

Journal

OF THE

SENATE OF THE STATE

OF NEVADA

TWENTY-EIGHTH SPECIAL SESSION

THE FIRST DAY

CARSON CITY (Wednesday), September 10, 2014

Senate called to order at 12:44 p.m.

President Krolicki presiding.

President Krolicki requested that his remarks be entered in the Journal.

It is a great pleasure to see all of my colleagues here, again, for this special session. And making it even more special is this is the year of Nevada's Sesquicentennial. Happy birthday to Nevada, Happy 150th. How appropriate it is that we are convened to talk about that. We will make this an official Sesquicentennial event.

We have convened here today to discuss matters of great consequence for economic development activities in the State. If I were in retirement from my legislative duties, this is a splendid reason to come back and share some time with you, today, and perhaps for more days. But I want to say, again, thank you for the congeniality of this chamber. All of you being here, is always a great pleasure to be with my friends and colleagues and my partners here in the Senate. I also want to say thank you to our Front Desk and you, Mr. Secretary. The things that have happened in very short order have been exquisite and I think we are well prepared and have some new faces, but welcome to the Front Desk. Also, all those we aren't looking at right now, who have done so much behind the scenes to prepare for this day and continuing to do so, especially our friends, like Legislative Counsel Brenda Erdoes and her team and all other folks.

So, with all that being said, let us proceed and be about our special legislative business.

Prayer by the Chaplain, Reverend Bruce Henderson.

Our Father, who art in Heaven, hallowed be Thy Name. Wow, we are back together again! I think we have aged a bit since last gathering, but here we are for a special session. "Special" just sounds exciting, unique and promising. We ask that we review these proposals with open minds and hearts looking for the good of the people we serve. May that be our focus. Please bless us with unity in spite of our diversity. I pray in the Name of Him who prayed that we all be one.

AMEN.

Pledge of Allegiance to the Flag.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. President requested that Mr. David A. Byerman serve as the temporary Secretary of the Senate and Mr. Jerry S. Pieretti to serve as the temporary Sergeant at Arms.

Mr. President instructed the temporary Secretary to call the roll of the Senators.

Roll called.

All present.

Senator Denis moved that the organization of the Senate of the Seventy-seventh Session of the Nevada Legislature be designated as the organization for the Twenty-eighth Special Session of the Nevada Legislature.

Motion carried.

Senator Denis moved that the Secretary of the Senate be instructed to insert the Twenty-eighth Special Session organization in the Journal of the Senate.

Motion carried.

PRESIDENT PRO TEMPORE OF THE SENATE—

SENATOR DAVID R. PARKS

MAJORITY LEADER—

SENATOR MOISES A. DENIS

ASSISTANT MAJORITY LEADER—

SENATOR DEBBIE SMITH

MAJORITY WHIP—

SENATOR RUBEN J. KIHUEN

ASSISTANT MAJORITY WHIP—

SENATOR AARON D. FORD

ASSISTANT MAJORITY WHIP—

SENATOR JUSTIN C. JONES

MINORITY LEADER—

SENATOR MICHAEL ROBERSON

ASSISTANT MINORITY LEADER—

SENATOR BEN KIECKHEFER

MINORITY WHIP—

SENATOR JOSEPH P. HARDY, M.D.

SECRETARY OF THE SENATE—

DAVID A. BYERMAN

Mr. President appointed Senators Manendo, Woodhouse and Hardy as a committee of three to inform the Assembly that the Senate is organized and ready for business.

Mr. President appointed Senators Parks, Kihuen and Cegavske as a committee of three to inform the Governor that the Senate is organized and ready for business.

Senator Denis moved that the following persons be accepted and accredited press representatives, and that they be assigned space at the press table and allowed the use of appropriate media facilities: AHORA LATINO JOURNAL: Mario DelaRosa; "ANDE ENGLEMAN, FREELANCE JOURNALIST": Andrea Engleman; AP/NEVADA PHOTO SOURCE: Kevin Clifford; ASSOCIATED PRESS: Cathleen Allison, Scott Sonner,

Matt Woolbright; COVEREDGE: Tracey Frohn, Mark Materne, Robert Noble, James Parker, Matthew Sherwood, Keith Taylor, Richard Travis; COX COMMUNICATIONS/CNN: Steve Schorr; ELKO DAILY FREE PRESS: Dylan Harris; ENTRAVISION COMMUNICATIONS: Anya Arechiga, Laura Calzada, Raul Delgado, Cesar Perez; FNB ENTERPRISES LLC - VIDEO CONTRACTOR TO COVEREDGE: Rhode Roberts; FORTUNE MAGAZINE: Peter Elkind; FOX 11 NEWS: Patrick Connolly, Jaime Hayden, Ryan Kern, Matt Rosenberg; HUMBOLDT SUN: Steve Lyon; JUSTASK KIM -- KIM CORDY: Kim Cordy; KLAS-TV: Nathan Baca, Alex Brauer, Richard Czarny; KNPB CHANNEL 5 PUBLIC BROADCASTING INC.: Ben Asnis, Jeremy Dunn, Alex Muench, David Santana, Chris Zangara; KNPB-TV: Brent Boynton, Ande Engleman; KOLO-TV: Wade Barnett, Samantha Boatman, Chris Buckley, Joe Harrington, Ray Kinney, Rebecca Kitchen, Sholeh Moll, Ed Pearce, Terri Russell, Kevin Thompson; KRNV NEWS 4: Kausik Bhakta, Brooke Boone, Ryan Coleman, Chuck King, Lawrence Vosper; KRXI FOX11 NEWS: PJ Connolly; KSNV-TV NEWS 3: Reed Cowan, Dree de Clamecy, Elizabeth Donatelli, Brandon Dyer, Richard Gacovino, Erik Ho, Chris Jones, Scott Pinkerton, Kenny Ramis, George Romero, Jim Snyder, Neb Solomon, Eric Wiener; KTNV TV: Bradley Driver, Don Guevara, Jason Harvey, Ken Johnson, Jay Romano, Victoria Spilabotte; KTVN CHANNEL 2 NEWS: Arianna Bennett, Michelle Boehler, Erin Breen, Jennifer Burton, Christopher Ciarlo, Wendy Damonte, Byron Ellis, Jeffrey Foss, Brad Horn, Jeff Martinez, Rachel Mosley, Paul Nelson, John Potter, Adam Rasmussen, Gabriela Tafolla, Gene Vance; KUNR-FM: Kate McGee; KVVU-TV FOX 5, LAS VEGAS: Kevin Bolinger, Justin Grant, Robbie Hunt; LAS VEGAS REVIEW-JOURNAL: Laura Myers, Steve Sebelius, Sean Whaley; LAS VEGAS SUN: Matt Huffman, Steve Marcus, Sam Morris, Kyle Roerink, Cy Ryan, Conor Shine; LISA J. PHOTOGRAPHY: Lisa Tolda; NEVADA APPEAL: John Barrette, Brad Cockman, Wheeler Cowperthwaite, Geoff Dornan, James Grant, Shannon Litz, Mark Raymond, Adam Trumble; NEVADA BROADCASTERS ASSOCIATION: Adrienne Abbott; NEVADA MEDIA ALLIANCE: Teri Chadwell, Paul George, Stephanie Glantz, Robert Jenkins, Michael Marcotte, Molly Moser, Shelby Olson, Alex Pompliano, Riley Snyder, Lindsay Toste, Natasha Vitale, Abbie Walker; RALSTON REPORTS: Jon Ralston; RENO GAZETTE JOURNAL: Andy Barron, Guy Clifton, Anjeanette Damon, Brian Duggan, Tim Dunn, Ray Hagar, John Maher, Geralda Miller, Marilyn Newton, Tom Smedes; RENO NEWS & REVIEW: John Murphy; RENO SPARKS VIDEO PRODUCTIONS: William Pearce; TASMAN PACIFIC MEDIA GROUP: Donna Andres, Peter Hutchinson; TELEMUNDO LAS VEGAS: Rosana Romero; THE RECORD-COURIER: Kurt Hildebrand; THE STEALTH REPORTER: Todd Bailey; THE WENDOVER TIMES: Deeanna Croasmun; THERENOGAYPAGE: Paco Poli; UNIVISION: Jose Gonzalez; VEGAS

PBS: Mitch Fox; "WE THE PEOPLE/OUR STORY, INC.": Shayne Del Cohen; WOMENSRADIO: Pat Lynch.

Motion carried.

A committee from the Assembly composed of Assemblymen Bobzien, Carlton and Paul Anderson appeared before the bar of the Senate and announced that the Assembly was organized and ready for business.

Mr. President announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 12:54 p.m.

SENATE IN SESSION

At 1:17 p.m.

President Krolicki presiding.

Quorum present.

Senator Manendo reported that his committee had informed the Assembly that the Senate is organized and ready for business.

Senator Parks reported that his committee had informed the Governor that the Senate is organized and ready for business.

MESSAGES FROM THE GOVERNOR
STATE OF NEVADA
OFFICE OF THE GOVERNOR
CARSON CITY, NEVADA

September 10, 2014

THE HONORABLE MOISES DENIS

Senate Majority Leader

Nevada State Senate

401 South Carson Street

Carson City, NV 89701

To the Honorable Members of the Nevada Senate:

The Nevada State Constitution, in Article 5, Section 9, provides that the Governor may on extraordinary occasions convene a Special Session of the Legislature by proclamation.

As we all know, Nevada continues to feel the effects of the worst economic crisis in the history of the State. While we work together to continue to emerge from this crisis, Nevada must expand its economic opportunities and provide greater diversification in the workforce. We currently have the opportunity to attract new business to our State which promises to provide more jobs, innovation, and new technology. Understanding that an extraordinary occasion exists, this opportunity requires immediate action by the Legislature.

Therefore, I have issued a proclamation calling the Legislature into a Special Session. In that proclamation, I identify a number of items to consider which will allow new businesses to move to and flourish in Nevada.

Sincere regards,
BRIAN SANDOVAL
Governor

STATE OF NEVADA
EXECUTIVE ORDER
A PROCLAMATION BY THE GOVERNOR

WHEREAS, Section 9 of Article V of the Constitution of the State of Nevada provides that "The Governor may, on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses, when organized, the business for which they have been specially convened. At a special session convened pursuant to this section, the Legislature shall not introduce, consider or pass any bills except those related to the business for which the Legislature has been specially convened and those necessary to provide for the expenses of the session;" and

WHEREAS, Nevada continues to feel the effects of the worst economic crisis in the history of the State; and

WHEREAS, to continue to emerge from this crisis, Nevada must expand its economic opportunities and provide greater diversification in the workforce; and

WHEREAS, Nevada has the opportunity to attract new types of business to this State which promises to provide more jobs, innovation and new technology; and

WHEREAS, believing that an extraordinary occasion exists, which requires immediate action by the Legislature;

NOW, THEREFORE, I, BRIAN SANDOVAL, GOVERNOR OF THE STATE OF NEVADA, by virtue of the authority vested in me by the *Constitution* of the State of Nevada, do hereby convene the Legislature into a special session to begin at 12:00 p.m. on Wednesday, September 10, 2014 . During this special session, I ask the Legislature to consider the following:

1. Providing incentives in the form of tax abatements and transferable tax credits for businesses that propose to establish in this State and which agree to make a certain amount of new capital investments in this State;
2. Requiring a business receiving such incentives to pay back any tax abatements and tax credits if the eligibility requirements for receipt of the incentives are not satisfied;
3. Authorizing counties and cities to provide certain incentives to a business that proposes to establish a project which meets certain qualifications, including entering into agreements with such businesses to reimburse certain sales and use taxes and to waive fees for licenses and permits for a certain period which must be repaid if the business fails to meet its obligation set forth in the agreement;
4. Reducing the cumulative amount of transferable tax credits allowed to a producer that produces a film, television or other media production in this State;
5. Revising the provisions governing the general tax on premiums to eliminate the credit that is allowed for a domestic or foreign insurer that locates its home office or regional home office in this State;
6. Extending the duration of the Economic Development Electric Rate Rider Program; and
7. Authorizing manufacturers of passenger cars which are powered solely by one or more electric motors to sell their vehicles directly to the public and provide services and repairs for such vehicles.

The Legislature may also consider an appropriation to pay for the cost of the special session and any other matters brought to the attention of the Legislature by the Governor during the special session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City this 9th day of September, in the year two thousand fourteen.

BRIAN SANDOVAL
Governor

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, September 10, 2014

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 1.

SUSAN FURLONG
Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee of the Whole:

Senate Resolution No. 1—Adopting the Rules of the Senate for the 28th Special Session of the Nevada Legislature.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the following Rules of the Senate for the 28th Special Session of the Legislature are hereby adopted:

I. APPLICABILITY

Rule No. 1. *Generally.*

The Rules of the Senate for the 28th Special Session of the Legislature are applicable only during the 28th Special Session of the Legislature.

II. OFFICERS AND EMPLOYEES
DUTIES OF OFFICERS

Rule No. 2. *President.*

The President shall take the chair and call the Senate to order precisely at the hour appointed for meeting. The President shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the Senate Chamber, shall order the Sergeant at Arms to suppress it, and may order the arrest of any person creating any disturbance within the Senate Chamber. The President may speak to points of order in preference to members, rising from the President's seat for that purpose, and shall decide questions of order without debate, subject to an appeal to the Senate by two members, on which appeal no member may speak more than once without leave of the Senate. The President shall sign all acts, addresses and joint resolutions, and all writs, warrants and subpoenas issued by order of the Senate; all of which must be attested by the Secretary. The President has general direction of the Senate Chamber.

Rule No. 3. *President pro Tempore and Other Presiding Officers.*

1. *Except as otherwise provided in subsection 2:*

(a) *The President pro Tempore has all the power and shall discharge all the duties of the President during his or her absence, inability or unwillingness to discharge the duties of his or her office.*

(b) *In the absence or inability of the President pro Tempore to discharge the duties of the President's office, the Senate shall elect one of its members as the presiding officer for that occasion. A member who is serving as the presiding officer has all the power and shall discharge all the duties of the President until the absence or inability which resulted in the member serving as the presiding officer has ended.*

2. *When the President pro Tempore or another member is serving as the presiding officer, the President pro Tempore or other member may vote on any question for which he or she is otherwise qualified to vote as a member. If the Senate is equally divided on the question, the President pro Tempore or other member may not give an additional deciding vote or casting vote pursuant to Senate Rule No. 14 of the 28th Special Session or Section 17 of Article 5 of the Nevada Constitution.*

Rule No. 4. *Secretary.*

1. *The Secretary of the Senate is elected by the Senate, and shall:*

(a) *Interview and employ persons to assist the Secretary.*

(b) *See that these employees perform their respective duties.*

(c) *Administer the daily business of the Senate, including the provision of secretaries as needed.*

(d) Unless otherwise ordered by the Senate, transmit as soon as practicable those bills and resolutions upon which the next action is to be taken by the Assembly.

2. The Secretary is responsible to the Majority Leader.

Rule No. 5. Sergeant at Arms.

1. The Sergeant at Arms shall attend the Senate during its sittings, and execute its commands and all process issued by its authority. The Sergeant at Arms must be sworn to keep the secrets of the Senate.

2. The Sergeant at Arms shall:

(a) Superintend the upkeep of the Senate's Chamber, private lounge, and meeting rooms.

(b) Interview and recommend persons to be considered for employment to assist the Sergeant at Arms.

3. The Sergeant at Arms is responsible to the Majority Leader.

Rule No. 6. Deputy Sergeant at Arms and Assistant Sergeant at Arms.

The Deputy Sergeant at Arms and Assistant Sergeant at Arms shall serve as doorkeepers and shall preserve order in the Senate Chamber and shall assist the Sergeant at Arms. The Deputy Sergeant at Arms and Assistant Sergeant at Arms shall be sworn to keep the secrets of the Senate. In the event that the Sergeant at Arms is incapacitated or absent for any reason, the Deputy Sergeant at Arms shall serve as the Sergeant at Arms until the incapacity or absence has ended.

III. SESSIONS AND MEETINGS

Rule No. 7. Call of Senate—Moved by Three Members.

1. A Call of the Senate may be moved by three Senators, and if carried by a majority of all present, the Secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called over. The doors shall then be closed and the Sergeant at Arms directed to take into custody all who may be absent without leave, and all Senators so taken into custody shall be presented at the bar of the Senate for such action as to the Senate may seem proper.

2. In the event an emergency occurs during a special session of the Legislature which requires a meeting of the Senate, the Majority Leader shall call the members back to order before the hour to which the Senate has adjourned.

Rule No. 8. Absence—Leave Required.

No Senator shall absent himself or herself from the service of the Senate without leave, except in case of accident or sickness, and if any Senator or officer shall so absent himself or herself, his or her per diem shall not be allowed.

Rule No. 9. Open Meetings.

1. Except as otherwise provided in the Constitution of the State of Nevada and in subsection 2, all meetings of the Senate and the Committee of the Whole or a standing committee must be open to the public.

2. A meeting may be closed to consider the character, alleged misconduct, professional competence, or physical or mental health of a person.

IV. DECORUM AND DEBATE

Rule No. 10. Points of Order.

1. If any Senator, in speaking or otherwise, transgresses the Rules of the Senate, the President shall, or any Senator may, call him or her to order. If a Senator is so called to order, he or she shall not proceed without leave of the Senate. If such leave is granted, it must be upon the motion, "That he or she be allowed to proceed in order," and the Senator shall confine himself or herself to the question under consideration and avoid personality.

2. Every decision of points of order made by the President is subject to appeal, and a discussion of a question of order may be allowed only upon the appeal of two Senators. In all cases of appeal, the question must be, "Shall the decision of the Chair stand as the judgment of the Senate?"

Rule No. 11. Breaches of Decorum.

1. In cases of breaches of decorum or propriety, any Senator, officer or other person is liable to such censure or punishment as the Senate may deem proper.

2. If any Senator is called to order for offensive or indecorous language or conduct, the person calling the Senator to order shall report the offensive or indecorous language or conduct to the presiding officer. No member may be held to answer for any language used on the floor of the Senate if business has intervened before exception to the language was taken.

3. Indecorous conduct or boisterous or unbecoming language is not permitted in the Senate Chamber.

Rule No. 11.5. *Legislative Ethics.*

1. In determining whether a Legislator has a conflict of interest, the Legislator should consider whether the independence of judgment of a reasonable person in his or her situation upon the matter in question would be materially affected by the Legislator's:

- (a) Acceptance of a gift or loan;
- (b) Private economic interest; or
- (c) Commitment to a member of his or her household or his or her immediate family.

↪ In interpreting and applying the provisions of this subsection, it must be presumed that the independence of judgment of a reasonable person in the Legislator's situation would not be materially affected by the Legislator's private economic interest or the Legislator's commitment to a member of his or her household or immediate family where the resulting benefit or detriment accruing to the Legislator, or if the Legislator has a commitment to a member of his or her household or immediate family, accruing to those other persons, is not greater than that accruing to any other member of the general business, profession, occupation or group that is affected by the matter.

2. Except as otherwise provided in subsection 3, if a Legislator knows he or she has a conflict of interest pursuant to subsection 1, the Legislator shall make a general disclosure of the conflict of interest on the record in a meeting of a committee or on the floor of the Senate, as applicable. Such a disclosure must be entered:

- (a) If the Legislator makes the disclosure in a meeting of a committee, in the minutes for that meeting.
- (b) If the Legislator makes the disclosure on the floor of the Senate, in the Journal.

3. If, on one or more prior occasions during the current session of the Legislature, a Legislator has made a general disclosure of a conflict of interest on the record in a meeting of a committee or on the floor of the Senate, the Legislator is not required to make that general disclosure at length again regarding the same conflict of interest if, when the matter in question arises on subsequent occasions, the Legislator makes a reference on the record to the previous disclosure.

4. In determining whether to abstain from voting upon, advocating or opposing a matter concerning which a Legislator has a conflict of interest pursuant to subsection 1, the Legislator should consider whether:

- (a) The conflict impedes his or her independence of judgment; and
- (b) His or her interest is greater than the interests of an entire class of persons similarly situated.

5. The provisions of this Rule do not under any circumstances and regardless of any conflict of interest:

- (a) Prohibit a Legislator from requesting or introducing a legislative measure; or
- (b) Require a Legislator to take any particular action before or while requesting or introducing a legislative measure.

6. If a Legislator who is a member of a committee declares on the record when a vote is to be taken by the committee that he or she will abstain from voting because of the requirements of this Rule the necessary quorum to act upon and the number of votes necessary to act upon the matter is reduced as though the Legislator abstaining were not a member of the committee.

7. The standards and procedures set forth in this Rule which govern whether and to what extent a Senator has a conflict of interest, should disclose a conflict of interest or should abstain from voting upon, advocating or opposing a matter concerning which the Senator has a conflict of interest pursuant to subsection 1:

- (a) Are exclusive and are the only standards and procedures that apply to Senators with regard to such matters; and
- (b) Supersede and preempt all other standards and procedures with regard to such matters.

8. For purposes of this Rule, "immediate family" means a person who is related to the Legislator by blood, adoption or marriage within the first degree of consanguinity or affinity.

V. QUORUM, VOTING, ELECTIONS

Rule No. 12. Action Required to Be Taken in Senate Chamber.

Any action taken by the Senate must be taken in the Senate Chamber.

Rule No. 13. Recorded Vote—Three Required to Call For.

1. A recorded vote must be taken upon final passage of a bill or joint resolution, and in any other case when called for by three members. Every Senator within the bar of the Senate shall vote "yea" or "nay" or record himself or herself as "not voting," unless excused by unanimous vote of the Senate.

2. The votes and names of those absent or recorded as "not voting" and the names of Senators demanding the recorded vote must be entered in the Journal.

Rule No. 14. President to Decide—Tie Vote.

A question is lost by a tie vote, but when the Senate is equally divided on any question except the passage of a bill or joint resolution, the President may give the deciding vote.

Rule No. 15. Manner of Election—Voting.

1. In all cases of election by the Senate, the vote must be taken viva voce. In other cases, if a vote is to be recorded, it may be taken by oral roll-call or by electronic recording.

2. When a recorded vote is taken, no Senator may:

(a) Vote except when at his or her seat;

(b) Explain his or her vote or discuss the question while the voting is in progress; or

(c) Change his or her vote after the result is announced.

3. The announcement of the result of any vote must not be postponed.

VI. LEGISLATIVE BODIES

Rule No. 16. Committee of the Whole.

1. All bills and resolutions may be referred only to the Committee of the Whole or to such standing committee as may be appointed pursuant to Senate Rule No. 16.5 of the 28th Special Session of the Legislature.

2. The Majority Leader shall preside as Chair of the Committee of the Whole or name a Chair to preside.

3. Any meeting of the Committee of the Whole may be conducted outside the Senate Chamber, as designated by the Chair of the Committee.

4. A member of the Committee of the Whole may speak on an item listed on the Committee's agenda, for a period of not more than 10 minutes, unless he or she is granted leave of the Chair to speak for a longer period. If a member is granted leave to speak for a longer period, the Chair may limit the length of additional time that the member may speak.

5. The Chair may require any vote of the Committee of the Whole to be recorded in the manner designated by the Chair.

6. All amendments proposed by the Committee of the Whole:

(a) Must first be approved by the Committee.

(b) Must be reported by the Chair to the Senate.

7. The minutes of the Committee's meetings must be entered in the final Journal.

Rule No. 16.5. Standing Committees.

In addition to the Committee of the Whole, such standing committees may be appointed as may be deemed necessary.

Rule No. 17. Rules Applicable to Standing Committees and Committee of the Whole.

The Rules of the Senate shall apply to proceedings in the Committee of the Whole and such standing committees as may be appointed, except that the previous question shall not be ordered nor the yeas and nays demanded, but the Chair may limit the number of times that any member may speak, at any stage of proceedings, during its sitting. Messages may be received by the President while the Committee is sitting; in which case the President shall resume the chair and receive the message. After receiving the message, the President shall vacate the chair in favor of the Chair of the Committee. The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern such committees in all cases in which they are applicable and in which they are not inconsistent with the rules and orders of the Senate.

Rule No. 18. Motion to Rise Committee of the Whole.

A motion that the Committee of the Whole rise shall always be in order, and shall be decided without debate.

VII. RULES GOVERNING MOTIONS

A. MOTIONS GENERALLY

Rule No. 19. Entertaining.

- 1. No motion may be debated until it is announced by the President.*
- 2. By consent of the Senate, a motion may be withdrawn before amendment or decision.*

Rule No. 20. Precedence of Motions.

When a question is under debate, no motion shall be received but the following, which shall have precedence in the order named:

- 1. To adjourn.*
- 2. For a call of the Senate.*
- 3. To recess.*
- 4. To lay on the table.*
- 5. For the previous question.*
- 6. To postpone to a day certain.*
- 7. To refer to committee.*
- 8. To amend.*
- 9. To postpone indefinitely.*

☛The first four shall be decided without debate.

Rule No. 21. When Not Entertained.

- 1. When a motion to refer to committee, to postpone to a day certain, or to postpone indefinitely has been decided, it must not be again entertained on the same day.*
- 2. When a question has been postponed indefinitely, it must not again be introduced during the Special Session.*
- 3. There must be no reconsideration of a vote on a motion to postpone indefinitely.*

B. PARTICULAR MOTIONS

Rule No. 22. To Adjourn.

A motion to adjourn shall always be in order. The name of the Senator moving to adjourn, and the time when the motion was made, shall be entered in the Journal.

Rule No. 23. Lay on the Table.

A motion to lay on or take from the table shall be carried by a majority vote.

Rule No. 24. To Strike Enacting Clause.

A motion to strike out the enacting clause of a bill or resolution has precedence over a motion to refer to committee or to amend. If a motion to strike out the enacting clause of a bill or resolution is carried, the bill or resolution is rejected.

Rule No. 25. Division of Question.

- 1. Any Senator may call for a division of a question.*
- 2. A question must be divided if it embraces subjects so distinct that if one subject is taken away, a substantive proposition remains for the decision of the Senate.*
- 3. A motion to strike out and insert must not be divided.*

Rule No. 26. Explanation of Motion.

Whenever a Senator moves to change the usual disposition of a bill or resolution, he or she shall describe the subject of the bill or resolution and state the reasons for requesting the change in the processing of the bill or resolution.

VIII. DEBATE

Rule No. 27. Speaking on Question.

- 1. Every Senator who speaks shall, standing in his or her place, address "Mr. or Madam President," in a courteous manner, and shall confine himself or herself to the question before the Senate. When the Senator has finished, he or she shall sit down.*
- 2. Except as otherwise provided in Senate Rules Nos. 10 and 45 of the 28th Special Session, a Senator may speak only once on a question before the Senate, for a period of not more than 10 minutes, unless he or she is granted leave of the President to speak for a longer period or more than once. If a Senator is granted leave to speak for a longer period or more than once, the President may limit the length of additional time that the member may speak.*

3. *Incidental and subsidiary questions arising during debate shall not be considered the same question.*

Rule No. 28. Previous Question.

The previous question shall not be put unless demanded by three Senators, and it shall be in this form: "Shall the main question be put?" When sustained by a majority of Senators present, it shall put an end to all debate and bring the Senate to a vote on the question or questions before it, and all incidental questions arising after the motion was made shall be decided without debate. A person who is speaking on a question shall not while he or she has the floor move to put that question.

IX. CONDUCT OF BUSINESS

A. GENERALLY

Rule No. 29. Mason's Manual.

The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which they are applicable and in which they are not inconsistent with the rules and orders of the Senate for the 28th Special Session of the Legislature, and the Joint Rules of the Senate and Assembly for the 28th Special Session of the Legislature.

Rule No. 30. Suspension, Rescission or Change of Rule.

No rule or order of the Senate for the 28th Special Session of the Legislature shall be suspended, rescinded or changed without a two-thirds vote of the Senate.

Rule No. 31. Protest.

Any Senator, or Senators, may protest against the action of the Senate upon any question, and have such protest entered in the Journal.

Rule No. 32. Privilege of the Floor.

1. To preserve decorum and facilitate the business of the Senate, only the following persons may be present on the floor of the Senate during formal sessions:

- (a) State officers;*
- (b) Officers and members of the Senate;*
- (c) Employees of the Legislative Counsel Bureau;*
- (d) Staff of the Senate; and*
- (e) Members of the Assembly whose presence is required for the transaction of business.*

2. Guests of Senators must be seated in a section of the upper or lower gallery of the Senate Chamber to be specially designated by the Sergeant at Arms. The Majority Leader may specify special occasions when guests may be seated on the floor of the Senate with a Senator.

3. A majority of Senators may authorize the President to have the Senate Chamber cleared of all persons except Senators and officers of the Senate.

4. The Senate Chamber may not be used for any business other than legislative business during a legislative session.

Rule No. 33. Material Placed on Legislators' Desks.

1. Only the Sergeant at Arms and officers and employees of the Senate may place papers, letters, notes, pamphlets and other written material upon a Senator's desk. Such material must contain the name of the Legislator requesting the placement of the material on the desk or a designation of the origin of the material.

2. This Rule does not apply to books containing the legislative bills and resolutions, the daily histories and daily journals of the Senate or Assembly, or Legislative Counsel Bureau material.

Rule No. 34. Petitions and Memorials.

The contents of any petition or memorial shall be briefly stated by the President or any Senator presenting it. It shall then lie on the table or be referred, as the President or Senate may direct.

Rule No. 35. Objection to Reading of Paper.

Where the reading of any paper is called for, and is objected to by any Senator, it shall be determined by a vote of the Senate, and without debate.

Rule No. 36. Questions Relating to Priority of Business.

All questions relating to the priority of business shall be decided without debate.

B. BILLS AND RESOLUTIONS

Rule No. 37. Requests for the Drafting of Bills, Resolutions and Amendments.

Except as otherwise provided in this Rule, the Legislative Counsel shall not honor a request for the drafting of a bill, resolution or amendment to be introduced in the Senate unless it is submitted by the Committee of the Whole, a standing committee or a Conference Committee. The Majority Leader may request the drafting of five bills for the 28th Special Session of the Legislature without seeking the approval of the Committee of the Whole or any other committee that may be appointed for the 28th Special Session.

Rule No. 38. Introduction of Bills and Resolutions.

1. Except as otherwise provided in this Rule no bill or resolution may be introduced in the Senate unless it is first approved by the Committee of the Whole or a standing committee.

2. The provisions of subsection 1 do not apply to a bill or resolution that is:

(a) Required to carry out the business of the Senate or the Legislature; or

(b) Requested by the Majority Leader pursuant to Senate Rule No. 37 of the 28th Special Session of the Legislature.

3. Skeleton bills may not be introduced.

Rule No. 39. Reading of Bills.

1. Every bill must receive three readings before its passage, unless, in case of emergency, this Rule is suspended by a two-thirds vote of the Senate.

2. The first reading of a bill is for information, and if there is opposition to the bill, the question must be, "Shall this bill be rejected?" If there is no opposition to the bill, or if the question to reject is defeated, the bill must then take the usual course.

3. No bill may be referred to committee until once read, nor amended until twice read.

4. The third reading of every bill must be by sections.

Rule No. 40. Second Reading File—Consent Calendar.

1. All bills or joint resolutions reported by the Committee of the Whole or a standing committee must be placed on a Second Reading File unless recommended for placement on the Consent Calendar.

2. The Committee of the Whole or a standing committee shall not recommend a bill or joint resolution for placement on the Consent Calendar if:

(a) An amendment of the bill or joint resolution is recommended;

(b) It contains an appropriation;

(c) It requires a two-thirds vote of the Senate; or

(d) It is controversial in nature.

3. A bill or joint resolution must be removed from the Consent Calendar at the request of any Senator. A bill or joint resolution so removed must be immediately placed on the Second Reading File for consideration in the usual order of business.

4. When the Consent Calendar is called:

(a) The bills remaining on the Consent Calendar must be read by number and summary, and the vote must be taken on their final passage as a group.

(b) No remarks or questions are in order and the bills remaining on the Consent Calendar must be voted upon without debate.

Rule No. 41. Reading of Bills—General File.

1. Upon reading of bills on the Second Reading File, Senate and Assembly bills reported without amendments must be placed on the General File.

2. Only amendments proposed by the Committee of the Whole, a standing committee or a conference committee may be considered.

3. Amendments proposed by the Committee of the Whole or a standing committee and reported with bills may be adopted by a majority vote of the members present. Bills so amended must be reprinted, engrossed or re-engrossed, and placed on the General File. The File must be made available to members of the public each day by the Secretary.

Rule No. 42. Reconsideration of Vote on Bill.

No motion to reconsider a vote is in order.

C. RESOLUTIONS

Rule No. 43. Certain Resolutions Treated as Bills.

Resolutions addressed to Congress, or to either House thereof, or to the President of the United States, or the heads of any of the national departments, or proposing amendments to the State Constitution are subject, in all respects, to the foregoing rules governing the course of

bills. A joint resolution proposing an amendment to the Constitution must be entered in the Journal in its entirety.

Rule No. 43.3. Memorial Resolutions.

Once the sponsor has moved for the adoption of a memorial resolution, not more than one member from each caucus, and, upon request of a member of the body and the approval of the Majority Leader, one additional member may speak on the resolution.

Rule No. 44. Certain Resolutions Treated as Motions.

Resolutions, other than those referred to in Senate Rules Nos. 43 and 43.3 of the 28th Special Session of the Legislature, must be treated as motions in all proceedings of the Senate.

Rule No. 44.5. Return From the Secretary of State.

A Senate resolution may be used to request the return from the Secretary of State of an enrolled Senate resolution for further consideration.

Rule No. 45. Order of Business, Special Orders and Other Matters.

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. [Reserved.]

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 5 minutes each day.

Rule No. 46. Privilege.

Any Senator may rise and explain a matter personal to himself or herself by leave of the President, but the Senator shall not discuss any pending question in such explanation.

Rule No. 47. Preference to Speak.

When two or more Senators rise at the same time, the President shall name the one who may first speak—giving preference, when practicable, to the mover or introducer of the subject under consideration.

Rule No. 48. Special Order.

The President shall call the Senate to order on the arrival of the time fixed for the consideration of a special order, and announce that the special order is before the Senate, which shall be considered, unless it be postponed by a two-thirds vote, and any business before the Senate at the time of the announcement of the special order shall go to Unfinished Business.

Senator Denis moved the adoption of the resolution.

Remarks by Senator Denis.

Thank you, Mr. President. As I mentioned previously, Senate Resolution No. 1 adopts the rules of the Senate for the 28th Special Session of the Legislature. I will point out that there are some minor changes to things like the Sergeant at Arms and those kinds of things. The one substantive change is that after approving the rules, in order to amend the rules, instead of requiring on a majority, it requires a two-thirds majority vote. Thank you.

Resolution adopted unanimously.

By the Committee of the Whole:

Senate Resolution No. 2—Providing that no allowances will be paid for the 28th Special Session of the Nevada Legislature for periodicals, stamps, stationery or communications.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That for the 28th Special Session of the Nevada Legislature, no allowances will be paid for members of the Senate for periodicals, stamps, stationery or the use of telephones and no allowances will be paid for the President Pro Tempore, Majority Leader, Minority Leader or chair of a committee of the Senate for postage, telephone tolls or other charges for communications.

Senator Denis moved the adoption of the resolution.

Remarks by Senator Denis.

Thank you, Mr. President. This is our practice. There are no allowances for periodicals, postage, stationary and communications for the 28th Special Session.

Resolution adopted unanimously.

By the Committee of the Whole:

Senate Resolution No. 3—Recognizing the appointment of Senate staff.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the following persons are recognized as the duly-appointed staff of the Senate for the 28th Special Session of the Legislature of the State of Nevada: Timothy K. Taycher, Karen G. Baggett, Matthew Baker, Shelle Grim-Brooks, Laureen Garcia, Lynn Hendricks, Judy C. Jackson, Juliet W. Newman, Blayne Osborn, Alysia K. Peters, Jerry S. Pieretti, Jodene A. Poley, Steve Pozzi, Susan S. Whitford and Todd N. Westergard.

Senator Denis moved the adoption of the resolution.

Remarks by Senator Denis.

Thank you, Mr. President. Senate Resolution No. 3 recognizes the appointment of the Senate staff by the Secretary of the Senate.

Resolution adopted unanimously.

Senator Kieckhefer requested that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 1:23 p.m.

SENATE IN SESSION

At 1:39 p.m.

President Krolicki presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 1—Adopting the Joint Rules of the Senate and Assembly for the 28th Special Session of the Nevada Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the following Joint Rules of the Senate and Assembly for the 28th Special Session of the Legislature are hereby adopted:

APPLICABILITY OF JOINT RULES

Rule No. 1. Generally.

The Joint Rules for the 28th Special Session of the Legislature are applicable only during the 28th Special Session of the Legislature.

CONFERENCE COMMITTEES

Rule No. 2. *Procedure Concerning.*

1. *In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one House, dissented from in the other, and not receded from by the one making the amendment, each House shall appoint a committee to confer with a like committee to be appointed by the other; and the committee so appointed shall meet publicly at a convenient hour to be agreed upon by their respective chairs and announced publicly, and shall confer upon the differences between the two Houses as indicated by the amendments made in one and rejected in the other and report as early as convenient the result of their conference to their respective Houses. The report shall be made available to all members of both Houses. The whole subject matter embraced in the bill or resolution shall be considered by the committee, and it may recommend recession by either House, new amendments, new bills or resolutions, or other changes as it sees fit. New bills or resolutions so reported shall be treated as amendments unless the bills or resolutions are composed entirely of original matter, in which case they shall receive the treatment required in the respective Houses for original bills, or resolutions, as the case may be.*

2. *The report of a conference committee may be adopted by acclamation. The report is not subject to amendment.*

3. *There shall be but one conference committee on any bill or resolution. A majority of the members of a conference committee from each House must be members who voted for the passage of the bill or resolution.*

MESSAGES

Rule No. 3. *Procedure Concerning.*

1. *Proclamations by the Governor convening the Legislature in special session must, by direction of the presiding officer of each House, be read immediately after the convening of the special session, and must be filed and entered in the Journal of proceedings.*

2. *Whenever a message from the Governor is received, it shall be read and entered in full in the Journal of proceedings.*

3. *Messages from the Senate to the Assembly shall be delivered by the Secretary or Assistant Secretary, and messages from the Assembly to the Senate shall be delivered by the Chief Clerk or a person designated by the Chief Clerk.*

NOTICE OF FINAL ACTION

Rule No. 4. *Communications.*

Each House shall communicate its final action on any bill or resolution, or matter in which the other may be interested, by written notice. Each such notice sent by the Senate must be signed by the Secretary of the Senate, or a person designated by the Secretary. Each such notice sent by the Assembly must be signed by the Chief Clerk of the Assembly, or a person designated by the Chief Clerk.

BILLS AND JOINT RESOLUTIONS

Rule No. 5. *Signature.*

Each enrolled bill or joint resolution shall be presented to the presiding officers of both Houses for signature. They shall, after an announcement of their intention to do so is made in open session, sign the bill or joint resolution and their signatures shall be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.

Rule No. 6. *Joint Sponsorship.*

1. *A bill or resolution introduced by a committee of the Senate or Assembly may, at the direction of the chair of the committee, set forth the name of a committee of the other House as a joint sponsor, if a majority of all members appointed to the committee of the other House votes in favor of becoming a joint sponsor of the bill or resolution. The name of the committee joint sponsor must be set forth on the face of the bill or resolution immediately below the date on which the bill or resolution is introduced.*

2. *The Legislative Counsel shall not cause to be printed the name of a committee as a joint sponsor on the face of a bill or resolution unless the chair of the committee has signed his or her name next to the name of the committee on the colored back of the introductory copy of the bill*

or resolution that was submitted to the front desk of the House of origin or the statement required by subsection 4.

3. Upon introduction, any bill or resolution that sets forth the names of primary joint sponsors must be numbered in the same numerical sequence as other bills and resolutions of the same House of origin are numbered.

4. Once a bill or resolution has been introduced, a primary joint sponsor or non-primary joint sponsor may only be added or removed by amendment of the bill or resolution. An amendment which proposes to add or remove a primary joint sponsor must not be considered by the House of origin of the amendment unless a statement requesting the addition or removal is attached to the copy of the amendment submitted to the front desk of the House of origin of the amendment. If the amendment proposes to add or remove a committee as a primary joint sponsor, the statement must be signed by the chair of the committee. A copy of the statement must be transmitted to the Legislative Counsel if the amendment is adopted.

5. An amendment that proposes to add or remove a primary joint sponsor may include additional proposals to change the substantive provisions of the bill or resolution or may be limited only to the proposal to add or remove a primary joint sponsor.

PRINTING

Rule No. 7. *Ordering and Distribution.*

Each House may order the printing of bills introduced, reports of its own committees, and other matters pertaining to that House only; but no other printing may be ordered except by a concurrent resolution passed by both Houses. Each Senator is entitled to the free distribution of four copies of each bill introduced in each House, and each Assemblyman to such a distribution of two copies. Additional copies of such bills may be distributed at a charge to the person to whom they are addressed. The amount charged for distribution of the additional copies must be determined by the Director of the Legislative Counsel Bureau to approximate the cost of handling and postage for the entire session.

RESOLUTIONS

Rule No. 8. *Types, Usage and Approval.*

1. A joint resolution must be used to:

- (a) Propose an amendment to the Nevada Constitution.
- (b) Ratify a proposed amendment to the United States Constitution.
- (c) Address the President of the United States, Congress, either House or any committee or member of Congress, any department or agency of the Federal Government, or any other state of the Union.

2. A concurrent resolution must be used to:

- (a) Amend these joint rules, which requires a majority vote of each House for adoption.
- (b) Request the return from the Governor of an enrolled bill for further consideration.
- (c) Request the return from the Secretary of State of an enrolled joint or concurrent resolution for further consideration.
- (d) Resolve that the return of a bill from one House to the other House is necessary and appropriate.
- (e) Express facts, principles, opinion and purposes of the Senate and Assembly.
- (f) Establish a joint committee of the two Houses.
- (g) Direct the Legislative Commission to conduct an interim study.

3. A concurrent resolution or a resolution of one House may be used to:

- (a) Memorialize a former member of the Legislature or other notable or distinguished person upon his or her death.
- (b) Congratulate or commend any person or organization for a significant and meritorious accomplishment.

4. A resolution of one House may be used to request the return from the Secretary of State of an enrolled resolution of the same House for further consideration.

VETOES

Rule No. 9. *Special Order.*

1. Bills which have passed the Legislature, and which are transmitted to the Legislature accompanied by a message or statement of the Governor's disapproval, or veto of the same, shall:

(a) Be taken up and considered immediately upon the coming in of the message transmitting the same; or

(b) Become the subject of a special order.

2. When the message is received or, if made a special order, when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disposed or vetoed; and the Secretary of the Senate and the Chief Clerk of the Assembly shall, without interruption, read the message and the bill consecutively, the bill following the message, and the message and the bill must not be read upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such vetoed bill without the same shall have first been read; and no motion shall be entertained after the Chair has stated the question save a motion for "The previous question," but the merits of the bill itself may be debated.

ADJOURNMENT

Rule No. 10. Limitations and Calculation of Duration.

1. In calculating the permissible duration of an adjournment for 3 days or less, Sunday must not be counted.

2. The Legislature may adjourn for more than 3 days by motion based on mutual consent of the Houses or by concurrent resolution. One or more such adjournments may be taken to permit a committee or the Legislative Counsel Bureau to prepare the matters respectively entrusted to them for the consideration of the Legislature as a whole.

EXPENDITURES FROM THE LEGISLATIVE FUND

Rule No. 11. Manner of authorization.

Except for routine salary, travel, equipment and operating expenses, no expenditures shall be made from the Legislative Fund without the authority of a concurrent resolution regularly adopted by the Senate and Assembly.

RECORDS OF COMMITTEE PROCEEDINGS

Rule No. 12. Duties of Secretary of Committees and Director.

1. Each committee shall cause a record to be made of the proceedings of its meetings.

2. The secretary of a committee shall:

(a) Label each record with the date, time and place of the meeting and also indicate on the label the numerical sequence in which the record was made;

(b) Keep the records in chronological order; and

(c) Deposit the records upon their completion with the Director of the Legislative Counsel Bureau.

3. The Director of the Legislative Counsel Bureau shall:

(a) Make the records available for accessing by any person during office hours under such reasonable conditions as the Director may deem necessary; and

(b) Retain the records for two bienniums and at the end of that period keep some form or copy of the record in any manner the Director deems reasonable to ensure access to the record in the foreseeable future.

Rule No. 13. Reserved.

ANTI-HARASSMENT POLICY

Rule No. 14. Maintenance of Working Environment; Procedure for Filing, Investigating and Taking Remedial Action on Complaints.

1. The Legislature hereby declares that it is the policy of the Legislature to prohibit any conduct, whether intentional or unintentional, which results in sexual harassment or other unlawful harassment based upon any other protected category. The Legislature intends to maintain a working environment which is free from sexual harassment and other unlawful harassment. Each Legislator is responsible to conduct himself or herself in a manner which will ensure that others are able to work in such an environment.

2. In accordance with Title VII of the Civil Rights Act, for the purposes of this Rule, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;

(b) Submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person; or

(c) Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.

3. Each Legislator must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment. The following non-inclusive list provides illustrations of conduct that the Legislature deems to be inappropriate:

(a) Verbal conduct such as epithets, derogatory comments, slurs or unwanted sexual advances, invitations or comments;

(b) Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures;

(c) Physical conduct such as unwanted touching, blocking normal movement or interfering with the work directed at a person because of his or her sex; and

(d) Threats and demands to submit to sexual requests to keep a person's job or avoid some other loss, and offers of employment benefits in return for sexual favors.

4. Retaliation against a person for engaging in protected activity is prohibited. Retaliation occurs when an adverse action is taken against a person which is reasonably likely to deter the person from engaging in the protected activity. Protected activity includes, without limitation:

(a) Opposing conduct that the person reasonably believes constitutes sexual harassment or other unlawful harassment;

(b) Filing a complaint about the conduct; or

(c) Testifying, assisting or participating in any manner in an investigation or other proceeding related to a complaint of sexual harassment or other unlawful harassment.

5. A Legislator who encounters conduct that the Legislator believes is sexual harassment, other unlawful harassment, retaliation or otherwise inconsistent with this policy may file a written complaint with:

(a) The Speaker of the Assembly;

(b) The Majority Leader of the Senate; or

(c) The Director of the Legislative Counsel Bureau, if the complaint involves the conduct of the Speaker of the Assembly or the Majority Leader of the Senate.

☛The complaint must include the details of the incident or incidents, the names of the persons involved and the names of any witnesses.

6. The Speaker of the Assembly, the Majority Leader of the Senate or the Director of the Legislative Counsel Bureau, as appropriate, shall cause a discreet and impartial investigation to be conducted and may, when deemed necessary and appropriate, assign the complaint to a committee consisting of Legislators of the appropriate House.

7. If the investigation reveals that sexual harassment, other unlawful harassment, retaliation or other conduct in violation of this policy has occurred, appropriate disciplinary or remedial action, or both will be taken. The appropriate persons will be informed when any such action is taken. The Legislature will also take any action necessary to deter any future harassment.

8. The Legislature encourages a Legislator to report any incident of sexual harassment, other unlawful harassment, retaliation or other conduct inconsistent with this policy immediately so that the complaint can be quickly and fairly resolved.

9. All Legislators are responsible for adhering to the provisions of this policy. The prohibitions against engaging in sexual harassment and other unlawful harassment which are set forth in this Rule apply to employees, Legislators, lobbyists, vendors, contractors, customers and any other visitors to the Legislature.

10. This policy does not create any enforceable legal rights in any person.

Senator Denis moved the adoption of the resolution.

Remarks by Senator Denis.

Thank you, Mr. President. Assembly Concurrent Resolution No. 1 adopts the Joint Rules of the Senate and Assembly for the 28th Special Session of the Legislature.

Resolution adopted unanimously.

Resolution ordered transmitted to the Assembly.

Senator Denis moved that for the remainder of the 28th Special Session, that all necessary rules be suspended, and that all bills and resolutions be immediately transmitted to the Assembly, time permitting.

Remarks by Senator Denis.

This modification to our Senate procedure will allow all legislative measures to be sent to the Assembly immediately instead of waiting for the day's Floor Session to adjourn.

Motion carried.

Senator Denis moved that for the remainder of the 28th Special Session, all necessary rules be suspended, and that all bills reported out of the Committee of the Whole be declared emergency measures under the Constitution and placed on third reading and final passage.

Remarks by Senator Denis.

Given the focus of why we are here and the nature of these bills, declaring bills emergency measures will expedite the legislative process. This will allow us to complete the people's business in an expeditious manner.

Motion carried.

Senator Denis moved that for the remainder of the 28th Special Session, all necessary rules be suspended, and that the reprinting of all bills be dispensed with and that the Secretary of the Senate be authorized to insert the amendments adopted by the Senate and that the bills be placed on third reading for immediate consideration.

Motion carried.

Senator Denis moved that the Senate recess subject to the call of the Chair until 4:00 p.m.

Motion carried.

Senate in recess at 1:46 p.m.

SENATE IN SESSION

At 9:49 p.m.

President Krolicki presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee of the Whole:

Senate Bill No. 1—AN ACT relating to commerce; authorizing a lead participant, on behalf of one or more participants in a project who undertake a common purpose or business endeavor in this State, to apply to the Office

of Economic Development for the issuance of transferable tax credits and the abatement of employer excise taxes and certain property taxes and local sales and use taxes; providing that eligibility for such economic development incentives, in part, requires the participants in a qualified project collectively to invest at least \$3.5 billion in this State within the 10-year period immediately following the approval of the application; authorizing the Office to approve and issue a certificate of transferable tax credits to the lead participant in a qualified project; providing for the calculation of the amount of the transferable tax credits; requiring the lead participant in a qualified project to return any portion of transferable tax credits or abatements of taxes to which the lead participant is not entitled; requiring the Office to prepare and submit to the Legislature certain reports relating to the economic development incentives provided to qualified projects; authorizing the governing body of a city or county to grant abatements of certain permitting and licensing fees imposed or charged by the city or county; authorizing under certain circumstances the pledge of certain sales and use tax proceeds for certain districts for the promotion of economic diversification; revising provisions relating to the issuance of transferable tax credits to a producer who produces a qualified film or other production in this State; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee of the Whole.

Motion carried.

REMARKS FROM THE FLOOR

Senator Denis requested that his remarks be entered in the Journal.

I want to first of all thank our staff, they have been working overtime to try to get this 35-page bill completed and all the things associated with it. I appreciate them working hard to get this done, and I am glad that we finally have it.

Senator Denis moved that the Senate adjourn until Thursday, September 11, 2014, at 9:00 a.m.

Motion carried.

Senate adjourned at 9:53 p.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate