

Journal
OF THE
SENATE OF THE STATE
OF NEVADA

TWENTY-NINTH SPECIAL SESSION

THE FIRST DAY

CARSON CITY (Wednesday), December 16, 2015

Senate called to order at 5:24 p.m.

President Hutchison presiding.

Prayer by Senator Becky Harris.

Heavenly Father,

We come before you, today, with gratitude in our hearts. Gratefulness, that we will be able to look at the policies that are going to be important for Nevada. As we deliberate and expand upon these concepts and look at what the right law and policy is for Nevada, that we will be able to come together as a Body and act in the best interest of the citizens of this great State.

Heavenly Father, at this time of Christmas, we are grateful for the festivities and the generosity of people in our communities. We ask a special blessing to be with those who are among us, in our communities, that may be suffering and may be victims of hard times and not able to open their hearts and their minds to the wonders and the joys of this season because of the circumstances in which they find themselves. We ask Thee to bless them, help to improve their circumstances. Bless those in our community, around them, to be more sensitive to their needs and their concerns so that hearts might be lifted and lives may be changed. During this Christmas Season, we come together as communities and as a State to do what is good and what is best for those around us.

We are grateful for those among us who had to travel great distances to be here to hear these important issues and ask Thy hand in our deliberations that we may be able to fully understand the implications of the concepts and the bills that will be presented before us, that we may be able to move forward in a non-partisan way, cordially with good intent, with concern for how this will impact others, that we may be able to know at the end of this Session that we have made the right decision and are moving the State forward in an appropriate way—that will bless the lives of citizens in our State and help those who may be looking for employment to be able to find it. We say these things in the Name of Jesus Christ.

AMEN.

Pledge of Allegiance to the Flag.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. President requested Mrs. Claire J. Clift to serve as temporary Secretary of the Senate and Mr. Robert G. Milby to serve as temporary Sergeant at Arms.

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

Roll called.

All present except Senator Smith, who was excused.

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

Motion carried.

Senator Roberson moved that the Secretary of the Senate be instructed to insert the Twenty-ninth Special Session organization in the Journal of the Senate as outlined in the Agenda booklet located on each Senator's desk.

Motion carried.

PRESIDENT PRO TEMPORE OF THE SENATE—

SENATOR JOSEPH P. HARDY

MAJORITY FLOOR LEADER—

SENATOR MICHAEL ROBERSON

ASSISTANT MAJORITY FLOOR LEADER—

SENATOR BEN KIECKHEFER

MAJORITY CO-WHIP—

SENATOR SCOTT HAMMOND

MAJORITY CO-WHIP—

SENATOR JAMES A. SETTELMAYER

MINORITY FLOOR LEADER—

SENATOR AARON D. FORD

ASSISTANT MINORITY FLOOR LEADER—

SENATOR DEBBIE SMITH

MINORITY CO-WHIP—

SENATOR KELVIN ATKINSON

MINORITY CO-WHIP—

SENATOR REUBEN J. KIHUEN

SECRETARY OF THE SENATE—

CLAIRE J. CLIFT

Mr. President appointed Senators Hardy, Goicoechea and Manendo as a Committee to inform the Assembly that the Senate is organized and ready for business.

Mr. President appointed Senators Farley, Brower and Atkinson as a Committee to inform the Governor that the Senate is organized and ready for business.

Senator Roberson moved that the following persons be accepted as 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; AMERICAN BRIDGE: Brandon Turner; FREELANCE (RAN Newsletter, KNPB, CHANNEL 5): Ande Engleman; ASSOCIATED PRESS: Lance Iversen, Michelle Rindels, Riley Snyder, Scott Sonner; BRASS CANNON PRODUCTIONS: Keith Wood; CAPITAL

