respective houses.<sup>66</sup>

The names and memberships of Senate and Assembly standing committees for the 2013 Session are listed in Chapter I of this manual.

Committees are the workshops of the Legislature. Visitors to the two chambers are often amazed at the rapidity with which business is dispatched, few realizing that long hours in committee sessions have transpired prior to any floor action on a bill. It is in committee that hearings are held, testimony from interested parties is taken, and bills are analyzed line by line for their legal and social merits.

Committees make several types of recommendations on legislative measures that come before them for consideration. A committee of either house may report a bill back to the whole house with a recommendation of “Do pass”; “*Amend*, and do pass, as amended”; or “Do pass, as amended” (from referral committee only on a bill previously amended in the same house). Such recommendations mean that a committee considers a bill to have sufficient merit to justify its enactment, either as introduced or with appropriate amendments. Other recommendations concerning a bill include: (1) a report that the bill be passed and rereferred or amended and rereferred to a specified committee; (2) “Indefinitely Postpone”; and (3) “Do pass, and place on consent calendar.” This last procedure is discussed later under the heading “Consent Calendar.”

A standing committee of either house may report a one-house or concurrent resolution back to the floor with a “Be adopted” recommendation. Resolutions may be amended and/or rereferred by recommendation as well.

A committee may also report a bill or resolution “Without recommendation,” or “Amend, but without recommendation,” which means that the committee was unable to reach a conclusion on what it believes should be the action to be taken by the whole house.

Senate Standing Rule No. 53 requires that minutes and complete records of all bills be maintained. Three Assembly Standing Rules (Nos. 46, 47, and 48) require that records be kept of committee votes on bills or resolutions and of committee proceedings. Furthermore, these records, minutes, and documents are required to be filed in the offices of the Legislative Counsel Bureau upon completion.

Standing committees may perform other functions besides considering legislation. For example, Senate Standing Rule No. 54 encourages each standing committee of the Senate to plan and conduct a general review of selected programs of State agencies or other areas of public interest within the committee’s jurisdiction.



## COMMITTEE OF THE WHOLE

In addition to standing committees, which continue in existence throughout a session, there are three other types of committees used by the Legislature in Nevada—committees of the whole, conference committees, and select committees. A committee of the whole is a committee composed of the entire membership of one of the houses. It is usually convened so that the entire house can consider, analyze, and hear testimony on proposed legislation. When the Senate forms itself into a committee of the whole, the Senator who has moved to form a committee of the whole or the Majority Leader names a Chair to preside over the committee. In the Assembly, the Speaker or his or her designee presides over the committee. A committee of the whole is a temporary, or “ad hoc,” committee. At the conclusion of its deliberations, the committee of the whole (through its Chair) normally reports its recommendations back to the house for formal action, in the same manner as standing or select committees.<sup>67</sup>

## SELECT COMMITTEES AND CONFERENCE COMMITTEES

Select committees are also temporary committees appointed for a special purpose, which may be the consideration of a particular bill or the performance of a ceremonial function (e.g., a committee on escort for a visiting dignitary). In Nevada, bills of application or primary concern to particular localities are sometimes referred to select committees composed of the legislative delegation from the area affected.

Another particularly important type of committee is the conference committee. Whenever a bill is passed by both houses in differing forms because of amendments added by one of the houses, and the two houses cannot agree on identical language for the bill in question, each house appoints a number of conferees to meet with conferees of the other house to seek a resolution of the differences existing in the two versions of the bill. In a conference committee, the conferees of one house may agree to amendments adopted in the other house or *recede* from the amendments adopted by their chamber. Conferees may also decide that new amendments or even new bills are necessary to reach accord. A conference committee may consider the whole subject matter of a bill without restriction to the points in dispute and may make any changes it deems appropriate. Once the conferees reach an agreement, they report back to their respective houses with their recommendations. The report of a conference committee may be adopted by acclamation, and such action is considered equivalent to the final passage voting requirement of the bill as recommended in the report. Conference reports themselves are not subject to amendment.

The 2011 Joint Rules of the Senate and Assembly require that there be no more than one conference committee on any bill or resolution. The rules also require that a majority of the members from each house on a committee be members who voted for passage of the measure.<sup>68</sup> If agreement cannot be reached by the conference committee, the bill or resolution dies.

## Committee Hearing

The rules of the Senate require committees to acquaint themselves with the interests of the State specifically represented by the committee.<sup>69</sup> Committees may also initiate legislation within their jurisdiction. In the Senate, any bill or other matter referred to a committee may be withdrawn from it by a two-thirds vote of the Senate. The Senate rules require that at least one day's notice of a withdrawal motion be given to a committee and specify that no motion for withdrawal is in order on the last two days of the session.<sup>70</sup>

At a committee hearing, the proponents and opponents of a measure are given an opportunity to present their cases. Testimony may be taken from lobbyists, academicians, public officials, special interest groups, and private citizens. To avoid additional expense and duplication of effort for both witnesses and committee members, joint hearings by committees in both houses may be held.

In the Assembly, when a measure is referred concurrently to two committees, the rules specify that it is transmitted first to the first committee named. If the first committee votes to amend the bill or resolution, the measure is sent to the floor for a vote on the amendment, *reprinted* with amendments if the amendment is adopted, and then sent to the second committee. If no amendment is proposed by the first committee, the measure must be sent to the floor with a committee recommendation and is then transmitted to the second committee.<sup>71</sup>

Witnesses summoned to appear before the Senate or Assembly or any of their committees are compensated at the same rate as witnesses required to attend a court of law in Nevada.<sup>72</sup> However, witnesses appearing of their own volition do so at their own expense.

As discussed under the heading "Standing Committees," committees may or may not report bills out to the floor of the houses for further action, and they may report them out with a variety of recommendations. When a referral committee reports a bill and recommends a certain disposition of it, the bill is then placed on the appropriate reading file for the next legislative day.

## Notice of Bills, Topics, and Public Hearings

Both Senate and Assembly rules require that adequate notice be provided on bills, resolutions, and public hearings.<sup>73</sup> Notices, or *agendas*, must include the date, time, place, and topics or legislation to be covered and must be: (1) posted conspicuously in the Legislative Building; and (2) made available to the news media. Both houses permit suspension of this requirement for an emergency.

## Consent Calendar

To process bills of a noncontroversial nature in a more efficient and less time-consuming manner, the rules of the Senate and Assembly, as well as the *Nevada Constitution*, provide for the use of consent calendars by both houses of the Nevada Legislature. Bills on a consent calendar are considered for final passage and do not require second or third readings.

Standing committees may report a bill out with the recommendation that it be placed on a consent calendar. In the Senate, a measure that is recommended both for passage with no amendments and for placement on the consent calendar must be included in the *daily file* for at least one calendar day before it may be considered. Measures that contain an appropriation, require a two-thirds vote, or are controversial in nature are not eligible for the Senate's consent calendar. In the Assembly, a bill may be placed on the consent calendar if it has: (1) been recommended for passage; (2) no amendments recommended for it; and (3) received a unanimous vote by the standing committee to be placed on the consent calendar. The Chief Clerk of the Assembly is required to maintain a list of bills recommended for the consent calendar that must be printed on the daily file.

The standing rules of both the Senate and the Assembly require that a bill on a consent calendar must be transferred to the *second reading file* if any member objects to the bill's inclusion on the consent calendar or requests such bill's removal from the consent calendar.<sup>74</sup>

## Second Reading

Committees cannot amend bills; they can only suggest amendments for adoption by their respective houses. In fact, the rules of both chambers specify that a bill cannot be amended until read twice. Assembly rules require that bills be read the second time on the first legislative day after reported from committee unless a different day is designated by motion.<sup>75</sup> If the committee recommends amendment or individual legislators propose amendments, the amendments must be made available electronically to all members prior to actual adoption or rejection of the amendments proposed.<sup>76</sup> Although the Senate rules are silent on this point, the practice has generally been the same.

On second reading, the Secretary or Chief Clerk reads the title of the bill, the enacting clause, the various sections by number only, and the amendments by number and proposer only. In past sessions in the Senate, the Secretary would begin reading the amendment and then a Senator would move to dispense with reading of the amendment. Committee amendments or amendments from individual legislators are then adopted or rejected by simple majority vote of the members present and voting. Voting on amendments is normally by voice vote, although other methods,

including *roll calls*, may be employed on demand of three members present or in order to determine the prevailing side.<sup>77</sup> If a bill is amended on second reading, the presiding officer orders the bill reprinted, engrossed, and placed on the *general file* for third reading and final action.

### **General File and Third Reading**

At the end of each day's session, the bills or joint resolutions placed on the general file for third reading and final passage are posted on the Nevada Legislature's website (<http://www.leg.state.nv.us/>). When the order of business "general file and third reading" is reached on the following day, the bills are considered in their proper order, unless a motion is made and approved to move certain bills to a different position on the general file. The Secretary or Chief Clerk reads the bill by title, enacting clause, and sections.<sup>78</sup> If new amendments are proposed and adopted, the bill is sent back for reprinting and goes through the reprinting and *engrossment* process once more. To expedite bill processing, the Assembly may, upon motion, dispense with the reprinting and engrossment of amended bills and resolutions. If there are no amendments, the merits of the bill are discussed and then the roll is opened.<sup>79</sup>

In debate, after a legislator has requested to speak and has been recognized by the presiding officer, the legislator rises and addresses the chair ("Mr. or Madam President," "Mr. or Madam Speaker"). The legislator is expected to observe decorum at all times, speak only on the subject under consideration, and avoid all references to personalities.<sup>80</sup> To be entitled to the floor, a speaker must be recognized by the presiding officer, and when two or more legislators rise at the same time, it is the prerogative of the presiding officer to name the one to speak first. In doing so, preference is given to the mover or introducer of the subject under consideration.<sup>81</sup>

A legislator may not speak more than twice during the consideration of any one question on the same day, except for explanation, nor a second time without leave of the body when others who have not spoken desire the floor. Incidental or subsidiary questions are not considered the same question.<sup>82</sup> In closing debate, the author of the bill, resolution, or main question customarily has the privilege of speaking last, unless the previous question has been sustained.<sup>83</sup>

In order for a bill or joint resolution to pass, the *Nevada Constitution* requires that a majority of the members elected to the body vote for the measure. Bills or joint resolutions which create, generate, or increase public revenue through taxes, fees, or similar mechanisms require approval by *two-thirds* of the members elected in each house unless the measure is referred to the voters by a majority vote.<sup>84</sup> All votes on final passage are by roll call and are recorded in the journal of the chamber taking the action. If the bill passes, it is transmitted to the other house after adjournment for the day unless a notice of reconsideration is given on the day on which the bill is passed.

After a bill has passed on third reading and been transmitted to the other house, the house of origin has relinquished control over the measure. To take further action on it, the house of origin must either petition the other chamber, through a concurrent resolution, to return the bill or wait until it has finally passed in the other house and is returned for final disposition.<sup>85</sup>

### **In the Other House and Conference Committees**

Each bill must go through the entire process all over again when it is transmitted to the other house. If a bill is passed by the other house without amendment, it is sent back to the originating house for final *enrollment* (preparation for final printing by the Legislative Counsel) and delivery to the Governor. If the other house amends the bill, then it is necessary for the originating house to *concur* or not to concur with the amendments. If the originating house concurs in the amendments, the bill is ready for enrollment. If it does not concur and the other house does not recede from its amendments, the bill must go to a conference committee, composed of an equal number of members from the Senate and the Assembly, for settlement of its final form.

### **Deadlines for Legislation**

Prior to each session, the Legislative Commission's Committee to Consult with the Director considers methods of improving the operation of the session.<sup>86</sup> The recommendations of the Committee to the next Legislature may affect many procedural rules, including limitations on the number of bills that may be requested; deadlines for the submission, introduction, and passage of legislation; and the procedure for obtaining waivers. These procedures are generally contained in the Joint Rules of the Senate and Assembly, which are adopted at the beginning of each session.<sup>87</sup> Appendix A provides an overview of the deadlines for introduction and passage of legislation.

Measures within the jurisdiction of the Senate Committee on Finance or the Assembly Committee on Ways and Means; bills required to carry out the business of the Legislature; and concurrent or simple resolutions are generally *exempted* from these limitations.<sup>88</sup> Also exempt are emergency requests submitted by the Majority Leader of the Senate, the Speaker of the Assembly, and the Minority Leaders in the Senate and the Assembly.<sup>89</sup>

### **Enrollment**

After a bill has passed both houses in identical form, it is transmitted by the Secretary of the Senate or the Chief Clerk of the Assembly (depending upon the house in which the bill originated) to the Legislative Counsel to be enrolled.<sup>90</sup> The Legislative Counsel then prepares the passed bill for the final printing.<sup>91</sup> It is inserted in a white cover, which contains blanks for the signatures of the President and Secretary of the Senate, the Speaker and Chief Clerk of the Assembly, the Governor, and the Secretary of State.

After final printing, the bill is returned to the Legislative Counsel, who compares the enrolled copy with the engrossed copy. If the enrolled bill is found to be correct, the Legislative Counsel presents the measure to the proper legislative officials for their signatures.<sup>92</sup> The bill is then delivered by the Legislative Counsel, or that person's designee, to the Governor for consideration.<sup>93</sup> Once the Governor signs the bill, it is delivered to the Secretary of State for permanent filing.<sup>94</sup>

### **Gubernatorial Action**

The Governor has the choice of signing bills, vetoing bills, or allowing them to become law without a signature. If the bill is delivered to the Governor with more than five days remaining in the session, the Governor has five days to make a decision. If it is delivered to the Governor with less than five days remaining in the session or after the Legislature has adjourned *sine die*, the Governor has ten days after *sine die* to make this decision. The day of delivery and Sundays are not counted for purposes of calculating these five- and ten-day periods. If the Governor vetoes a bill during the session, the measure is returned to the house of origin for further action, and the veto may be either sustained or overridden by a two-thirds vote of the elected members of each house. If the Governor vetoes a bill within ten days after adjournment (day of receipt and Sundays excepted), the bill must be filed, together with the specific objections to it, in the Office of the Secretary of State. When the next regular session of the Legislature convenes, the Secretary of State must present the vetoed bill to the house of origin for final disposition. If a *two-thirds majority* of the elected members of each house of the Legislature vote to override any gubernatorial veto on a recorded roll call vote, the measure becomes law despite the veto. If the Governor does not sign or veto a bill in the allotted time, it becomes law without that officer's signature.<sup>95</sup>

### **Effective Date of the Bill**

If no specific date is included in a bill to indicate when it will become effective (e.g., "This act shall become effective upon passage and approval" or "This act shall become effective May 1, 2013"), it automatically becomes effective on October 1 of the year in which the bill is passed (October 1, 2013, for this session of the Legislature).<sup>96</sup>

### **Adoption or Passage of Resolutions**

The *Nevada Constitution* requires that bills and joint resolutions be processed and passed in an identical manner,<sup>97</sup> except that joint resolutions are delivered directly to the Secretary of State (not the Governor). Joint resolutions amending the *Constitution* are held by the Secretary of State and returned to the next chosen Legislature for reconsideration.<sup>98</sup> If the next Legislature approves the proposed constitutional amendment, it then must be submitted to the people "in such manner and at such time as the Legislature shall prescribe" for a vote.<sup>99</sup> The law currently requires that this opportunity to vote be at the next general election.<sup>100</sup>

Concurrent resolutions must be adopted by both houses; they may be adopted by a voice vote, and only a majority of the members present are necessary for the adoption. Concurrent resolutions are not signed by the Governor and are delivered to the Secretary of State for filing.

Senate or Assembly one-house resolutions are adopted by a voice vote by a simple majority of the members present and are enrolled and delivered to the Secretary of State. A recorded vote is required to be taken for both concurrent and one-house resolutions if such is requested by three members present.<sup>101</sup>

### **Petitions and Memorials**

From time to time, the Legislature is presented with petitions from various groups and individuals, as well as memorials from other legislatures. Although the essence of these documents may vary from requests to take certain action to expressions of gratitude for courtesies extended, their contents are always made known to the chamber through a statement by the presiding officer or the legislator presenting the material. These nonlegislative petitions or memorials then lie on the table or are referred to committee as deemed appropriate by the chair or the chamber.<sup>102</sup>

The right to petition for redress of grievances is a time-honored tradition of our system of government. It is one means by which citizens can voice their opinions on the course of public affairs and, on occasion, have a direct impact on the legislative process.

### **Nonlegislative Initiatives to Change Statutes or the *Nevada Constitution***

Initiative petitions may be used to amend the *Nevada Constitution* and to enact a new statute or amend an existing law. An initiative petition to amend the *Nevada Constitution*, after the required number of signatures are gathered, is submitted directly to the voters at the next general election. If approved, it must be returned to the next general election for a second approval of the voters before the *Constitution* is officially amended.<sup>103</sup>

An initiative petition to enact a new statute or amend an existing law that receives the required number of signatures is transmitted by the Secretary of State to the Legislature as soon as it convenes in regular session. Such petitions are traditionally introduced in the Assembly. The petition must be enacted without change or rejected by the Legislature within 40 days. If the proposed statute or amendment to a statute is enacted by the Legislature and approved by the Governor, it becomes law. If it is rejected or is not acted upon by the Legislature within 40 days, the Secretary of State must submit the initiative question to the voters for approval or disapproval at the next general election.

After rejecting the proposed statute or amendment to a statute, the Legislature is authorized to propose an alternative measure on the same subject, which (if approved by the Governor) must also be submitted to the voters. If both provisions (the original initiative question and the alternative measure) are approved, the question receiving the largest number of affirmative votes becomes law. An initiative petition approved by the voters cannot be amended, annulled, repealed, set aside, or suspended by the Legislature within three years from the date it takes effect.<sup>104</sup>

## **DISTINCTION AMONG TYPES OF LEGISLATION**

Several types of bills and resolutions may be acted upon by the Nevada Legislature. Examples of these types of measures are presented in Appendix D of this manual.

### **Bill**

A bill is a draft of a proposed statute, which, to become law, must be passed by both houses of the Legislature on roll call vote and be approved by the Governor.

### **Skeleton Bill**

Skeleton bills may be introduced when, in the opinion of the sponsor and the Legislative Counsel, the full drafting of the bill would entail extensive research or be of considerable length. Such a bill is a presentation of ideas or statements of purpose sufficient in style and expression to enable the Legislature and the committee to which the bill may be referred to consider the substantive merits of the legislation proposed. The committee, if it treats the skeleton bill favorably, must then request the drafting of a completed bill in such detail as would afford the committee the opportunity of considering the legislative ideas proposed in context with all their ramifications.<sup>105</sup>

### **Joint Resolution**

A joint resolution is passed by both houses in the same manner as a bill. Joint resolutions are used for the purpose of requesting the President, Congress, a federal agency, or members of Nevada's Congressional Delegation to perform some act believed to be in the best interests of the State or nation. The joint resolution is also employed to amend the *Nevada Constitution* and to ratify an amendment to the *U.S. Constitution*.<sup>106</sup>

### **Concurrent Resolution**

A concurrent resolution must be adopted by both houses to amend the Joint Rules; express facts, principles, opinions, and purposes of the Senate and Assembly; establish joint committees of the two houses; direct the Legislative Commission to conduct interim studies; resolve that the return of a bill from the other house is necessary



and appropriate; and request the return from the Governor of an enrolled bill. Other uses include memorializing a former member of the Legislature or other distinguished person upon death.<sup>107</sup> A concurrent resolution is acted upon by voice vote unless three members request a roll call vote.

### **One-House Resolution**

A one-house (simple) resolution may be adopted by either house to establish its rules, appoint attachés or session staff, provide postage and stationery money for the members, express an opinion, express regret on the death of a former member of the Legislature or other person, request the return of an enrolled resolution from the Secretary of State, and for additional purposes determined to be appropriate by the Majority Leader of the Senate or the Speaker of the Assembly for their respective houses. Except when three members request a roll call vote, a one-house resolution is acted upon by voice vote.

### ENDNOTES FOR CHAPTER III

- <sup>1</sup> *Nevada Constitution*, Art. 5, Sec. 9.
- <sup>2</sup> *Nevada Constitution*, Art. 4, Sec. 2A.
- <sup>3</sup> *Nevada Constitution*, Art. 4, Sec. 2.
- <sup>4</sup> *Nevada Constitution*, Art. 4, Sec. 33.
- <sup>5</sup> *Nevada Constitution*, Art. 4, Sec. 2A and Art. 5, Sec. 9.
- <sup>6</sup> *Nevada Constitution*, Art. 5, Sec. 9.
- <sup>7</sup> *Nevada Constitution*, Art. 4, Sec. 15.
- <sup>8</sup> Joint Rule No. 9, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>9</sup> *Nevada Constitution*, Art. 5, Sec. 11.
- <sup>10</sup> *Nevada Constitution*, Art. 4, Sec. 6.
- <sup>11</sup> *Nevada Constitution*, Art. 5, Sec. 17; Senate Standing Rule No. 31, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>12</sup> Senate Standing Rule No. 1, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>13</sup> NRS 218A.500; and Senate Standing Rule No. 2, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>14</sup> *Nevada Constitution*, Art. 5, Sec. 17.
- <sup>15</sup> Senate Standing Rule No. 2, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>16</sup> NRS 218A.520; and Senate Standing Rule No. 3, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>17</sup> Senate Standing Rule No. 4, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>18</sup> Senate Standing Rule No. 5, *ibid.*
- <sup>19</sup> NRS 218A.510 and 218A.540.
- <sup>20</sup> Assembly Standing Rule No. 1, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>21</sup> NRS 223.080.
- <sup>22</sup> Joint Rule No. 15, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>23</sup> Assembly Standing Rule No. 1, *ibid.*
- <sup>24</sup> NRS 218A.910 and 218F.520.
- <sup>25</sup> *Id.*
- <sup>26</sup> NRS 218A.410.
- <sup>27</sup> The Majority Floor Leader and Minority Floor Leader of each house are, however, cited in NRS 218A.665 for the purpose of receiving specified communications expenses.
- <sup>28</sup> Joint Rule No. 15, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>29</sup> Senate Standing Rule No. 90, Assembly Standing Rule No. 100, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>30</sup> Senate Standing Rule No. 10, *ibid.*
- <sup>31</sup> Assembly Standing Rule No. 10, proposed *Standing Rules of the Senate and Assembly*, Nevada Legislature, 77th Session, 2013.
- <sup>32</sup> *Nevada Constitution*, Art. 4, Sec. 13.

- <sup>33</sup> Senate Standing Rule No. 120, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>34</sup> Assembly Standing Rule No. 120, *ibid.*
- <sup>35</sup> “Legislative Box Score, 2011 Session of the Nevada Legislature,” *Senate History and Assembly History, Final Volumes*, Nevada Legislature at Carson City, 76th Session, 2011.
- <sup>36</sup> NRS 218A.400.
- <sup>37</sup> NRS 239C.260.
- <sup>38</sup> NRS 218D.050.
- <sup>39</sup> NRS 218D.290.
- <sup>40</sup> *Nevada Constitution*, Art. 4, Sec. 17.
- <sup>41</sup> NRS 218D.115 and 218D.175.
- <sup>42</sup> NRS 218D.190.
- <sup>43</sup> NRS 218D.105, 218D.115, 218D.175, 218D.205, 218D.210, 218D.215, 385.565, and 432B.178.
- <sup>44</sup> NRS 218D.105.
- <sup>45</sup> NRS 218D.130.
- <sup>46</sup> NRS 218D.430 and 218D.435.
- <sup>47</sup> NRS 218D.415.
- <sup>48</sup> NRS 218D.430 and 218D.435.
- <sup>49</sup> NRS 218D.440.
- <sup>50</sup> NRS 218D.445.
- <sup>51</sup> NRS 218D.495.
- <sup>52</sup> NRS 218D.475.
- <sup>53</sup> NRS 218D.435 and 218D.480.
- <sup>54</sup> NRS 218D.475 and 218D.480.
- <sup>55</sup> *Nevada Constitution*, Art. 4, Sec. 16.
- <sup>56</sup> Joint Rule No. 5, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>57</sup> Joint Rule No. 14, *ibid.*
- <sup>58</sup> The Standing Rules for the 76th Session (2011) required requests for legislative measures by committees to be submitted by the 19th day of session. On August 30, 2012, the Committee to Consult with the Director recommended that this deadline be moved to the 15th day of session in the Standing Rules for the 77th Session (2013).
- <sup>59</sup> Joint Rule No. 14.4, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>60</sup> Joint Rule No. 14.2, *ibid.*
- <sup>61</sup> *Nevada Constitution*, Art. 4, Sec. 18.
- <sup>62</sup> Senate Standing Rule No. 109, Assembly Standing Rule No. 109, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>63</sup> NRS 218D.600.
- <sup>64</sup> Senate Standing Rule No. 40, Assembly Standing Rule Nos. 40 and 41, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>65</sup> Assembly Standing Rule No. 41, *ibid.*
- <sup>66</sup> Senate Standing Rule No. 90, Assembly Standing Rule No. 100, *ibid.*
- <sup>67</sup> Senate Standing Rule Nos. 46, 47, and 48, Assembly Standing Rule No. 45, *ibid.*
- <sup>68</sup> Joint Rule No. 1, *ibid.*
- <sup>69</sup> Senate Standing Rule No. 43, *ibid.*
- <sup>70</sup> Senate Standing Rule No. 50, *ibid.*

- <sup>71</sup> Assembly Standing Rule No. 43, *ibid*.
- <sup>72</sup> Senate Standing Rule No. 140, Assembly Standing Rule No. 140, *ibid*.
- <sup>73</sup> Senate Standing Rule No. 92, Assembly Standing Rule No. 92, *ibid*.
- <sup>74</sup> *Nevada Constitution*, Art. 4, Sec. 18; Senate Standing Rule No. 110, Assembly Standing Rule No. 111, *ibid*.
- <sup>75</sup> Assembly Standing Rule No. 110, *ibid*.
- <sup>76</sup> Senate Standing Rule No. 113, Assembly Standing Rule No. 110, *ibid*.
- <sup>77</sup> Senate Standing Rule Nos. 30 and 32, Assembly Standing Rule No. 30, *ibid*.
- <sup>78</sup> *Nevada Constitution*, Art. 4, Sec. 18.
- <sup>79</sup> Senate Standing Rule No. 113, Assembly Standing Rule No. 113, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>80</sup> Senate Standing Rule No. 80, *ibid*; *Mason's Manual of Legislative Procedure*, Secs. 120 through 126.
- <sup>81</sup> Senate Standing Rule No. 124, *ibid*; *Mason's Manual of Legislative Procedure*, Sec. 91.
- <sup>82</sup> Senate Standing Rule No. 80, Assembly Standing Rule No. 80, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>83</sup> Senate Standing Rule No. 81, Assembly Standing Rule Nos. 81 and 82, *ibid*.
- <sup>84</sup> *Nevada Constitution*, Art. 4, Sec. 18.
- <sup>85</sup> Joint Rule No. 7, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>86</sup> NRS 218E.225.
- <sup>87</sup> Joint Rules of the Senate and Assembly, Nevada Legislature, 76th Session, 2011.
- <sup>88</sup> Joint Rule No. 14.6, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>89</sup> Joint Rule No. 14.4, *ibid*.
- <sup>90</sup> NRS 218D.630.
- <sup>91</sup> NRS 218D.605
- <sup>92</sup> NRS 218D.635; Joint Rule No. 4, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>93</sup> NRS 218D.660.
- <sup>94</sup> NRS 218D.675.
- <sup>95</sup> *Nevada Constitution*, Art. 4, Sec. 35; and NRS 218D.680.
- <sup>96</sup> NRS 218D.330.
- <sup>97</sup> *Nevada Constitution*, Art. 4, Sec. 18.
- <sup>98</sup> NRS 218D.800.
- <sup>99</sup> *Nevada Constitution*, Art. 16, Sec. 1.
- <sup>100</sup> NRS 218D.800.
- <sup>101</sup> Senate Standing Rule No. 30, Assembly Standing Rule No. 30, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>102</sup> Senate Standing Rule No. 97, Assembly Standing Rule No. 97, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>103</sup> *Nevada Constitution*, Art. 19, Sec. 2.
- <sup>104</sup> *Nevada Constitution*, Art. 19, Secs. 2 and 3.
- <sup>105</sup> Senate Standing Rule No. 106, Assembly Standing Rule No. 106, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.
- <sup>106</sup> *Nevada Constitution*, Art. 4, Sec. 18; and Joint Rule No. 7, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011; NRS 218D.805.
- <sup>107</sup> Joint Rule No. 7, *Standing Rules of the Senate and Assembly*, Nevada Legislature, 76th Session, 2011.