PUBLIC RADIO: Kyril Plaskon; COVEREDGE TELEVISION NEWS SERVICES: Kausik Bhakta, Dan Bryant, Ryan Coleman, Tracey Frohn, Robert Gatti, Andrew Gray, Randy Hunter, Mark Materne, Robert Noble, Jim Parker, Bill Pearce, Keith Taylor, Richard Travis; ENVISION VIDEO: Eric Darensburg; FORTUNE MAGAZINE: Peter Elkind; JOE SACCO PRODUCTIONS: Joe Sacco; KKLH CUMULUS MEDIA: Samantha Stone; KKOH RADIO: Daniel Burel; KLAS-TV: Joseph Bartels, Mark Mutchler, William Roe, Lauren Rozyla, Kyle Zuelke; KNPB CHANNEL 5 PUBLIC BROADCASTING: Brent Boynton, Rebecca Cronon, Jeremy Dunn, Alex Muench, Dave Santina; KOLO 8 NEWS NOW: Edward Barnett, Jennifer Carruthers, Michael Cooper, Paul Harris, Sarah Johns, Ray Kinney, Rebecca Kitchen, Colin Lygren, Ed Pearce, Terri Russell, Stanton Tang, Catherine Van; KRNV NEWS 4: Ryan Coleman, Madison Corney, Ashley Cullins, Matt DeBray, Roger Duplessis, Jaime Hayden, Terri Hendry, Ryan Kern, Steven Neils, Van Tieu; KSNV NEWS 3: Dree de Clamecy, Jeff Gillan, Chris Jones, Jamie Joyce, Jim Snyder; KTNV-TV: Bryan Callahan, James Flint, Jason Harvey, Kenneth Johnson, Victoria Spilabotte; KTVN CHANNEL 2 NEWS: Chloe Beardsley, Arianna Bennett, Erin Breen, Jennifer Burton, Ryan Canaday, Wendy Damonte, Jeff Foss, Andi Guevara, Brad Horn, Luis Latino, Landon Miller, Rachel Mosley, Paul Nelson, John Potter, Kristen Remington, Mike Rogers, Gaby Taffola, Gene Vance, Adam Varahachaikol; KUNR: Ann Nguyen, Will Stone; KVVU-TV: Kevin Bolinger, Justin Grant; LAHONTAN VALLEY NEWS: Steven Ranson; LAS VEGAS REVIEW-JOURNAL: Sandra Chereb, Laura Myers, Steve Sebelius, Sean Whaley; LAS VEGAS SUN: Kyle Roerink, Cy Ryan; LET'S TALK NEVADA: William Hurd, Rudy Moertl; MINEWEB.COM: Dorothy Kosich; NEVADA APPEAL: Brad Cockman, Geoff Dornan, James Grant, Taylor Pettaway, Adam Trumble; NEVADA BROADCASTERS ASSOCIATION: Adrienne Abbott, Mary Beth Sewald; NEVADA MEDIA ALLIANCE: Gabriella Benavidez, Ashton Blake, Conner Board, Rayna Charnley, Nicholas Coleman, Kailee Gett, Amanda Ketchledge, Nicole Kowalewski, Kortney Melchiorre, Annalise Mishler, Carolina Lopez, Nohemi Sandoval, Ryan Smith, Alex Stewart, Drake Stewart, David Thompson, Vanessa Vancour, Walanya Vongsvirates; NEVADA PRESS ASSOCIATION: Kevin Clifford; NEVADA SAGEBRUSH: Breanna Denney, Blake Miller; NORTHERN NEVADA HOPES: Clinton Demeritt; PETER WINTER: Peter Winter; RALSTON REPORTS: Jon Ralston; RECORD-COURIER, THE: Kurt Hildebrand; RENO GAY PAGE: Paco Poli; RENO GAZETTE-JOURNAL: Andy Barron, Jason Bean, Anjeanette Damon, Ray Hager, Jason Hidalgo, Trevon Milliard, Bill O'Driscoll, Seth A. Richardson, Benjamin Spillman; RENO PUBLIC RADIO: William Stone; REUTERS: Steve Keegan; SPARKS TRIBUNE: Andrew Barbano; STEALTH REPORTER, THE: Theresa Catalani, Todd Bailey; TASMAN PACIFIC MEDIA GROUP: Donna Andres, Peter Hutchinson; TRUCKEE MEADOWS COMMUNITY COLLEGE: Tim Ill; UNIVISION NEVADA:

Laura Calzada, Ivet Contreras; VEGAS PBS: Elizabeth Thompson; VEGAS VOICE, THE: Dan Roberts; VETERANS REPORTER: Chuck Baker.

Motion carried.

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

Senate in recess at 5:30 p.m.

SENATE IN SESSION

At 6:01 p.m.

President Hutchison presiding.

Quorum present.

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

Senator Farley reported that her Committee had informed the Governor that the Senate is organized and ready for business.

MESSAGES FROM THE GOVERNOR
STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, NEVADA 89701

December 16, 2015

THE HONORABLE MICHAEL ROBERSON, *Senate Majority Leader*, Nevada State Senate
401 South Carson Street, Carson City, NV 89701

To the Honorable Members of the Nevada Senate:

Nevada continues to feel the effects of the worst economic crisis in the history of our State. While we work together and continue to emerge from this economic crisis, Nevada must expand its economic opportunities and provide greater diversification of its workforce. Currently, we have the opportunity to attract new businesses to our State which will provide more jobs, diversify our tax base, and bring innovative and new technologies. Understanding that an extraordinary occasion exists, this opportunity requires immediate action by the Nevada State Legislature.

Article 5, Section 9, Subsection 1, of the Nevada Constitution provides that the Governor may, on extraordinary occasions, convene a Special Session of the Nevada State Legislature by proclamation. 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

OFFICE OF THE GOVERNOR
EXECUTIVE ORDER
A PROCLAMATION BY THE GOVERNOR

WHEREAS, Nevada continues to emerge from the worst economic crisis in the history of our State;

WHEREAS, the new Nevada economy requires growing and attracting businesses that bring innovative and new technologies, diversify our tax base, and provide job growth and new opportunities for development;

WHEREAS, an extraordinary occasion exists that requires immediate action by the Nevada State Legislature;

WHEREAS, Article 5, Section 9, Subsection 1 of the Nevada Constitution 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;"

WHEREAS, Article 5, Section 9, Subsection 2 of the Nevada Constitution further provides that at a special session convened by the Governor "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, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada."

NOW THEREFORE, I, BRIAN SANDOVAL, GOVERNOR OF THE STATE OF NEVADA, by the authority vested in me by the Constitution and laws of the State of Nevada, do hereby convene the Nevada State Legislature into a special session to begin at 5:00 p.m. on Wednesday, December 16, 2015. 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 Nevada and which agree to invest a certain amount of new capital 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, cities, and special districts 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. Authorizing the issuance of securities for the development and construction of infrastructure, including but not limited to water and rail service, in Southern Nevada.

5. Authorizing infrastructure expansion necessary for the provision of natural gas and the delivery of water, including but not limited to expedited action on water rights, in Southern Nevada.

6. Revising and providing funding for a workforce training program within the Governor's Office of Economic Development.

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 15th day of December, in the year two thousand fifteen.

BRIAN SANDOVAL

Governor

BARBARA K. CEGAVSKE

Secretary of State

SCOTT ANDERSON

Chief Deputy Secretary of State

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee of the Whole:

Senate Resolution No. 1—Adopting the Rules of the Senate for the 29th Special Session of the Nevada Legislature.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the following Rules of the Senate for the 29th Special Session of the Legislature are hereby adopted:

I. APPLICABILITY

Rule No. 1. Generally.

The Rules of the Senate for the 29th Special Session of the Legislature are applicable only during the 29th 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 or inability to discharge the duties of his or her office.

(b) If the President is unwilling to discharge the duties of his or her office, the Senate may, by majority vote of the Senate, call upon the President Pro Tempore to serve as the President. Upon such call, the President Pro Tempore has all the power and shall discharge all the duties of the President during his or her unwillingness to discharge the duties of his or her office.

(c) 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 29th 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) Recruit, interview, select, train and supervise all staff employed to assist with the work of the Senate.

(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) Adopt such administrative policies as the Secretary deems necessary to carry out the business of the Senate.

(e) 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.

3. The President and the Secretary are authorized to make any necessary corrections and additions to the final Journal, Daily History and committee minutes of the Senate.

Rule No. 5. Sergeant at Arms.

1. The Sergeant at Arms shall:

(a) Attend the Senate during its sittings, and execute its commands and all process issued by its authority.

(b) Keep the secrets of the Senate.

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

2. *The Sergeant at Arms is responsible to the Majority Leader.*

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

The Deputy Sergeant at Arms and Assistant Sergeants 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 Sergeants at Arms shall 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, 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 29th 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 three motions shall be decided without debate and a motion to lay on the table without question or debate.*

Rule No. 21. When Not Entertained.

1. *When a motion 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 decided, 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 has precedence over a motion to refer to committee or to amend. If a motion to strike out the enacting clause of a bill is carried, the bill 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 29th 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 29th Special Session of the Legislature, and the Joint Rules of the Senate and Assembly for the 29th Special Session of the Legislature.

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

No rule or order of the Senate for the 29th Special Session of the Legislature shall be suspended, rescinded or changed without a majority 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.

The contents of any petition 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 legislative measures for the 29th 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 29th Special Session.

Rule No. 38. Skeleton Bill Prohibited

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, without question or debate. 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.

Joint 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 29th 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 majority vote of the Senate, and any business before the Senate at the time of the announcement of the special order shall go to Unfinished Business.

Senator Roberson moved the adoption of the resolution.

Remarks by Senator Roberson.

Senate Resolution No. 1 adopts the Senate Standing Rules for the 29th Special Session of the Legislature. These Rules have been drafted primarily based upon the Senate Standing Rules adopted for the 78th Legislative Session and the Senate Standing Rules adopted for the 28th Special Session. There are three changes to these Rules to note from past Rules.

The change to Rule No. 21 removes the restriction that a motion to refer to committee or to postpone to a day certain, once decided, may not be entertained again on the same day. The Rule will remain that a motion to postpone indefinitely, once decided, may not be entertained again on the same day.

Rule No. 22 provides that the time when a motion to adjourn is decided, instead of made, must be entered in the Journal.

Rule No. 38 removes the requirement that before a bill or resolution is introduced, it must first be approved by the Committee of the Whole or a standing Committee. This will allow bills to be introduced without the Senate convening into a Committee of the Whole. The Rule still prohibits the introduction of skeleton bills.

Resolution adopted unanimously.

By the Committee of the Whole:

Senate Resolution No. 2—Providing that no allowances will be paid for the 29th Special Session of the Nevada Legislature for periodicals, stamps, stationery or communications.

Senator Roberson moved the adoption of the resolution.

Remarks by Senator Roberson.

Mr. President, it is the tradition of the Senate that no allowances will be paid for periodicals, stamps, stationery, etc., during the 29th Special Session.

Resolution adopted unanimously.

By the Committee of the Whole:

Senate Resolution No. 3—Recognizing the appointment of the 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 29th Special Session of the Legislature of the State of Nevada: Colleen K. Brennan, Eddie Cordisco Jr., Lona Domenici, Diana Jones, Robert Milby, Tamara Nash, Teri Peterson, Gena Plummer, Jodi Poley, Sherry L. Rodriguez, Jean Spell, Susan Whitford and Jeanine M. Wittenberg.

Senator Roberson moved the adoption of the resolution.

Remarks by Senator Roberson.

Mr. President, we are fortunate, once again, to have an excellent Senate staff working with us during this Special Session.

Resolution adopted unanimously.

Senator Roberson moved that, for the remainder of the 29th Special Session, all necessary rules be suspended, and that all bills and joint resolutions reported out of the Committee of the Whole for floor consideration be declared emergency measures under the Constitution and placed on third reading and final passage.

Remarks by Senator Roberson.

Mr. President, declaring bills as emergency measures will speed up the legislative process of these measures by not having to comply with the constitutional requirement of having "three readings on each measure on three separate days."

Motion carried.

Senator Roberson moved that, for the remainder of the 29th Special Session, all necessary rules be suspended, and that all bills and resolutions that have been passed or adopted by the Senate be immediately transmitted to the Assembly, time permitting.

Remarks by Senator Roberson.

Mr. President, suspending this rule will allow all legislative measures to be sent to the Assembly immediately instead of waiting for the day's Floor Session to adjourn. However, immediately transmitting these measures to the other House will eliminate the opportunity to rescind a final Senate action on the bill or resolution once the measure has been transmitted. The President will announce the transmittal of these measures before they leave the Senate.

Motion carried.

Senator Roberson moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 6:10 p.m.

SENATE IN SESSION

At 9:39 p.m.

President Hutchison presiding.

Quorum present.

A Committee from the Assembly composed of Assemblymen Gardner, Dooling and Araujo appeared before the bar of the Senate and announced that the Assembly is organized and ready for business.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, December 16, 2015

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.

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 1—Adopting the Joint rules of the Senate and Assembly for the 29th Special Session of the 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 29th Special Session of the Legislature are hereby adopted:

APPLICABILITY OF JOINT RULES

Rule No. 1. Generally.

The Joint Rules for the 29th Special Session of the Legislature are applicable only during the 29th 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.

2. 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. A conference committee shall not recommend any action which would cause the creation of more than one reprint or more than one bill or resolution.

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

4. 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 be filed and entered in the Journal of proceedings.

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

3. Messages from the Senate to the Assembly shall be delivered by the Secretary or a person designated by the 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 nonprimary 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.

PUBLICATIONS

Rule No. 7. Ordering and Distribution.

1. The bills, resolutions, journals and histories will be provided electronically to the officers and members of the Senate and Assembly, the staff of the Legislative Counsel Bureau, the press and the general public on the Nevada Legislature's Internet website.

2. 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 Standing 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, opinions 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 memorialize a former member of the Legislature or other notable or distinguished person upon his or her death.
 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.
 5. A resolution of one House may be used for any additional purpose determined appropriate by the Majority Leader of the Senate or the Speaker of the Assembly, respectively.

AMENDMENTS

Rule No. 9. Germaneness Required.

1. The Legislative Counsel shall not honor a request for the drafting of an amendment to a bill or resolution if the subject matter of the amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of the bill or resolution.
2. For the purposes of this Rule, an amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of a bill or resolution if the amendment relates only to the general, single subject that is expressed in that title and not to the specific whole subject matter embraced in the bill or resolution.
3. This Rule must be narrowly construed.

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 noninclusive 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 Roberson moved the adoption of the resolution.

Remarks by Senator Roberson.

Assembly Concurrent Resolution No. 1 adopts the Joint Standing Rules of the Senate and Assembly for the 29th Special Session of the Legislature. These Rules have been drafted primarily based upon the Joint Standing Rules that were adopted for the 78th Legislative Session and the Joint Standing Rules that were adopted for the 28th Special Session. There are two changes to these Rules to note from past Rules.

Rule No. 3 removes the requirement that proclamations by the Governor convening the Legislature in Special Session must be read immediately after the convening of the Special Session. This will allow each House to organize and conduct business before the Proclamation is read or the reading is dispensed with. The Rule still requires the Proclamation to be filed and entered in the Journal of proceedings.

Rule No. 9 adds the "germaneness" rule from the Regular Session Joint Rules, Rule No. 14.7, to these Special Session Rules to provide that the Legislative Counsel shall not honor a request for the drafting of an amendment unless the amendment is germane to the bill or resolution.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee of the Whole:

Senate Bill No. 1—AN ACT relating to commerce; providing for the issuance of transferable tax credits and the partial abatement of certain taxes to a project that satisfies certain capital investment and other requirements; 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 the Office of Economic Development to approve an economic development financing proposal under certain circumstances; requiring the State Board of Finance to issue general obligation bonds of the State pursuant to an economic development financing agreement approved by the Office; establishing limitations on the amount of the general obligation bonds of the State that may be outstanding pursuant to an economic development financing agreement; revising provisions relating to the administration of certain tax increment areas, improvement districts and other special districts created by a local government pursuant to an economic development financing agreement; revising provisions governing the creation of districts for the promotion of economic development and the pledge of certain sales and use tax proceeds for those districts; providing for the

expansion of infrastructure necessary to provide natural gas to the legal boundary of an economic diversification district; authorizing the creation of an improvement district to acquire, operate and maintain an electrical project and a fire protection project in relation to a qualified project; authorizing a regional transportation commission in a county in which a qualified project is located to conduct a project to provide freight rail service and to exercise the power of eminent domain for such a project under certain circumstances; authorizing a municipality to designate a tax increment area for certain natural resources projects and rail projects conducted in relation to a qualified project; revising provisions governing the allocation of certain sales and use taxes and employer excise taxes for the payment of debt incurred by a municipality that has designated a tax increment area for the purpose of financing an undertaking; revising provisions governing the financing of certain undertakings in a tax increment area; revising provisions governing the issuance of state obligations for certain purposes related to natural resources; revising provisions governing applications for permits relating to water rights in areas in which a qualified project is located in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to Arsen Ter-Petrosyan.

On request of Senator Harris, the privilege of the floor of the Senate Chamber for this day was extended to Brad Duda.

Senator Roberson moved that the Senate adjourn until Thursday, December 17, 2015, at 10:00 a.m.

Motion carried.

Senate adjourned at 9:44 p.m.

Approved:

MARK A. HUTCHISON
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate