

Journal

OF THE

ASSEMBLY OF THE STATE OF NEVADA

THIRTY-SECOND SPECIAL SESSION

THE FIRST DAY

CARSON CITY (Friday), July 31, 2020

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Speaker of the Assembly Jason Frierson at 10:42 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Edwards, who was excused.

Prayer by the Chaplain, Richard Snyder.

Almighty God, we give You thanks for this new day. As the members and the staff of the Nevada Assembly face the issues of this Thirty-Second Special Session, we ask for the quiet confidence that comes from Your presence. Bless, preserve, and guide those who assemble to do the business of the people of Nevada.

AMEN.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblywoman Benitez-Thompson to inform the Senate that the Assembly is organized and ready for business.

Mr. Speaker called the Governor to inform him that the Assembly is organized and ready for business.

Assemblywoman Benitez-Thompson reported that she had informed the Senate that the Assembly was organized and ready for business.

Senator Brooks appeared before the bar of the Assembly and announced that the Senate was organized and ready for business.

COMMUNICATIONS
OFFICE OF THE GOVERNOR

July 30, 2020

THE HONORABLE JASON FRIERSON, SPEAKER OF THE ASSEMBLY, NEVADA STATE ASSEMBLY,
401 South Carson Street, Carson City, NV 89701

TO THE HONORABLE MEMBERS OF THE NEVADA STATE ASSEMBLY:

We are living in historically trying times. Over the past few months, Nevada has been faced with three major crises—including a crisis of faith in our criminal and social justice system. It is safe to say that we have never before been so greatly challenged over such a short period of time.

I am grateful to the Honorable Members of the Nevada State Assembly for doing their part to help battle the first two crises, including the diligent and thoughtful work during the 31st Special Session.

Now, it is time we look toward the third crisis and take appropriate and meaningful measures on a number of critical policy issues including addressing criminal and social justice policy reform; working to ensure Nevadans, businesses, workers and the unemployed have the support and protections they need as they battle COVID-19; ensuring Nevadans can exercise their fundamental right to vote in a way that does not dangerously expose them to increased risk of COVID-19 infection; helping stabilize Nevada businesses so they don't suffer continued economic hardship and establishing safety standards for the workers who are keeping our economy afloat; removing statutory barriers impeding the work of Nevada's unemployment insurance program; and providing authority for the Judicial Branch to implement alternative dispute resolution measures in cases of rental evictions.

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.

Thank you,
GOVERNOR STEVE SISOLAK
State of Nevada

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that the reading of the Governor's proclamation convening the Legislature into a special session be dispensed with and the proclamation be entered into the journal.

Motion carried.

COMMUNICATIONS
STATE OF NEVADA
OFFICE OF THE GOVERNOR

A PROCLAMATION BY GOVERNOR STEVE SISOLAK
TO CONVENE A SPECIAL SESSION OF THE NEVADA STATE LEGISLATURE
(REVISED)

WHEREAS, Section 9 of Article V of the Constitution of the State of Nevada provides that, "[T]he 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;" and

WHEREAS, an extraordinary occasion exists, resulting from the global COVID-19 pandemic and its associated economic consequences, requiring immediate action by the Nevada State Legislature; and

WHEREAS, the people's right to vote is among their most important rights in a representative democracy, requiring accommodation to election laws, processes, and procedures to accommodate social distancing, limited in-person gathering, and protecting individuals who are most susceptible to contracting COVID-19 and suffering the most acute effects of the illness; and

WHEREAS as a result of historical inequities and disparate treatment of socially and economically disadvantaged groups within the United States and within the State of Nevada by some of those entrusted by the citizenry with police powers, which are, paradoxically, limited by the same citizenry according to the dictate that such extraordinary powers be used to protect and defend the country's and the State of Nevada's residents and

WHEREAS, recent events have made clear the need for Nevada leaders to better ensure that police powers are wielded by police officers entrusted with them with greater responsibility and accountability to the people who granted such peace officers access to these extraordinary powers and that they are used only for the public good, while protecting and holding sacrosanct all rights, privileges, and immunities secured or protected by the Constitution or laws of the United States or of the State of Nevada; and

WHEREAS, the current COVID-19-caused economic crisis, experienced around the world and in the State of Nevada, has caused an unprecedented number of residents to file for unemployment benefits, under various programs, creating a backlog of unprocessed claims and the need for flexibility to be granted to the Department of Employment, Training, and Rehabilitation, Employment Security Division, which is tasked with processing and adjudicating unemployment claims in order to meet this emergent and monumental demand for State processing of claims; and

WHEREAS the current COVID-19 pandemic has created significant potential liability for the spread of COVID-19 which, in the case of business; not for profits; schools, both K-12 and institutions of higher education; and state and local governments that make good faith attempts to follow Controlling Health Standards, should be provided reasonable liability relief for their adherence to these health standards and in order that Nevada may emerge from the pandemic with both the health and safety of its people and their jobs protected to the degree possible; and

WHEREAS, the current COVID-19 pandemic has created a health and safety threat to Nevada's hotel, motel, casino resort, and lodging employees, among many others, who, in order to maintain the continuity of Nevada's tourism-driven economic engine, have returned to work in these public-facing positions at potential risk to themselves and to their families. Consequently, to protect many hundreds of thousands of Nevada residents, Nevada government should take action to mandate health, safety, and sanitation standards to safeguard both these employees, guests and to protect and promote the good reputation of Nevada's tourism industry, which is a proxy for many other industries within the State and, as the most public of the State's economic segments, for the State's general reputation in the minds of many; and

WHEREAS, the COVID-19 recession has and will continue to result in eviction actions against the most vulnerable Nevadans, who require the Judicial Branch to possess the flexibility in their use of methods of alternative dispute resolution in cases of eviction to prevent those enduring eviction actions from the trauma and cost associated with court proceedings; and

WHEREAS, the Nevada Legislature, to ensure participation from members who are predisposed to acute illness resulting from the existing COVID-19 pandemic and in order to encourage and foster participation in committee meetings, is obligated to enable individuals to attend, participate, vote or take action using secure remote technologies; and

WHEREAS, the Nevada Legislature has a duty to ensure that potential amendments to the Nevada Constitution are processed and published during sessions of the Nevada Legislature in a timely and orderly manner to allow the people of the State to decide whether and how to amend their State Constitution—the fundamental State document that governs them—by voting during a general election; and

WHEREAS, pursuant to the Separation of Powers doctrine, the Legislature must also organize its internal staff, the Legislative Counsel Bureau, in a manner ensuring the people's business is

accomplished in and out of sessions of the Nevada Legislature, including special sessions, in a manner the Legislative Branch of government determines best; 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;” and

WHEREAS, under such an extraordinary set of circumstances, the Nevada Constitution provides authority for the Governor to convene the Legislature by Proclamation; and

NOW, THEREFORE, I, STEVE SISOLAK, 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 10:00 a.m. on Friday, July 31, 2020, to consider the following initiatives:

1. Legislation, as requested by the Legislative Counsel Bureau of the Nevada Legislature, to correct clerical, typographical, and other related errors in S.B. 151, A.B. 431, and S.B. 161 passed during the 80th Session of the Nevada Legislature.
2. Legislation to revise Chapter 612 and other appropriate chapters of Nevada Revised Statutes governing unemployment insurance and related matters to allow the Employment Security Division to contact applicants and unemployment benefit recipients by electronic mail and to expedite payment of benefits with good cause, among other potential flexibility enhancing mechanisms.
3. Social justice reform legislation, including revisions to Senate Bill 242 (2019) at the request of the bill’s primary sponsor, amending peace officer conduct standards regarding the use of force; liability for misuse of force; protecting the public right to film and otherwise record police activity as a means of ensuring accountability of peace officers; and other items related thereto.
4. Legislation to revise Chapter 293 and other appropriate chapters of the Nevada Revised Statutes governing elections to ensure Nevadans can exercise their fundamental right to vote during a state of emergency and in a way that does not dangerously expose them to increased risk of COVID-19 infection by guaranteeing every active registered voter receive a mail ballot while ensuring a sufficient number of in-person polling locations to vote in person for the 2020 General Election.
5. Legislation, as requested herein by the Governor, to effectuate liability protections to certain persons, not-for-profit entities, state government and its subdivisions, schools, including elementary, middle, and high schools and institutions of higher education, and businesses substantially complying with Controlling Health and Safety Standards from claim and liabilities related to COVID-19 and to amend Title 40 and, potentially, Title 41 of Nevada Revised Statutes to ensure the protection of the health and safety of hotel, motel, casino-resort, and other employees during the current COVID-19 pandemic.
6. Legislation, as requested by the Nevada Legislative Counsel Bureau, to ensure participation from members who are predisposed to acute illness resulting from the existing COVID-19 pandemic and in order to encourage and foster participation in committee meetings by enabling individuals to attend, participate, vote or take action using secure remote technologies.

This legislation should also provide that if the Legislature passes any proposed constitutional amendments for a first time during a special session, the Director of the Legislative Counsel Bureau shall immediately cause the full text of the proposed amendment in the form approved to be published in a separate printed volume of statutes.

Finally, this Legislation shall provide the Nevada Legislature with authority necessary to effectuate any restructuring of the Legislative Counsel Bureau the Nevada Legislature deems necessary to the effective and efficient conduct of its duties.

7. Legislation to provide authority for the Judicial Branch to implement alternative dispute resolution measures for evictions actions to mitigate the harm resulting from the COVID-19 recession and the dramatic unemployment resulting from it.

The Legislature may introduce, consider, and pass bills related to the business for which it has been convened in this Special Session, outlined above, and it may provide for necessary expense of the Special Session. The Special Session shall begin by 10:00 a.m. on Friday, July 31, 2020 and should not end later than 11:59 p.m. on Friday, August 7, 2020.

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 31st day of July, in the year two thousand twenty.

Steve Sisolak
Governor

Barbara K. Cegavske
Secretary of State

Scott Anderson
Deputy Secretary of State

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 10:52 a.m.

ASSEMBLY IN SESSION

At 10:53 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Operations and Elections:

Assembly Resolution No. 1—Amending the Standing Rules of the Assembly of the 80th Session of the Nevada Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the Assembly Standing Rules are hereby adopted, as amended, as follows:

I. OFFICERS AND EMPLOYEES

DUTIES OF OFFICERS

Rule No. 1. Speaker of the Assembly.

1. All officers of the Assembly are subordinate to the Speaker in all that relates to the prompt, efficient and correct discharge of their official duties under the Speaker's supervision.

2. Possessing the powers and performing the duties described in this Rule, the Speaker shall:

(a) Take the chair at the hour to which the Assembly stands adjourned, call the members to order, and upon the appearance of a quorum, proceed to business.

(b) In the event an emergency occurs during a regular or special session of the Legislature which requires a meeting of the Assembly, call the members back to order before the hour to which the Assembly had adjourned.

(c) *Preserve order and decorum and have general direction of the Chamber of the Assembly and the approaches thereto. In the event of any disturbance or disorderly conduct therein, order the same to be cleared.*

(d) *Decide all questions of order, subject to a member's right to appeal to the Assembly. On appeal from such decisions, the Speaker has the right, in the Speaker's place, to assign the reason for the decision.*

(e) *Have the right to name any member to perform the duties of the Chair, but such substitution must not extend beyond one legislative day.*

(f) *Have the power to accredit the persons who act as representatives of the news media and assign them seats.*

(g) *Sign all bills and resolutions passed by the Legislature as provided by law.*

(h) *Sign all subpoenas issued by the Assembly.*

(i) *Receive all messages and communications from other departments of the government and announce them to the Assembly.*

(j) *Represent the Assembly, declare its will and in all things obey its commands.*

(k) *Vote on final passage of a bill or adoption of a resolution, but the Speaker shall not be required to vote in ordinary legislative proceedings except where the Speaker's vote would be decisive. In all yea and nay votes, the Speaker's name must be called last.*

(l) *Appoint committees during the interim between regular sessions of the Legislature for any proper purpose, including, without limitation, taking testimony, compelling the attendance of witnesses, punishing persons or entities for contempt and reporting findings to the next session of the Legislature.*

3. *If a vacancy occurs in the office of Speaker, through death, resignation or disability of the Speaker, the Speaker Pro Tempore shall temporarily and for the period of vacancy or disability conduct the necessary business of the Assembly.*

4. *If a permanent vacancy occurs in the office of Speaker, the Assembly shall select a new Speaker.*

5. *This Rule shall remain in full force and effect throughout the interim between regular sessions of the Legislature and until new Standing Rules of the Assembly are adopted as part of the organization of a newly-constituted Assembly at the commencement of a session.*

Rule No. 2. Continuation of Leadership and Standing Rules of the Assembly During the Interim Between Regular Sessions.

1. *Except as otherwise provided in subsections 2, 3 and 4, the tenure of the Speaker, Speaker Pro Tempore, Majority Leader and Minority Leader of the Assembly extends during the interim between regular sessions of the Legislature.*

2. *The Assemblymen or Assemblywomen designated to be the Speaker, Speaker Pro Tempore, Majority Leader and Minority Leader for the next succeeding regular session shall perform any duty required of that officer by the Standing Rules of the Assembly and the Nevada Revised Statutes in the period between the time of their designation after the general election and the organization of the next succeeding regular session.*

3. *The Assemblyman or Assemblywoman designated to be the Speaker and the Assemblyman or Assemblywoman designated to be the Minority Leader for the next succeeding regular session shall appoint the regular and alternate members to the Select Committee on Ethics as set forth in Assembly Standing Rule No. 23.*

4. *The Assemblyman or Assemblywoman designated to be the Speaker for the next succeeding regular session shall:*

(a) *Determine the start time of the Assembly's organizational session.*

(b) *Have the right to name any person to call the Assembly to order and preside over the Assembly's organizational session until a presiding officer is elected.*

(c) *Refer prefiled bills and resolutions to committee, subject to ratification by a majority vote of the members of the Assembly once the Assembly is organized and ready for business.*

5. *The Assembly Standing Rules set forth herein shall remain in full force and effect throughout the interim between regular sessions of the Legislature and until new Standing Rules of the Assembly are adopted as part of the organization of a newly-constituted Assembly*

at the commencement of a session, unless a conflict exists with a rule adopted by the Assembly for a special session occurring between regular sessions.

Rule No. 3. Chief Clerk.

1. *The Chief Clerk is elected by the Assembly and is responsible to the Speaker.*
2. *The Chief Clerk shall recruit, select, train and supervise all attaches employed to assist with the work of the Assembly.*
3. *The Chief Clerk shall administer the daily business of the Assembly.*
4. *The Chief Clerk shall adopt such administrative policies as the Chief Clerk deems necessary to carry out the business of the Assembly.*
5. *The Speaker and the Chief Clerk are authorized to make any necessary corrections and additions to the final journal, history and committee minutes of the Assembly.*
6. *At the direction of the Speaker or Speaker Designate, the Chief Clerk shall attest and affix the seal of the Assembly to all writs, warrants, subpoenas and formal documents issued by the Assembly.*
7. *The Chief Clerk shall have custody of all bills, resolutions, petitions, papers and other documents, including, without limitation, matters referred to the committees of the Assembly.*

Rule No. 4. Reserved.

Rule No. 5. Reserved.

Rule No. 6. Reserved.

The next rule is 10.

II. SESSIONS AND MEETINGS

Rule No. 10. Time of Meeting.

The Assembly shall meet each day at 11:30 a.m., unless the Assembly adjourns to some other hour.

Rule No. 11. Open Meetings.

All meetings of the Assembly and its committees must be open to the public.

Rule No. 12. Convening of the Assembly between Legislative Sessions.

1. *The Assembly may be convened at any time between sessions of the Legislature upon a petition signed by a majority of the members elected to the Assembly to consider and take action on any matter that is solely and exclusively within the constitutional or inherent powers of the Assembly, including, without limitation, any matter that may be considered and acted on by the Assembly pursuant to its plenary and exclusive constitutional powers under Article 4, Section 6 of the Nevada Constitution or pursuant to its inherent powers of institutional self-protection and self-preservation to govern, control and regulate its membership and its internal organization, affairs and management.*

2. *A petition convening the Assembly pursuant to this Rule must specify the matter that will be considered or acted on by the Assembly, indicate a date for the Assembly to convene and be transmitted to the Chief Clerk of the Assembly. Upon receipt of one or more substantially similar petitions signed, in the aggregate, by a majority of the members elected to the Assembly, the Chief Clerk shall notify all members of the Assembly that the Assembly will be convened pursuant to this Rule and the date on which the Assembly will be convened.*

3. *The Assembly hereby finds and declares that:*

(a) *The Nevada Constitution invests each House of the Legislature with certain plenary and exclusive constitutional powers which may be exercised only by that House and which cannot be usurped, infringed or impaired by the other House or by any other branch of Nevada's State Government. (Heller v. Legislature, 120 Nev. 456 (2004); Commission on Ethics v. Hardy, 125*

Nev. 285 (2009); Mason's Manual of Legislative Procedure §§ 2-3 & 560-564 (2010) (Mason's Manual)

(b) Article 4, Section 6 of the Nevada Constitution invests each House with plenary and exclusive constitutional powers to govern, control and regulate its membership and its internal organization, affairs and management, expressly providing that: "Each House shall judge of the qualifications, elections and returns of its own members, choose its own officers (except the President of the Senate), determine the rules of its proceedings and may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member."

(c) In addition to its plenary and exclusive constitutional powers, each House possesses certain inherent powers of institutional self-protection and self-preservation to govern, control and regulate its membership and its internal organization, affairs and management. (In re Chapman, 166 U.S. 661, 668 (1897); Mason's Manual § 2; Luther S. Cushing, Elements of the Law & Practice of Legislative Assemblies § 533 (1856) (Cushing's Legislative Assemblies))

(d) The inherent powers of each House are considered "so essential to the authority of a legislative assembly, that it cannot well exist without them; and they are consequently entitled to be regarded as belonging to every such assembly as a necessary incident." (Cushing's Legislative Assemblies § 533)

(e) The inherent powers of each House authorize it to take all necessary and proper institutional actions that are "recognized by the common parliamentary law." (Cushing's Legislative Assemblies § 684)

(f) Thus, it is well established that each House is "vested with all the powers and privileges which are necessary and incidental to a free and unobstructed exercise of its appropriate functions. These powers and privileges are derived not from the Constitution; on the contrary, they arise from the very creation of a legislative body, and are founded upon the principle of self-preservation." (Ex parte McCarthy, 29 Cal. 395, 403 (1866))

The next rule is 20.

III. DECORUM AND DEBATE

Rule No. 20. Points of Order.

If any member, in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the presiding officer, the member shall not be allowed to proceed; but if it be not sustained, then the member shall be permitted to go on. Every such decision from the presiding officer shall be subject to an appeal to the House; but no discussion of the question of order shall be allowed unless an appeal be taken from the decision of the presiding officer.

Rule No. 21. Portable Electronic Communication Devices.

1. A person who is within the Assembly Chambers shall not engage in a telephone conversation via the use of a portable telephone.

2. Before entering the Assembly Chambers, any person who possesses a portable electronic communication device, such as a pager or telephone, that emits an audible alert, such as a ringing or beeping sound, to signal an incoming message or call, shall turn the audible alert off. A device that contains a nonaudible alert, such as a silent vibration, may be operated in a nonaudible manner within the Assembly Chambers.

Rule No. 22. Reserved.

Rule No. 23. Select Committee on Ethics; Legislative Ethics.

1. The Select Committee on Ethics consists of:

(a) Two members of the Assembly appointed by the Speaker from the majority political party;

(b) One member of the Assembly appointed by the Minority Leader from the minority political party; and

(c) Three qualified electors of the State, two of whom are appointed by the Speaker and one who is appointed by the Minority Leader, and none of whom is a present member of the Legislature or employed by the State of Nevada.

2. The Speaker shall appoint the Chair and Vice Chair of the Committee. The Vice Chair shall serve as the acting Chair if the Chair is unable to serve for any reason during the consideration of a specific question.

3. The Speaker shall appoint an alternate member with the qualifications set forth in paragraph (a) of subsection 1 and an alternate member with the qualifications set forth in paragraph (c) of subsection 1. The Minority Leader shall appoint an alternate member with the qualifications set forth in paragraph (b) of subsection 1 and an alternate member with the qualifications set forth in paragraph (c) of subsection 1. If a member of the Committee is unable to serve for any reason during the consideration of a specific question, the alternate appointed with the qualifications from the same paragraph in subsection 1 shall serve as a member of the Committee during the consideration of the specific question.

4. A member of the Committee is disqualified to serve during the consideration of a specific question if:

(a) The member is the requester of advice concerning the question of ethics or conflict of interest, or the member is the subject of the complaint concerning the specific question; or

(b) A reasonable person in the member's situation could not exercise independent judgment on the matter in question.

5. The members of the Committee shall perform any duty required in the period between the time of their appointment after the general election and the organization of the next succeeding regular session, or until the Speaker or the Speaker Designate or the Minority Leader or Minority Leader Designate appoint new members to the Committee, whichever occurs first.

6. The tenure of the members of the Committee shall extend during the interim between regular sessions of the Legislature.

7. The Committee:

(a) May hear requests brought by members of the Assembly for advice on specific questions of potential breaches of ethics and conflicts of interest; and

(b) Shall hear complaints brought by members of the Assembly and others on specific questions of alleged breaches of ethics and conflicts of interest, including, without limitation, alleged breaches of the Legislative Code of Ethical Standards in the Joint Standing Rules.

8. All proceedings held by the Committee to consider the character, alleged misconduct, professional competence or physical or mental health of any person on matters of ethics or conflicts of interest and all materials related to those proceedings are confidential, unless the person who is the subject of the proceedings requests a public hearing or discloses the content of the proceedings or materials.

9. An individual may file a complaint which alleges a breach of ethics or a conflict of interest, including, without limitation, an alleged breach of the Legislative Code of Ethical Standards in the Joint Standing Rules. If the alleged breach of ethics or conflict of interest involves the conduct of more than one person, separate complaints must be filed regarding each person. A complaint must be:

(a) Made in writing on a form provided by the Legislative Counsel;

(b) Signed and verified under penalty of perjury by the individual making the allegation; and

(c) Filed with the Legislative Counsel who shall review the complaint and any other relevant information and consult with the Chair of the Committee or, if the Chair is the subject of the complaint, with the Vice Chair, to evaluate whether the Committee has jurisdiction and whether an investigation is warranted in the matter. If it is determined that the Committee:

(1) Does not have jurisdiction or that an investigation is not warranted in the matter, the Legislative Counsel shall send written notice of the determination to the individual who filed the complaint.

(2) *Has jurisdiction and an investigation is warranted in the matter, the Legislative Counsel shall send written notice of the determination and a copy of the complaint to the person who is the subject of the complaint.*

10. *Each Legislator is subject, at all times, to the Legislative Code of Ethical Standards in the Joint Standing Rules and, in addition, must determine whether he or she has a conflict of interest upon any matter in question before the Legislator. In determining whether the Legislator has such 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 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.*

11. *Except as otherwise provided in subsection 12, if a Legislator knows he or she has a conflict of interest pursuant to subsection 10, 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 Assembly, 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 Assembly, in the Journal.*

12. *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 Assembly, 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.*

13. *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 10, 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.*

14. *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.*

15. *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.*

16. *The standards and procedures set forth in this Rule which govern whether and to what extent a member of the Assembly 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 member has a conflict of interest pursuant to subsection 10:*

- (a) *Are exclusive and are the only standards and procedures that apply to members of the Assembly with regard to such matters; and*
- (b) *Supersede and preempt all other standards and procedures with regard to such matters,*

↪ *except that this subsection does not exempt any members of the Assembly from the Legislative Code of Ethical Standards in the Joint Standing Rules.*

17. *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.*

The next rule is 30.

IV. QUORUM, VOTING, ELECTIONS

Rule No. 30. Manner of Voting.

1. *The presiding officer shall declare all votes, but the yeas and nays must be taken when called for by three members present, and the names of those calling for the yeas and nays must be entered in the Journal by the Chief Clerk.*

2. *The presiding officer shall call for yeas and nays by a division or by a roll call, either electronic or oral.*

3. *When taking the yeas and nays on any question, the electronic roll call system may be used, and when so used shall have the force and effect of any roll call under these rules.*

4. *When taking the yeas and nays by oral roll call, the Chief Clerk shall take the names of members alphabetically, except that the Speaker’s name must be called last.*

5. *The electronic roll call system may be used to determine the presence of a quorum.*

6. *The yeas and nays must not be taken with the electronic roll call system until all members present are at their desks. The presiding officer may vote at the rostrum.*

7. *Only a member who:*

(a) *Has been certified by the Committee on Legislative Operations and Elections or a special committee of the Assembly; and*

(b) *Is physically present within the Assembly Chambers,*

↪ *may cast a vote in the Assembly.*

8. *A member shall not vote for another member on any roll call, either electronic or oral. Any member who votes for another member may be punished in any manner deemed appropriate by the Assembly.*

Rule No. 31. Requirement of Voting.

1. *A member shall vote on all questions that come before the body unless the member:*

(a) *Is excused; or*

(b) *Makes a full and complete disclosure of a conflict pursuant to Assembly Standing Rule*

No. 23.

2. *A member found guilty by the House of a breach of this Rule shall not vote or speak on the floor, except to explain and apologize for the breach, until the member has made satisfaction to the House for the breach.*

Rule No. 32. Announcement of the Vote.

1. *A member may change his or her vote at any time before the announcement of the vote if the voting is by voice, or at any time before the votes are electronically recorded if the voting is conducted electronically.*

2. *The announcement of the result of any vote shall not be postponed.*

Rule No. 33. Voting by Division.

Upon a division and count of the Assembly on any question, no person without the bar shall be counted.

The next rule is 40.

V. LEGISLATIVE BODIES

A. COMMITTEES

Rule No. 40. Standing Committees.

The standing committees of the Assembly for the regular session, and for Legislative Operations and Elections for both the regular session pursuant to this Rule and for a special session pursuant to Assembly Standing Rule No. 142, are as follows:

1. *Ways and Means.*
2. *Judiciary.*
3. *Taxation.*
4. *Education.*
5. *Legislative Operations and Elections.*
6. *Natural Resources, Agriculture, and Mining.*
7. *Growth and Infrastructure.*
8. *Commerce and Labor.*
9. *Health and Human Services.*
10. *Government Affairs.*

Rule No. 41. Appointment of Committees.

1. *Except as otherwise provided in Assembly Standing Rule No. 23, all committees must be appointed by the Speaker, unless otherwise directed by the Assembly. The Speaker shall designate the chair and vice chair of each committee.*

2. *To facilitate the full participation of the members during an adjournment called pursuant to Joint Standing Rule No. 9 of the Senate and Assembly, the Speaker may temporarily appoint a member to a committee that is scheduled to meet during the adjournment if none of the committees to which the member is regularly assigned will be meeting during the adjournment.*

3. *Except as otherwise provided in Assembly Standing Rule No. 45, all committees will operate under the rules set forth herein and other uniform committee rules as determined by the Speaker and published on the Nevada Legislature's Internet website. Each committee may adopt and file with the Chief Clerk's Office policies consistent with these rules.*

Rule No. 41.5. Appointment of Alternates.

If the chair or any member of a committee is temporarily unable to perform his or her duties, the Speaker shall appoint an alternate of the same political party to serve in the chair's or the member's place for such time as is determined by the Speaker.

Rule No. 42. Subcommittees.

1. *Subcommittees made up of committee members may be appointed by the chair to consider and report back on specific subjects or bills.*

2. *Subcommittee meetings will be scheduled by the subcommittee chair after consulting with the committee chair.*

3. *Members of a subcommittee are required to attend meetings of the subcommittee.*

4. *Subcommittees of standing committees shall follow the same rules as standing committees.*

Rule No. 43. Concurrent Referrals.

When a bill or resolution is referred to two committees, the bill or resolution must go to the first committee named. If the first committee votes to amend the bill or resolution, it must be reprinted with amendments and then returned to the first committee or sent immediately to the next committee. If there is no amendment proposed by the first committee, or if the first committee acts upon the bill or resolution after amendment, the bill or resolution must be sent with the committee recommendation to the Chief Clerk for transmittal to the second committee.

Rule No. 44. Committee on Legislative Operations and Elections.

The Committee on Legislative Operations and Elections has jurisdiction over matters relating to personnel. It shall recommend by resolution the appointment of all attaches and employees of the Assembly not otherwise provided for by law.

Rule No. 45. Committee of the Whole.

If a Committee of the Whole is convened:

1. *The Speaker shall preside as Chair of the Committee or name a Chair to preside.*
2. *A member of the Committee may speak not more than twice during the consideration of any one question, on the same day, and at the same stage of proceedings, without leave. Members who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of others who have not spoken.*
3. *The Chair may require any vote of the Committee to be recorded in the manner designated by the Chair.*
4. *All amendments proposed by the Committee:*
 - (a) *Must first be approved by the Committee.*
 - (b) *Must be reported by the Chair to the Assembly.*
5. *Insofar as they are applicable and not in conflict with this Rule, a Committee of the Whole will observe the committee rules set forth in Section V(A) of the Assembly Standing Rules and such other uniform committee rules as determined by the Speaker and published on the Nevada Legislature's Internet website.*
6. *A quorum of the Committee of the Whole is the same as a quorum of the House, and in case a quorum is not present or other defect is observed, the Committee can take no other action than to rise.*
7. *It is permissible to limit debate to a certain length of time, to close at a time certain, to limit the length of speeches, or to otherwise limit debate.*
8. *When a fixed duration is established for a Committee of the Whole, the time may be extended with consent of a majority of the members.*
9. *A motion for the previous question is not in order.*
10. *A Committee of the Whole cannot:*
 - (a) *Entertain any question of priority.*
 - (b) *Entertain any matter of privilege.*
 - (c) *Lay a question on the desk.*
 - (d) *Postpone consideration of any question.*
 - (e) *Reconsider a vote on a proposal no longer in possession of the Committee.*
 - (f) *Appoint a subcommittee.*
 - (g) *Punish members for disorderly conduct, but must report any misconduct to the body for its action.*
11. *Seconds to motions are required.*
12. *The minutes of the meetings of the Committee of the Whole must be entered in the Assembly's final journal.*

B. ELECTION CONTESTS

Rule No. 46. Procedure for Election Contests.

1. *Upon receipt of a statement of contest from the Secretary of State pursuant to NRS 293.427, the Speaker shall, as soon as practicable, appoint a special committee to hear the contest or refer the contest to the Committee on Legislative Operations and Elections. The committee shall conduct a hearing to consider the contest. The committee shall keep written minutes of the hearing. The contestant has the burden of proving that any irregularities shown were of such a nature as to establish that the result of the election was changed thereby.*
2. *The contest must be submitted so far as may be possible upon depositions or by written or oral arguments as the Assembly may order. Any party to a contest may take the deposition of any witness at any time after the statement of contest is filed with the Secretary of State and before the contest is finally decided. At least 3 days' notice must be given to the prospective deponent and to the other party. If oral statements are made at any hearing before the Assembly or a committee thereof which purport to establish matters of fact, they must be made under oath. Strict rules of evidence do not apply.*
3. *The committee shall, not later than 5 calendar days after the contest was referred to the committee, report to the Assembly its findings on whether the contestant has met the burden of proving that any irregularities shown were of such a nature as to establish that the result of the*

election was changed thereby. The committee shall then report to the Assembly its recommendation on which person should be declared elected or report that it has no recommendation. The Assembly shall, as soon as practicable thereafter but not later than 7 calendar days after the Speaker received the statement of contest, vote whether to accept or reject the committee's recommendation without amendment, if a recommendation is made. If the recommendation is accepted, the Speaker shall declare the recommended person elected. If the recommendation is rejected or the committee did not make a recommendation, the Assembly shall consider immediately which person should be declared elected. The Speaker shall not adjourn the Assembly until it has declared a person to be elected.

4. If a person other than the person initially seated as a member of the Assembly pursuant to subsection 2 of NRS 293.427 is declared to be elected by the Assembly as a result of the contest, the Speaker shall inform the Governor of the identity of the person declared to be elected by the Assembly.

C. DUTIES OF COMMITTEE OFFICERS, COMMITTEE MEMBERS AND COMMITTEE STAFF

Rule No. 47. Committee Chairs.

1. The chair has all authority necessary to ensure an efficient operation of the committee or subcommittee.

2. The chair shall have general direction of the committee room or other meeting place of the committee, and in case of any disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the chair shall have power to exclude from the session any individual or individuals so hindering the legislative business.

3. Possessing the powers and performing the duties described in this Rule, each committee chair shall:

- (a) Preside over committee meetings and put all questions before the committee;
- (b) Preserve order and decorum and decide all questions of order;
- (c) Determine the order of bills for hearing;
- (d) Prepare and distribute the committee's agenda;
- (e) Prepare and distribute a work session document that contains a list of all measures on which the committee is ready to consider final action;
- (f) Call recesses of the committee as deemed necessary;
- (g) Request amendments to resolve conflicts;
- (h) Determine when final action is to be taken on measures, committee reports and other business of the committee;
- (i) Sign and submit bill draft requests on behalf of the committee;
- (j) Appoint subcommittees, as necessary;
- (k) Provide direction to committee support staff;
- (l) Prepare and submit committee reports;
- (m) Review and approve minutes of the committee;
- (n) Handle unfinished business for measures heard in the committee; and
- (o) Inform the Speaker of committee activity.

4. In the absence of the chair, or upon the request of the chair, the vice chair of the committee shall assume the duties of the chair.

5. The chair may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting.

Rule No. 48. Attendance.

1. Members shall notify the chair of any absence. Excused absences will be so recorded at the direction of the chair.

2. A member shall advise the chair if he or she must leave a meeting for an extended period of time.

3. Members not in attendance when a final action is taken on a measure will be marked absent for the vote.

Rule No. 49. Committee Staff.

Duties of committee attaches shall be prescribed by the Chief Clerk and include, but are not limited to, the following:

1. *The committee secretary shall call roll of the members at each meeting, with the chair being called last. The committee secretary shall record in the minutes the members present and the members not present.*
2. *The committee secretary shall record the meeting and draft committee minutes for the chair's approval.*
3. *On behalf of the chair, the committee secretary shall maintain all minutes and exhibits of the committee's meetings until released to the custody of the Chief Clerk.*
4. *The committee manager assigned to each committee shall be responsible to the chair of the committee for the proper and accurate preparation of all reports of the committee.*

Rule No. 50. Committee Operations.

1. *Each committee of the House shall be provided a committee manager who shall maintain a current record of all bills, resolutions, petitions, memorials or other matters filed in committee. A record of committee actions shall be filed with the Chief Clerk. The committee manager shall post, on a bulletin board and electronically, all meeting agendas.*
2. *The standing committees of the Assembly may coordinate with the standing committees of the Senate to meet jointly whenever agreed to by said committees for the purpose of holding public hearings or considering any proposed or pending legislation. Upon conclusion of the joint meeting of said committees, each standing committee of the Assembly may take such action as it determines appropriate. Whenever the committees of the Assembly and Senate hold joint hearings or meetings, the chair of the Assembly committee shall coordinate with the chair of the Senate committee to determine which of them shall preside at the joint meeting.*
3. *When a joint meeting is chaired by a Senator, the practices of the Senate that are inconsistent with those of the Assembly do not create a precedent for the same practice in the Assembly.*

Rule No. 51. Committee Records.

1. *The chair of each committee shall make reports authorized by the committee and submit the same to the Chief Clerk.*
2. *The chair of each committee shall keep, or cause to be kept, a complete record of the committee proceedings in which there must be entered:*
 - (a) *The time and place of each meeting;*
 - (b) *The attendance and absence of members;*
 - (c) *The names of all persons appearing before the committee, with the names of persons, firms, corporations or associations in whose behalf such appearance is made; and*
 - (d) *The subjects or measures considered and action taken.*
3. *A person may obtain a recording of a meeting by paying a fee determined by the Director of the Legislative Counsel Bureau to cover the cost of the recording but, except as otherwise provided in this subsection, the official record of the committee is the minutes of the committee meeting approved by the chair pursuant to paragraph (m) of subsection 3 of Assembly Standing Rule No. 47. Minutes of joint meetings prepared by non-Assembly staff are not official records of the Assembly.*
4. *The Speaker and the Chief Clerk are authorized to make any necessary corrections and additions to the minutes of committee meetings.*

Rule No. 52. Final Disposition of Committee Minutes and Exhibits.

Upon their completion, the Chief Clerk shall turn over all original minutes and exhibits to the Research Library of the Legislative Counsel Bureau.

Rule No. 52.5. Notices of Bills, Topics and Public Hearings.

1. *Except as otherwise provided in subsection 3, all committees shall provide adequate notice of public hearings on bills, resolutions or other topics which are to come before the committees. The notice must include the date, time, place and agenda to be covered. The notice*

must be posted conspicuously in the Legislative Building and be posted on the Nevada Legislature's Internet website.

2. The noticing requirements of this Rule may be suspended for emergency situations but only after approval by a majority vote of a committee.

3. Subsection 1 does not apply to:

- (a) Committee meetings held behind the bar on the floor of the Assembly during a recess;
- (b) Conference committee meetings; or
- (c) Meetings of the Committee of the Whole.

D. COMMITTEE HEARINGS

Rule No. 53. Communications.

1. Out of respect for the privacy of committee members and staff, members are requested to hold conversations with lobbyists and members of the public at a location other than at the dais.

2. At the direction of the Chair, lobbyists, the press, and members of the public are not allowed at the dais.

3. All directions, assignments, or requests on behalf of the committee must be communicated to its staff and to the personnel of the Legislative Counsel Bureau by the chair of the committee. A member of the committee must submit such requests to the chair for transmittal to the staff of the committee or to the personnel of the Legislative Counsel Bureau.

4. The chair may report instances of misconduct or indecorum by any committee member or other person to the Assembly for its consideration and action.

Rule No. 54. Testimony, Witnesses and Exhibits.

1. All persons wishing to offer testimony to a committee shall be given a reasonable opportunity to do so as determined by the chair.

2. In addressing the committee, a person must state for the record whether he or she supports, opposes or is neutral to the bill or resolution before the committee. For purposes of legislative intent:

(a) "Support" of a bill or resolution shall be construed as:

- (1) Approval of the measure as written; or
- (2) Approval of the measure as written along with proposed amendments that have been approved by the sponsor of the measure.

(b) "Opposition" to a bill or resolution shall be construed as:

- (1) Not supporting the measure as written; or
- (2) Opposing the measure as revised by an amendment that has not been approved by the sponsor of the measure.

(c) A "neutral" position on a bill or resolution is one in which the person offers particular insight on the measure but expresses no position on the measure.

3. Persons addressing the committee shall keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so.

4. A person shall not be excluded from a meeting or public hearing of a committee or subcommittee except in case of any disturbance or disorderly conduct, or if the peace, good order, and proper conduct of the legislative business is hindered by the person or persons.

5. Questions from the committee will be restricted to relevant subject areas.

6. When the chair deems necessary, witnesses will be sworn in pursuant to NRS 218E.040 before providing testimony.

7. Unless waived or revised by the chair, handouts for hearings, including proposed amendments:

(a) Must be submitted to the committee's manager not later than 5 p.m. on the business day before the meeting unless an earlier submission date or time is set by the chair, and included on the agenda;

- (b) Must include the name and contact information of the person providing the handouts;
- (c) For proposed amendments, must include a brief statement of intent; and
- (d) Must be submitted by electronic mail or other electronic means.

Rule No. 55. Hearings.

1. *The presence of a quorum of the committee is desirable but not required to conduct a public hearing. In addition to the use of remote-technology systems pursuant to the Remote-Technology Rules in Rules Nos. 121 to 125, inclusive, at the discretion of the chair, members of the committee may attend, participate in and, if applicable, vote during the hearing via simultaneous telephone or video conference.*

2. *Public hearings are opened by the chair who announces the subject under consideration and provides an opportunity for persons wishing to address the committee to be heard. These persons shall rise in an order determined by the chair, address the chair and furnish their names, addresses and firms or other organizations represented.*

3. *Committee members may address the chair for permission to question the witness.*

4. *A committee meeting shall adjourn not later than 10 minutes preceding the hour of its next regularly scheduled meeting.*

5. *At the discretion of the chair, a meeting may be held outside the regularly scheduled day(s) and time.*

6. *Meetings of the committee may be scheduled outside the Legislative Building in Carson City with prior written approval of the Speaker. Subcommittees must have the prior written approval of the chair of the committee and the Speaker in order to conduct a meeting outside Carson City.*

E. VOTING AND COMMITTEE ACTION

Rule No. 56. Manner of Voting.

1. *The chair shall declare all votes and shall cause same to be entered on the records of the committee.*

2. *A member shall not vote for another member on any roll call. Any member who votes for another member may be punished in any manner deemed appropriate by the Assembly.*

Rule No. 57. Committee Action.

1. *The committee shall have regular meetings scheduled by the Assembly leadership. A quorum of the committee is a majority of its members and may transact business except as limited by this Rule.*

2. *Except as limited by this Rule, a simple majority of those present may move, second and pass a motion by voice vote.*

3. *All motions require a second. If no second is received, that motion shall be declared invalid.*

4. *Absent approval by the Speaker or unanimous consent to waive the waiting period, a committee may not take final action on a bill or resolution until at least 24 hours after the close of the hearing on the bill or resolution.*

5. *Definite action on a bill or resolution will require a majority of the entire committee. A member shall vote on all questions that come before the committee unless the member:*

(a) Is excused; or

(b) Makes a full and complete disclosure of a conflict pursuant to Assembly Standing Rule

No. 23.

6. *A majority vote of the entire committee is required to reconsider action on a bill or resolution.*

7. *Committee introduction of legislative measures which are not prefiled requires concurrence of a majority of the entire committee and does not imply commitment to support final passage.*

8. *Absent the consent of the chair and the approval of the Speaker, the chair must be present when the committee votes to take any final action regarding bills or resolutions.*

9. *No member of the committee may vote by proxy under any circumstances.*

10. *A committee shall not take a vote on the question of whether to exercise its statutory authority to issue a legislative subpoena unless the chair or other person approved by the Speaker has informed the Speaker of the intention of the committee to consider such a question.*

11. Every committee vote on a matter pertaining to a bill, resolution or initiative petition must be recorded. The vote may be taken by roll call at the discretion of the chair.

12. A member may change his or her vote at any time before the announcement of the vote if the voting is by voice. The announcement of the result of any vote shall not be postponed.

13. Unless a committee member advises the chair otherwise, it will be presumed that the member will vote on an amendment or on a measure, during a floor session, consistent with his or her vote in the committee.

14. A bill, resolution, or amendment in a committee having been rejected twice may not be brought up again during the same legislative session.

15. The minority of a committee may not make a report or present to the House an alternative report.

F. PARLIAMENTARY AUTHORITY

Rule No. 58. Precedence of Parliamentary Authority for Committees.

The precedence of parliamentary authority for the purpose of actions in a committee is set forth in Assembly Standing Rule No. 100.

G. DECORUM AND DEBATE IN COMMITTEES

Rule No. 59. Portable Electronic Communication Devices.

1. A person who is within an Assembly committee room shall not engage in a telephone conversation via the use of a portable telephone.

2. No person shall engage in any conduct during a committee meeting which undermines the decorum of the meeting. Before entering an Assembly committee room, any person who possesses a portable electronic communication device, such as a pager or telephone, that emits an audible alert, such as a ringing or beeping sound, to signal an incoming message or call, shall turn the audible alert off. A device that contains a nonaudible alert, such as a silent vibration, may be operated in a nonaudible manner within an Assembly committee room. Failure to follow a warning issued by the chair may result in the device(s) being confiscated upon direction of the chair for the remainder of the meeting.

Rule No. 60. Reserved.

Rule No. 61. Privilege of Closing Debate.

The author of a bill, a resolution or a main question shall have the privilege of closing the debate, unless the previous question has been sustained.

Rule No. 62. Points of Order.

If any member, in speaking or otherwise, transgresses the rules of the Assembly, the chair shall, or any member may, call to order, in which case the member so called to order shall immediately yield to the floor, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the presiding officer, the member shall not be allowed to proceed; but if it be not sustained, then the member shall be permitted to go on. Every such decision from the presiding officer shall be subject to an appeal to the committee; but no discussion of the question of order shall be allowed unless an appeal be taken from the decision of the presiding officer.

Rule No. 63. Reserved.

VI. RULES GOVERNING MOTIONS

Rule No. 64. Entertaining.

No motion may be debated until it is distinctly announced by the presiding officer. The presiding officer, upon his or her own motion or at the request of a member, may direct that the motion be reduced to writing and be read by the Chief Clerk before the motion is debated. A

motion may be withdrawn by the maker at any time before amendment or before the motion is put to vote.

PARTICULAR MOTIONS

Rule No. 65. Indefinite Postponement.

When a question is postponed indefinitely, the same question must not be considered again during the session and the question is not subject to a motion for reconsideration.

Rule No. 66. To Strike Enacting Clause.

A motion to strike out the enacting clause of a bill or resolution does not take precedence over any other subsidiary motion. If the motion is carried, it shall be considered equivalent to the rejection of such bill or resolution.

Rule No. 67. Division of Question.

Any member may call for a division of the question, which shall be divided, if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly. A motion to strike out being lost shall preclude neither amendment nor a motion to strike out and insert. A motion to strike out and insert shall be deemed indivisible.

Rule No. 68. Reserved.

The next rule is 80.

VII. DEBATE

Rule No. 80. Speaking on Question.

1. No member shall speak more than twice during the consideration of any one question, on the same day, and at the same stage of proceedings, without leave. Members who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of others who have not spoken.

2. When a member speaks under Order of Business 11, 12, 13 or 14 of Assembly Standing Rule No. 120, the member must limit his or her remarks to an explanation of the issue or an explanation of the bill, resolution, initiative petition or amendment. If the member desires to speak on the importance of such issue, bill, resolution, initiative petition or amendment, the member must request permission to speak under Order of Business 15 of Assembly Standing Rule No. 120.

Rule No. 81. Previous Question.

The previous question shall be put only when demanded by three members and sustained by a majority vote of the members present. The previous question shall not be moved by the member last speaking on the question.

Rule No. 82. Privilege of Closing Debate.

The author of a bill, a resolution or a main question shall have the privilege of closing the debate, unless the previous question has been sustained.

The next rule is 91.

VIII. CONDUCT OF BUSINESS

A. RULES AND PROCEDURE

Rule No. 91. Rescission, Change or Suspension of Rule.

No standing rule or order of the Assembly shall be rescinded or changed without a vote of a majority of the members elected; but a rule or order may be suspended temporarily by a vote of a majority of the members present.

Rule No. 92. Reserved.

Rule No. 93. Reserved.

Rule No. 94. Privilege of the Floor and Lobbying.

1. Except as otherwise provided in subsection 2, no person, except former Assemblymen and Assemblywomen not currently serving in the Senate, and state officers, may be admitted at the bar of the Assembly, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the Assembly cleared of all such persons. No person may do any lobbying upon the floor of the Assembly at any time, and it is the duty of the Sergeant at Arms to remove any person violating any of the provisions of this Rule.

2. A former Senator or former Assemblyman or Assemblywoman who is expelled from service in the Senate or the Assembly shall have the privilege of the floor only with permission of the Speaker.

Rule No. 95. Material Placed on Legislators' Desks.

All papers, letters, notes, pamphlets and other written material placed upon the desk of a member of the Assembly shall contain the signature of the Legislator requesting the placement of such material on the desk or shall contain a designation of the origin of such material. This Rule does not apply to Legislative Counsel Bureau material.

Rule No. 96. Peddling, Begging and Soliciting.

1. Peddling, begging and soliciting are strictly forbidden in the Assembly Chambers, and in the lobby, gallery and halls adjacent thereto.

2. No part of the Assembly Chambers may be used for, or occupied by, signs or other devices for any kind of advertising.

3. No part of the hallways adjacent to the Assembly Chambers may be used for, or occupied by, signs or other devices for any kind of advertising for commercial or personal gain. Notices for nonprofit, nonpartisan, civic or special legislative events may be posted in a designated area of the hallways adjacent to the Assembly Chambers with the approval of the Chief Clerk.

Rule No. 97. Petitions and Other Papers.

Petitions and other papers addressed to the Assembly shall be presented by the Speaker, or by a member in the Speaker's place. A brief statement of the contents thereof shall be read for information. They shall not be debated on the day of their being presented, but shall be on the table, or be referred, as the Assembly shall determine.

Rule No. 98. Request of Purpose.

A member may request the purpose of a bill or resolution upon its introduction.

Rule No. 99. Remarks.

The remarks of all members on final passage of bills and initiative petitions and on adoption of resolutions shall be included in the day's journal. In addition, it shall be in order for members to make remarks under other orders of business and, subject to the approval of the majority of the members present, request that such remarks be entered in the Journal.

Rule No. 100. Precedence of Parliamentary Authority.

The precedence of parliamentary authority in the Assembly is:

1. The Constitution of the State of Nevada and judicial decisions thereon.

2. The Standing Rules of the Assembly and the Joint Standing Rules of the Senate and Assembly.

3. Custom, usage and precedence.

4. *The Statutes of the State of Nevada.*
5. *Mason's Manual of Legislative Procedure.*

Rule No. 101. Reserved.

Rule No. 102. Privileged Questions.

Privileged questions have precedence over all others in the following order:

1. *Motions to fix the time to which the Assembly shall adjourn.*
2. *Motions to adjourn.*
3. *Questions relating to the rights and privileges of the Assembly or any of its members.*
4. *A call of the House.*
5. *Motions for special orders.*

Rule No. 103. Reserved.

B. BILLS

Rule No. 104. Reserved.

Rule No. 105. Reserved.

Rule No. 106. Skeleton Bills.

The introduction of skeleton bills is authorized when, in the opinion of the sponsor and the Legislative Counsel, the full drafting of the bill would entail extensive research or be of considerable length. A skeleton bill will be provided for purposes of introduction and committee referral. Such a bill will be a presentation of ideas or statements of purpose, sufficient in style and expression to enable the Legislature and the committee to which the bill may be referred to consider the substantive merits of the legislation proposed.

Rule No. 107. Reserved.

Rule No. 108. Reserved.

Rule No. 109. Reading of Bills.

The first reading of a bill shall be for information. If there is objection, the question shall be, "Shall the bill be rejected?" If the question to reject fails to receive a majority vote by the members present, or if there is no objection, the bill shall take the proper course. If the question to reject receives a majority vote of the members present, the bill shall be rejected. The same question must not be considered again during the session, and the question is not subject to a motion for reconsideration. No bill shall be referred to a committee until after the first reading, nor amended until after the second reading.

Rule No. 110. Second Reading and Amendment of Bills.

1. *All bills must be read the second time on the first legislative day after which they are reported by committee, unless a different day is designated by motion. Upon second reading, Assembly bills reported without amendments shall be placed on the General File and Senate bills reported without amendments shall be placed on the General File. Committee amendments reported with bills shall be considered upon their second reading or third reading, as appropriate, and such amendments may be adopted by a majority vote of the members present. Any amendment which is numbered and made available to all members must be moved and voted upon by number. Assembly bills so amended must be reprinted, then engrossed or reengrossed, as applicable, and placed on the General File. Senate bills so amended must be reprinted, then engrossed or reengrossed, as applicable, and placed on the General File.*

2. *Any member may move to amend a bill during its second or third reading, and such a motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading must be treated the same as bills with committee amendments. Any bill so*

amended upon the General File must be reprinted and then engrossed or reengrossed, as applicable. A member who moves to amend a bill during its second reading must limit his or her remarks to an explanation of the amendment. If the member desires to speak on the importance of the amendment, the member must request permission to speak under Order of Business 15 of Assembly Standing Rule No. 120.

3. The reprinting of amended bills may be dispensed with upon a majority vote of the members present.

4. It shall not be in order to consider an amendment that removes all sponsors of a bill or resolution.

Rule No. 111. Consent Calendar.

1. A standing committee may by unanimous vote of the members present report a bill with the recommendation that it be placed on the Consent Calendar. The question of recommending a bill for the Consent Calendar may be voted upon in committee only after the bill has been recommended for passage and only if no amendment is recommended.

2. The Chief Clerk shall maintain a list of bills recommended for the Consent Calendar. The list must be printed in the Daily History and must include the summary of each bill, and the date the bill is scheduled for consideration on final passage.

3. At any time before the presiding officer calls for a vote on the passage of the Consent Calendar, a member may give written notice to the Chief Clerk or state orally from the floor of the Assembly in session that he or she requests the removal of a particular bill from the Consent Calendar. If a member so requests, the Chief Clerk shall remove the bill from the Consent Calendar and transfer it to the Second Reading File or General File, as appropriate. A bill removed from the Consent Calendar may not be restored to that Calendar.

4. During floor consideration of the Consent Calendar, members may ask questions and offer explanations relating to the respective bills.

5. When the Consent Calendar is brought to a vote, 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.

Rule No. 112. Reserved.

Rule No. 113. General File.

1. All bills and initiative petitions reported to the Assembly, by the Committee of the Whole, a standing committee, a conference committee or a special committee, after receiving their second readings must be placed upon the General File, to be kept by the Chief Clerk. The Chief Clerk shall post a daily statement of the bills on the General File. The Chief Clerk shall likewise post notices of special orders as made.

2. A member who moves to amend a bill or initiative petition during its third reading must limit his or her remarks to an explanation of the amendment. If the member desires to speak on the importance of the amendment, the member must request permission to speak under Order of Business 15 of Assembly Standing Rule No. 120.

3. A member who speaks on third reading regarding the final passage of a bill or initiative petition must limit his or her remarks to an explanation of the bill or initiative petition. If the member desires to speak on the importance of the bill or initiative petition, the member must request permission to speak under Order of Business 15 of Assembly Standing Rule No. 120.

Rule No. 114. Reserved.

Rule No. 115. Reconsideration of Vote on Bill.

1. A motion to reconsider a final vote on a bill, resolution or initiative petition shall be in order only on the day on which the final vote is taken, and the vote on such a motion to reconsider must be taken on the same day. The motion to reconsider can be made only by a member who voted with the prevailing side.

2. A motion to reconsider a vote on an amendment to a pending question must be made at once and can be made only by a member who voted with the prevailing side.

3. *A motion to reconsider shall have precedence over every other motion, including a motion to adjourn, if the motion is to reconsider a final vote on a bill, resolution or initiative petition. If the motion to reconsider is for any other action, the motion has precedence over every other motion, except a motion to adjourn or to fix the time to adjourn; and when the Assembly adjourns while a motion to reconsider is pending, the right to move a reconsideration shall continue to the next day of sitting.*

Rule No. 116. Vetoed Bills.

1. *Bills that have passed both Houses of the Legislature and are transmitted to the Assembly accompanied by a message or statement of the Governor's disapproval or veto of the same must:*

(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 is called, the said message or statement must be read together with the bill or bills so disapproved or vetoed. The message and bill must be read by the Chief Clerk without interruption, consecutively, one following the other, and not upon separate occasions. No such bill or message may be referred to any committee, or otherwise acted upon save as provided by law and custom. It shall not be in order, at any time, to vote upon such a vetoed bill unless the same shall first have been read, from the first word of its title to and including the last word of its final section. The message or statement containing the objections of the Governor to the bill must be entered in the Journal of the Assembly.*

Rule No. 117. Reserved.

C. RESOLUTIONS

Rule No. 118. Joint Resolutions.

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 roll call vote must be taken on final adoption of a joint resolution.*

3. *Joint resolutions, upon enrollment, must be delivered to the Secretary of State.*

4. *Joint resolutions proposing amendments to the Nevada Constitution or ratifying a proposed amendment to the United States Constitution must be entered in the Journal in their entirety.*

Rule No. 119. Return from the Secretary of State.

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

D. ORDER OF BUSINESS

Rule No. 120. Order of Business.

The Order of Business must be as follows:

1. *Call to Order.*

2. *Reading and Approval of Journal.*

3. *Presentation of Petitions.*

4. *Reports of Standing Committees.*

5. *Reports of Select Committees.*

6. *Communications.*

7. *Messages from the Senate.*

8. *Motions, Resolutions and Notices.*

9. *Introduction, First Reading and Reference.*
10. *Consent Calendar.*
11. *Second Reading and Amendment.*
12. *General File and Third Reading.*
13. *Unfinished Business of Preceding Day.*
14. *Vetoed Bills and Special Orders of the Day.*
15. *Remarks from the Floor, limited to 3 minutes.*

E. REMOTE-TECHNOLOGY SYSTEMS

Rule No. 121. Short Title; Precedence of Rules.

1. *Rules Nos. 121 to 125, inclusive, may be cited as the Remote-Technology Rules.*
2. *The Remote-Technology Rules supersede, take precedence and control over any other rule, provision or principle of law to the extent of any conflict with the Remote-Technology Rules.*

Rule No. 122. Public Purposes and Construction of Rules.

1. *The Remote-Technology Rules are intended to serve the following public purposes:*
 - (a) *To protect the health, safety and welfare of Legislators, members of legislative staff and others who participate in the legislative process amid the ongoing and widespread public-health crisis caused by the COVID-19 pandemic, the Remote-Technology Rules are intended to authorize necessary protective and safety measures intended to keep the legislative process as safe and free as reasonably possible from the extraordinary danger, risk, harm, injury and peril posed by the COVID-19 pandemic.*
 - (b) *To enable the members of the Assembly to represent their constituents and carry out their official powers, functions, duties and responsibilities in the legislative process amid the ongoing and widespread public-health crisis caused by the COVID-19 pandemic, the Remote-Technology Rules are intended to authorize members of the Assembly, under certain circumstances, to use remote-technology systems to attend, participate, vote and take any other action in legislative proceedings when determined to be necessary as a protective or safety measure to keep the legislative process as safe and free as reasonably possible from the extraordinary danger, risk, harm, injury and peril posed by the COVID-19 pandemic.*
 - (c) *To safeguard the workings of the Legislative Department of Nevada's State Government and preserve and protect the continuity and efficacy of its legislative operations amid the ongoing and widespread public-health crisis caused by the COVID-19 pandemic, the Remote-Technology Rules are intended to ensure that the Assembly may efficiently and effectively carry out its official powers, functions, duties and responsibilities which are expressly and exclusively assigned to the Assembly by the Nevada Constitution and which cannot be exercised or performed by any other body or branch of Nevada's State Government.*
2. *Because of the extraordinary danger, risk, harm, injury and peril posed by the COVID-19 pandemic, the Remote-Technology Rules must be liberally construed to achieve their intended public purposes, and if there is any uncertainty or doubt regarding the interpretation or application of the Remote-Technology Rules, that uncertainty or doubt must be resolved in favor of carrying out the intended public purposes of the Remote-Technology Rules.*

Rule No. 123. Definitions.

As used in the Remote-Technology Rules, unless the context otherwise requires, "remote-technology system" means any system or other means of communication that is:

1. *Approved by the Speaker and uses any electronic, digital or other similar technology to enable a member of the Assembly from a remote location to attend, participate, vote and take any other action in any proceedings of the Assembly or the Committee of the Whole even though the member is not physically present within the Assembly Chambers or at a meeting of the Committee of the Whole.*
2. *Approved by the chair of a committee, other than the Committee of the Whole, and uses any electronic, digital or other similar technology to enable a member of the Assembly from a*

remote location to attend, participate, vote and take any other action in any proceedings of the committee even though the member is not physically present at a meeting of the committee.

Rule No. 124. Authorized Use of Remote-Technology Systems to Carry Out Public Purposes.

1. Upon request by a member of the Assembly:

(a) The Speaker may authorize the member to use a remote-technology system to attend, participate, vote and take any other action in any proceedings of the Assembly or the Committee of the Whole if the Speaker determines that such use by the member is necessary as a protective or safety measure to carry out the public purposes of the Remote-Technology Rules. If the Speaker grants such authorization, it must be entered in the Journal of the Assembly.

(b) The chair of a committee, other than the Committee of the Whole, may authorize the member to use a remote-technology system to attend, participate, vote and take any other action in any proceedings of the committee if the chair determines that such use by the member is necessary as a protective or safety measure to carry out the public purposes of the Remote-Technology Rules. If the chair grants such authorization, it must be entered in the records of the committee.

2. If a member of the Assembly uses a remote-technology system to attend, participate, vote and take any other action in any proceedings pursuant to the Remote-Technology Rules, the member shall be deemed to be present and in attendance at the proceedings for all purposes.

3. For the purposes of voting in proceedings of:

(a) The Assembly or the Committee of the Whole, the Chief Clerk of the Assembly, or an authorized assistant, shall call the roll of each member who is authorized to use a remote-technology system for the proceedings and, in accordance with the procedures of the Assembly, cause the member's vote to be entered into the record for the purposes of the Journal of the Assembly or the records of the Committee of the Whole, as applicable.

(b) A committee, other than the Committee of the Whole, the committee secretary shall call the roll of each member who is authorized to use a remote-technology system for the proceedings and, in accordance with the procedures of the committee, cause the member's vote to be entered into the record for the purposes of the records of the committee.

Rule No. 125. Authority to Adopt Rules.

1. The Assembly hereby finds and declares that:

(a) The Nevada Constitution invests each House of the Legislature with certain plenary and exclusive constitutional powers which may be exercised only by that House and which cannot be usurped, infringed or impaired by the other House or by any other branch of Nevada's State Government. (Heller v. Legislature, 120 Nev. 456 (2004); Commission on Ethics v. Hardy, 125 Nev. 285 (2009); Mason's Manual of Legislative Procedure §§ 2-3 & 560-564 (2010) (Mason's Manual))

(b) Section 6 of Article 4 of the Nevada Constitution invests each House with plenary and exclusive constitutional powers to determine the rules of its proceedings and to govern, control and regulate its membership and its internal organization, affairs and management, expressly providing that: "Each House shall judge of the qualifications, elections and returns of its own members, choose its own officers (except the President of the Senate), determine the rules of its proceedings and may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member."

(c) In addition to its plenary and exclusive constitutional powers, each House possesses certain inherent powers of institutional self-protection and self-preservation to govern, control and regulate its membership and its internal organization, affairs and management. (In re Chapman, 166 U.S. 661, 668 (1897); Mason's Manual § 2; Luther S. Cushing, Elements of the Law & Practice of Legislative Assemblies § 533 (1856) (Cushing's Legislative Assemblies))

(d) The inherent powers of each House are considered "so essential to the authority of a legislative assembly, that it cannot well exist without them; and they are consequently entitled to be regarded as belonging to every such assembly as a necessary incident." (Cushing's Legislative Assemblies § 533)

(e) *The inherent powers of each House authorize it to take all necessary and proper institutional actions that are “recognized by the common parliamentary law.” (Cushing’s Legislative Assemblies § 684)*

(f) *Thus, it is well established that each House is “vested with all the powers and privileges which are necessary and incidental to a free and unobstructed exercise of its appropriate functions. These powers and privileges are derived not from the Constitution; on the contrary, they arise from the very creation of a legislative body, and are founded upon the principle of self-preservation.” (Ex parte McCarthy, 29 Cal. 395, 403 (1866))*

(g) *Under the Nevada Constitution, there are no constitutional provisions establishing a particular method for determining whether a member of either House is present at legislative proceedings.*

(h) *The United States Supreme Court has held that when there are no constitutional provisions establishing a particular method for determining whether a member of a legislative house is present at legislative proceedings, “it is therefore within the competency of the house to prescribe any method which shall be reasonably certain to ascertain the fact.” (United States v. Ballin, 144 U.S. 1, 6 (1892))*

(i) *The United States Supreme Court has also held that when a legislative house adopts a rule establishing a reasonable method for determining whether a member is present at legislative proceedings, that rule must be given great deference by the courts because: Neither do the advantages or disadvantages, the wisdom or folly, of such a rule present any matters for judicial consideration. With the courts the question is only one of power. The constitution empowers each house to determine its rules of proceedings. It may not by its rules ignore constitutional restraints or violate fundamental rights, and there should be a reasonable relation between the mode or method of proceeding established by the rule and the result which is sought to be attained. But within these limitations all matters of method are open to the determination of the house, and it is no impeachment of the rule to say that some other way would be better, more accurate, or even more just. It is no objection to the validity of a rule that a different one has been prescribed and in force for a length of time. The power to make rules is not one which once exercised is exhausted. It is a continuous power, always subject to be exercised by the house, and, within the limitations suggested, absolute and beyond the challenge of any other body or tribunal.*

(United States v. Ballin, 144 U.S. 1, 5 (1892))

2. *The Assembly hereby exercises its constitutional and inherent powers and privileges and adopts the Remote-Technology Rules to:*

(a) *Govern, control and regulate its membership and its internal organization, affairs and management;*

(b) *Ensure its institutional self-protection and self-preservation; and*

(c) *Establish a reasonable method for determining whether a member of the Assembly is present at legislative proceedings amid the ongoing and widespread public-health crisis caused by the COVID-19 pandemic in order to keep the legislative process as safe and free as reasonably possible from the extraordinary danger, risk, harm, injury and peril posed by the COVID-19 pandemic.*

Rule No. 126. *Reserved.*

Rule No. 127. *Reserved.*

Rule No. 128. *Reserved.*

The next rule is 140.

IX. LEGISLATIVE INVESTIGATIONS AND MISCELLANEOUS

Rule No. 140. *Compensation of Witnesses.*

Witnesses summoned to appear before the Assembly or any of its committees must be compensated as provided by law for witnesses required to attend in the courts of the State of Nevada.

Rule No. 141. Use of the Assembly Chamber.

The Assembly Chamber shall not be used for any public or private business other than legislative, except by permission of the Assembly.

X. SPECIAL SESSIONS

Rule No. 142. Request for Drafting of Bills, Resolutions or Amendments.

1. *Except as otherwise provided in subsections 2 and 3, the Legislative Counsel shall not honor a request for the drafting of a bill or resolution to be introduced in the Assembly during a special session, or an amendment to a bill or resolution, unless it is submitted by the Speaker, the Committee of the Whole, such other committees as the Speaker may appoint for a special session, or a conference committee.*

2. *The standing Committee on Legislative Operations and Elections may request the drafting of three Assembly resolutions and one Assembly concurrent resolution necessary to establish the rules, staffing, operation and organization of the Assembly and the Legislature for a special session.*

3. *The Speaker may request the drafting of five bills for a special session without seeking the approval of the Assembly.*

The next rule is 150.

XI. ASSEMBLY EMERGENCY RULES

Rule No. 150. Requirement of Face Covering and Social Distancing.

1. *Except as otherwise provided in subsection 2, or as reasonably necessary for eating or drinking, a member shall cover his or her mouth and nose with a multi-layer cloth face covering and observe social distancing guidelines in accordance with recommendations of the United States Centers for Disease Control and Prevention when in:*

(a) *Any common area, committee room, or House Chamber of the Legislative Building or any facility where a standing or an interim legislative committee meeting is held; or*

(b) *The presence of another person, including, without limitation, legislative staff, interns, lobbyists, or press representatives, within a private office or caucus room.*

2. *A member who is unable to wear cloth face covering due to a medical condition shall submit a physician's statement to the Chief Clerk.*

3. *A member found guilty by the House of a breach of this rule shall not vote or speak on the floor or committee except to explain and apologize for the breach, until the member has made satisfaction to the House for the breach.*

Rule No. 151. Responsibilities of Members to Monitor Health.

1. *Each member is responsible to monitor his or her own health.*

2. *A member who begins to experience symptoms of COVID-19, becomes aware of potential exposure to COVID-19, goes into quarantine after being exposed to COVID-19, or is diagnosed with COVID-19 shall immediately notify the Speaker and the Chief Clerk and leave the Legislative Building and grounds.*

3. *At the discretion of the Speaker, a member may be permitted to continue work following potential exposure to COVID-19 provided he or she remains asymptomatic and adheres to the following practices prior to and during work:*

(a) *The member's temperature is taken daily and symptoms assessed prior to entering the Legislative Building for 14 days following potential exposure.*

(b) *The member self-monitors his or her health under the supervision of their attending family physician for 14 days following potential exposure.*

(c) The member wears a multi-layer cloth face covering over the nose and mouth at all times while in the Legislative Building for 14 days after his or her last exposure.

(d) The member practices social distancing.

And be it further

RESOLVED, That this resolution becomes effective upon adoption.

Assemblywoman Benitez-Thompson moved the adoption of the resolution.

Remarks by Assemblymen Benitez-Thompson, Titus, and Frierson.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Assemblywoman Titus requested a roll call vote.

Request sustained by Assemblymen Ellison and Tolles.

Roll call on Assembly Resolution No. 1:

YEAS—29.

NAYS—Ellison, Hafen, Hambrick, Hansen, Hardy, Kramer, Krasner, Leavitt, Roberts, Titus, Tolles, Wheeler—12.

EXCUSED—Edwards.

Resolution adopted.

By the Committee on Legislative Operations and Elections:

Assembly Resolution No. 2—Providing for the appointment of the Assembly attaches.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the following persons are elected as attaches of the Assembly for the 32nd Special Session of the Legislature of the State of Nevada: Carol Aiello-Sala, Lucinda Benjamin, Sylvia Dominguez-Curry, Sandro Figueroa, Celssie Hardy, Jason Hataway, Bonnie Borda Hoffecker, Susan Hoffman, Roberto Lusanta Jr., Julieanna McManus, Nicole Madden, Deborah Paul, Kelley Perkins and Mary Matheus; and be it further

RESOLVED, That this resolution becomes effective upon adoption.

Assemblywoman Benitez-Thompson moved the adoption of the resolution.

Remarks by Assemblywoman Benitez-Thompson.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Resolution adopted.

By the Committee on Legislative Operations and Elections:

Assembly Resolution No. 3—Providing that no allowances will be paid for the 32nd Special Session of the Nevada Legislature for periodicals, stamps, stationery or communications.

Assemblywoman Benitez-Thompson moved the adoption of the resolution.

Remarks by Assemblywoman Benitez-Thompson.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Resolution adopted.

By the Committee on Legislative Operations and Elections:

Assembly Concurrent Resolution No. 1—Adopting the Joint Rules of the Senate and Assembly for the 32nd 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 32nd Special Session of the Legislature are hereby adopted:

APPLICABILITY OF JOINT RULES

Rule No. 1. Generally.

The Joint Rules for the 32nd Special Session of the Legislature are applicable only during the 32nd 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 may appoint a committee to confer with a like committee to be appointed by the other; and, if appointed, the committee 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 of the Senate or a person designated by the Secretary and messages from the Assembly to the Senate shall be delivered by the Chief Clerk of the Assembly 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. The presiding officer of the Senate shall sign the bill or joint resolution and the presiding officer of the Assembly, after an announcement of his or her intention to do so is made in open session, shall sign the bill or joint resolution. 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 and Assemblywoman 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 Research Library 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, 42 U.S.C. §§ 2000e et seq., 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. *In addition to other prohibited conduct, a complaint may be brought pursuant to this Rule for engaging in conduct prohibited by Rule No. 37 of the Joint Rules of the Senate and Assembly for the 80th Session of the Legislature when the prohibited conduct is based on or because of the gender or other protected category of the person.*

5. *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.*

6. *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;*
- (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; or*
- (d) The reporting system established pursuant to subsection 11.*

↪ *The complaint must include the details of the incident or incidents, the names of the persons involved and the names of any witnesses. Unless the Legislative Counsel is the subject of the complaint, the Legislative Counsel must be informed upon receipt of a complaint.*

7. *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.*

8. *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.*

9. *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.*

10. *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.*

11. *The Legislative Counsel shall establish a reporting system which allows a person to submit a complaint of a violation of this Rule with or without identifying himself or herself. Such a complaint must provide enough details of the incident or incidents alleged, the names of the persons involved and the names of any witnesses to allow an appropriate inquiry to occur.*

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

And be it further

RESOLVED, That this resolution becomes effective upon adoption.

Assemblywoman Benitez-Thompson moved the adoption of the resolution.

Remarks by Assemblywoman Benitez-Thompson.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Resolution adopted and ordered to the Senate.

Assemblywoman Benitez-Thompson moved that for the balance of the Special Session, all bills be considered engrossed, declared emergency measures under the *Constitution*, and placed on General File for final passage.

Motion carried.

Assemblywoman Benitez-Thompson moved that Standing Rule No. 52.5, which pertains to notices of bills, topics, and public hearing, be suspended for the balance of the 32nd Special Session.

Motion carried.

Assemblywoman Benitez-Thompson moved that Standing Rule No. 57.4, which pertains to final committee action on a bill or resolution, be suspended for the balance of the 32nd Special Session.

Motion carried.

Assemblywoman Benitez-Thompson moved that the reprinting of all amended bills and resolutions be dispensed with for the balance of the 32nd Special Session.

Motion carried.

Assemblywoman Benitez-Thompson moved that persons as set forth on the Nevada Legislature's Press Accreditation List of July 31, 2020, be accepted as accredited press representatives, assigned space at the press table in the Assembly Chamber, and allowed use of appropriate broadcasting facilities.

ASSOCIATED PRESS: Sam Metz; KKO: Samantha Stone; KLAS-TV: Orco Manna, Mark Mutchler; KNPR: Bert Johnson; KOLO-TV: Ed Pearce, Gurajpal Sangha, Kelsey Marier, Kurt Schroeder, Michael Cooper, Terri Russell, Wade Barnett; KRNVTV: Miles Buergin, Shah Ahmad, Ty O'Neill; KTNV: Joe Bartels; KTVN-TV: Clay Conover, Mark Cronon, Paul Nelson, Rudy Garcia; KUNR-FM: Lucia Starbuck, Paul Boger; LAS VEGAS REVIEW-JOURNAL: Colton Lochhead, William Dentzer; LAS VEGAS SUN: John Sadler; NEVADA APPEAL: Geoff Dornan; NEVADA CURRENT: April Corbin Gimus; THE NEVADA INDEPENDENT: David Calvert, Jon Ralston, Michelle Rindels, Riley Snyder, Trevor Bexon; RENO GAZETTE-JOURNAL: Anjeanette Damon, James Dehaven; SIERRA NEVADA ALLY: Brian Bahouth; THIS IS RENO: Bob Conrad, Don Dike-Anukam, Jeri Davis, Lucia Starbuck.

Motion carried.

Mr. Speaker authorized the following Assemblymen and Assemblywomen to use remote-technology systems to attend, participate, vote, and take any other action in the proceedings of the Assembly and the Assembly Committee of the Whole: Bilbray-Axelrod, Carrillo, Edwards, Fumo, Spiegel, and Swank.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee of the Whole:

Assembly Bill No. 1—AN ACT relating to statutes; ratifying certain technical corrections made to sections of NRS and Statutes of Nevada; and providing other matters properly relating thereto.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee of the Whole.

Motion carried.

By the Committee of the Whole:

Assembly Bill No. 2—AN ACT relating to the Legislative Department of the State Government; enacting provisions governing the use by certain committees of remote-technology systems for conducting committee meetings; providing for the publication of certain joint resolutions proposing amendments to the Nevada Constitution under certain circumstances; revising and clarifying provisions governing the organization, operation and personnel of the Legislative Counsel Bureau; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee of the Whole.

Motion carried.

By the Committee of the Whole:

Assembly Bill No. 3—AN ACT relating to public safety; authorizing a person to record law enforcement activity in certain circumstances; revising provisions relating to the use of physical force by a peace officer; requiring a peace officer to intervene to prevent the use of unjustified physical force by another peace officer in certain circumstances and to report the observation of the use of unjustified physical force by another peace officer; requiring law enforcement agencies to adopt a written policy regarding the drug and alcohol testing of a peace officer in certain circumstances; providing that the newly effective provisions of law reducing the maximum period of probation or suspension of sentence that may be imposed upon a person apply to persons sentenced on or after July 1, 2020; requiring law enforcement agencies to provide a report to the Legislature containing certain information relating to traffic stops and other stops by law enforcement officers and the software used to process certain information during such traffic stops and other stops; and providing other matters properly relating thereto.

Assemblywoman Benitez-Thompson moved that Assembly Bill No. 3 be placed on the Chief Clerk's desk.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bills Nos. 1 and 2.

Motion carried.

COMMITTEE OF THE WHOLE IN SESSION

At 11:08 a.m.

Chair Frierson presiding.

Quorum present.

Assembly Bill No. 2 considered.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Committee of the Whole in recess at 11:31 a.m.

COMMITTEE OF THE WHOLE IN SESSION

At 12:10 p.m.

Chair Frierson presiding.

Quorum present.

Assembly Bill No. 1 considered.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Assemblywoman Benitez-Thompson moved to do pass Assembly Bill No. 1.

Assemblywoman Carlton seconded the motion.
Motion carried.

Committee of the Whole in recess at 12:34 p.m.

COMMITTEE OF THE WHOLE IN SESSION

At 2:58 p.m.
Chair Frierson presiding.
Quorum present.

Assemblywoman Benitez-Thompson moved to amend and do pass Assembly Bill No. 2.

Assemblywoman Carlton seconded the motion.
Motion carried.

On motion of Assemblywoman Benitez-Thompson, the Committee did rise and report back to the Assembly.

ASSEMBLY IN SESSION

At 3:05 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of the Whole, to which was referred Assembly Bill No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee of the Whole, to which was referred Assembly Bill No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JASON FRIERSON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, July 31, 2020

To the Honorable the Assembly:

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

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee of the Whole:

Assembly Joint Resolution No. 1—Proposing to amend the Nevada Constitution to revise provisions governing the taxation of mines, mining claims and the proceeds of minerals extracted in this State.

Assemblywoman Benitez-Thompson moved that the resolution be referred to the Committee of the Whole.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee of the Whole:

Assembly Bill No. 4—AN ACT relating to elections; enacting provisions for conducting elections adversely affected by certain emergencies or disasters; revising provisions governing election procedures for absent ballots, mailing ballots and other mail ballots; making various other changes relating to elections; prohibiting certain unlawful acts relating to elections; providing for the transfer, disbursement and use of certain funds to pay certain expenses relating to elections; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee of the Whole.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 1.

Bill read third time.

Remarks by Assemblywoman Titus.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Roll call on Assembly Bill No. 1:

YEAS—31.

NAYS—Ellison, Hafen, Hambrick, Hansen, Hardy, Kramer, Krasner, Leavitt, Titus, Wheeler—10.

EXCUSED—Edwards.

Assembly Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2.

Bill read third time.

The following amendment was proposed by the Committee of the Whole:

Amendment No. 1.

AN ACT relating to the Legislative Department of the State Government; enacting provisions governing the use by certain committees of remote-technology systems for conducting committee meetings, ~~and~~ **during the public-health crisis caused by the COVID-19 pandemic;** providing for the publication of certain joint resolutions proposing amendments to the Nevada Constitution under certain circumstances; revising and clarifying provisions governing the organization, operation and personnel of the Legislative Counsel Bureau; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, the Legislative Commission, the Interim Finance Committee and various other legislative committees conduct studies and investigations and perform other legislative business during the interim between legislative sessions. (Chapter 218E of NRS) Additionally, the staff of the Legislative Counsel Bureau serves as the primary administrative or professional staff for various advisory committees whose membership consists of Legislators, other public officials and interested citizens, including the Advisory Commission on the Administration of Justice and the Commission on Special License Plates. (NRS 176.0123, 482.367004)

Sections 2-9 of this bill enact provisions ~~[governing]~~ **which apply during the public-health crisis caused by the COVID-19 pandemic and which govern** the use by such interim, advisory and similar committees of remote-technology systems for committee meetings that enable persons from remote locations to attend, participate, vote or take any other action in the committee meetings even though the persons are not physically present at the committee meetings. However, **sections 2-9** do not apply to the Legislature or session committees during a regular or special session because the use of remote-technology systems by the Legislature and session committees is governed by the rules adopted by the Houses pursuant to their constitutional authority to determine the rules of their proceedings. (Nev. Const. Art. 4, § 6)

Section 8 of this bill provides that each committee subject to **sections 2-9** may conduct committee meetings through the use of authorized remote-technology systems, regardless of whether any physical location is made available for the committee meetings, and the members of the committee may attend, participate, vote or take any other action through the use of authorized remote-technology systems, regardless of whether the members are physically present at the committee meetings. **Section 8** further provides that: (1) the committees must conform, to the extent practicable, with any other requirements for conducting the committee meetings which do not conflict with **sections 2-9**; and (2) the staff of the Legislative Counsel Bureau must make reasonable efforts to ensure that the public can hear or observe the committee meetings and participate in public comment during the committee meetings, except to the extent that such activity is otherwise subject to any lawful requirements or restrictions governing the committee meetings. **Section 8** also provides that the members who use authorized remote-technology systems shall be deemed to be present and in attendance at the committee meetings for all purposes. Finally, **section 8** authorizes committee chairs to take, direct or require any necessary and reasonable actions to carry out the committee meetings conducted through the use of authorized remote-technology systems.

Under existing law, a person commits the offense of unlawful interference with the legislative process if the person, without legal authority, willfully engages in conduct that: (1) prevents or attempts to prevent the Legislature or committees from conducting meetings; or (2) disturbs, disrupts or interferes

with, or attempts to disturb, disrupt or interfere with, the meetings of the Legislature or committees. (NRS 218A.900, 218A.905) A person who commits such an offense is guilty of a gross misdemeanor and is also subject to injunctive relief, contempt citations and other remedies for the offense. (NRS 218A.900-218A.940)

Because the Legislature and session committees may use remote-technology systems when authorized pursuant to the rules adopted by the Houses, this bill amends the offense of unlawful interference with the legislative process to include prohibited acts that interfere with the use of remote-technology systems by the Legislature and session committees and any interim, advisory and similar committees subject to **sections 2-9**. Specifically, **sections 9, 15 and 16** of this bill provide that a person commits the offense of unlawful interference with the legislative process if the person, without legal authority, willfully engages in conduct that: (1) prevents or attempts to prevent the use of remote-technology systems for any sessions or meetings of the Legislature or such committees; or (2) disturbs, disrupts, obstructs, tampers or interferes with, or attempts to disturb, disrupt, obstruct, tamper or interfere with, the use of remote-technology systems for any sessions or meetings of the Legislature or such committees. **Sections 9, 15 and 16** further provide that a person who commits such an offense is guilty of a gross misdemeanor and is also subject to injunctive relief, contempt citations and other remedies for the offense.

Under the Nevada Constitution, in order for the Legislature to submit proposed state constitutional amendments to the voters for approval and ratification: (1) the Legislature must approve the proposed amendments for a first time during a regular or special session; and (2) the next Legislature, which is chosen at the general election following first passage of the proposed amendments, must approve them for a second time during a regular or special session. (Nev. Const. Art. 16, § 1) The Nevada Constitution also requires that, after first approval of the proposed amendments, they must be published for at least 3 months before the date of the general election at which the next Legislature is chosen. (Nev. Const. Art. 16, § 1; *State ex rel. Torreyson v. Grey*, 21 Nev. 378 (1893))

Section 17 of this bill provides that if the Legislature first approves any state constitutional amendments during a special session held in an even-numbered year, the Director of the Legislative Counsel Bureau shall immediately publish a separate printed volume of advance sheets of statutes which includes the full text of the proposed amendments as approved by the Legislature. **Section 17** also states that such publication is deemed to be the publication of the proposed amendments for the purposes of the Nevada Constitution without any additional publication being necessary for that specific purpose.

Under existing law, the Director of the Legislative Counsel Bureau serves as the executive head of the five divisions of the Legislative Counsel Bureau, which are the Administrative Division, Audit Division, Fiscal Analysis Division, Legal Division and Research Division, and existing law contains

provisions governing the chiefs of those divisions. (Chapters 218F and 218G of NRS)

Sections 13 and 19 of this bill clarify, but do not change, existing law by designating in clearer language that the Senate Fiscal Analyst and the Assembly Fiscal Analyst are the chiefs of the Fiscal Analysis Division. (NRS 218A.030, 218F.100) Similarly, **sections 10 and 19** of this bill clarify, but do not change, existing law by defining the term “Chief of the Administrative Division” and adding that term to the provisions of existing law governing the appointment of the chiefs of the divisions of the Legislative Counsel Bureau. (NRS 218F.100)

Existing law establishes and codifies the position of the Legislative Counsel as a public office, provides that the Legislative Counsel is the chief of the Legal Division and establishes and defines various legal functions assigned to the Legal Division. (NRS 218A.057, 218F.100, 218F.700-218F.730) Additionally, existing law empowers and directs the Legislative Commission to: (1) supervise the functions assigned to the divisions of the Legislative Counsel Bureau; (2) oversee the organization and operation of those divisions; and (3) approve changes regarding the structure and personnel within those divisions as necessary to manage the workload of the Legislative Counsel Bureau and ensure the completion of the work required for the next regular session. (NRS 218E.180, 218E.225) In carrying out these powers and duties, the Legislative Commission, at its meeting on June 5, 2020, approved a revised organizational structure of the Legal Division in which the position of the Chief Litigation Counsel was replaced with the position of the General Counsel in order to better manage the workload of the Legal Division and thereby achieve a more efficient and effective separation of legal functions between the General Counsel and the Legislative Counsel to ensure the completion of the work required for the next regular session.

Sections 11, 14 and 18-25 of this bill facilitate and carry out the revised organizational structure of the Legal Division approved by the Legislative Commission by: (1) establishing and codifying the position of the General Counsel as a public office; (2) providing that the Legislative Counsel and the General Counsel are the chiefs of the Legal Division; (3) setting forth the qualifications, powers and duties of the Legislative Counsel and the General Counsel; and (4) stating that if any particular matter requires an appropriate separation of legal functions within the Legal Division, the Legislative Counsel and the General Counsel shall take necessary and proper actions to ensure that the appropriate separation of legal functions is established and maintained within the Legal Division.

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

Section 1. Chapter 218A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 11, inclusive, of this act.

Sec. 2. *For the purposes of sections 2 to 9, inclusive, of this act, the Legislature finds and declares that when committees use authorized remote-technology systems for committee meetings ~~for~~ during the public-health crisis caused by the COVID-19 pandemic, such use:*

1. *Promotes and facilitates the efficient and effective operation of the committees and encourages and fosters participation in the committee meetings by enabling persons from remote locations to attend, participate, vote or take any other action in the committee meetings even though the persons are not physically present at the committee meetings;*

2. *Enables Legislators and other public officials to represent their constituents and carry out their official powers, functions, duties and responsibilities at the committee meetings; and*

3. *During such periods of emergency, crisis or disaster, safeguards the workings of the committees and ensures the continuity and efficacy of their operations at the committee meetings and protects the health, safety and welfare of persons who participate in the committee meetings by serving as a necessary protective or safety measure to keep the committee meetings as safe and free as reasonably possible from danger, risk, harm, injury and peril.*

Sec. 3. *As used in sections 2 to 9, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 4 to 7, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 4. *“Authorized remote-technology system” means any system or other means of communication which is approved by the Director and which uses any electronic, digital or other similar technology to enable a person from a remote location to attend, participate, vote or take any other action in any committee meeting even though the person is not physically present at the committee meeting.*

Sec. 5. *“Chair” means the chair of a committee or any other member of the committee who is serving as the presiding officer of the committee.*

Sec. 6. 1. *“Committee” means:*

(a) *The Legislative Commission and any other legislative committee or subcommittee created by a specific statute, concurrent resolution or order of the Legislative Commission to conduct studies or investigations or perform any other legislative business during the legislative interim; and*

(b) *Any other commission, committee, subcommittee or similar body for which legislative staff serves as the primary administrative or professional staff.*

2. *The term does not include any legislative committee or subcommittee appointed by the Legislature or either House to conduct or perform legislative business during a regular or special session, including, without limitation, any joint, standing, temporary, special or select committee or committee of the whole.*

Sec. 7. *“Legislative staff” means the staff of the Legislative Counsel Bureau.*

Sec. 8. 1. *Notwithstanding any other provisions of law, the provisions of sections 2 to 9, inclusive, of this act apply to a committee that conducts a committee meeting through the use of any authorized remote-technology systems ~~+~~ during the public-health crisis caused by the COVID-19 pandemic. In conducting such a committee meeting, the committee shall conform, to the extent practicable, with any other requirements for conducting the committee meeting, unless those other requirements conflict with the provisions of sections 2 to 9, inclusive, of this act.*

2. *A committee may conduct a committee meeting through the use of any authorized remote-technology systems, regardless of whether any physical location is made available for the committee meeting, and the members of the committee may attend, participate, vote or take any other action through the use of any authorized remote-technology systems during the committee meeting, regardless of whether the members of the committee are physically present at the committee meeting.*

3. *If a committee conducts a committee meeting through the use of any authorized remote-technology systems, legislative staff must make reasonable efforts to ensure that members of the public can hear or observe the committee meeting and participate in any periods devoted to public comment during the committee meeting, except to the extent that such activity is otherwise regulated or limited by any lawful requirements or restrictions governing the committee meeting.*

4. *If a member of a committee uses any authorized remote-technology systems to attend, participate, vote or take any other action during a committee meeting, the member shall be deemed to be present and in attendance at the committee meeting for all purposes.*

5. *For a committee meeting, the chair may take, direct or require any necessary and reasonable actions to carry out the provisions of sections 2 to 9, inclusive, of this act, including, without limitation:*

(a) *Requiring that one or more authorized remote-technology systems must be used by the members of the committee to conduct the committee meeting pursuant to the provisions of sections 2 to 9, inclusive, of this act.*

(b) *Directing that a physical location must not be made available for the committee meeting if the chair requires that one or more authorized remote-technology systems must be used by the members of the committee to conduct the committee meeting pursuant to the provisions of sections 2 to 9, inclusive, of this act.*

Sec. 9. 1. *A person who, without legal authority, willfully does any of the following acts, alone or in concert with another, interferes with the legislative process:*

(a) *Prevents or attempts to prevent the use of any authorized remote-technology systems for a committee meeting.*

(b) Disturbs, disrupts, obstructs, tampers or interferes with, or attempts to disturb, disrupt, obstruct, tamper or interfere with, the use of any authorized remote-technology systems for a committee meeting.

2. A person who interferes with the legislative process in violation of any provision of this section is subject to the remedies and penalties for interference with the legislative process provided by NRS 218A.900 to 218A.940, inclusive.

Sec. 10. *“Chief of the Administrative Division” means the person appointed or serving as the Chief of the Administrative Division pursuant to NRS 218F.100.*

Sec. 11. *“General Counsel” means the person appointed or serving as the General Counsel and a chief of the Legal Division pursuant to NRS 218F.100.*

Sec. 12. NRS 218A.003 is hereby amended to read as follows:

218A.003 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 218A.006 to 218A.090, inclusive, **and sections 10 and 11 of this act** have the meanings ascribed to them in those sections.

Sec. 13. NRS 218A.030 is hereby amended to read as follows:

218A.030 “Fiscal Analyst” means a person appointed or serving as the Senate Fiscal Analyst or Assembly Fiscal Analyst **and a chief of the Fiscal Analysis Division** pursuant to NRS 218F.100.

Sec. 14. NRS 218A.057 is hereby amended to read as follows:

218A.057 “Legislative Counsel” means the person appointed or serving as the Legislative Counsel and **a** chief of the Legal Division pursuant to NRS 218F.100.

Sec. 15. NRS 218A.900 is hereby amended to read as follows:

218A.900 1. ~~The~~ **For the purposes of NRS 218A.900 to 218A.940, inclusive, the** Legislature finds ~~as a fact that the~~ **and declares that:**

*(a) The complexities of contemporary civilization and government require the Legislature, in the discharge of its constitutional function, to delegate separately to ~~committees and to~~ the Legislative Commission **and other committees during regular and special sessions and the legislative interim** the finding of essential facts and the preliminary consideration of legislation, and that these subordinate bodies are, therefore, an integral part of the Legislature.*

(b) When the Legislature authorizes the use of remote-technology systems for sessions and meetings, such use:

(1) Promotes and facilitates the efficient and effective operation of the sessions and meetings and encourages and fosters participation in the sessions and meetings by enabling persons from remote locations to attend, participate, vote or take any other action in the sessions and meetings even though the persons are not physically present at the sessions and meetings;

(2) Enables Legislators and other public officials to represent their constituents and carry out their official powers, functions, duties and responsibilities at the sessions and meetings; and

(3) During periods of emergency, crisis or disaster, safeguards the workings of the Legislative Department and ensures the continuity and efficacy of its operations at the sessions and meetings and protects the health, safety and welfare of persons who participate in the sessions and meetings by serving as a necessary protective or safety measure to keep the sessions and meetings as safe and free as reasonably possible from danger, risk, harm, injury and peril.

2. As used in NRS 218A.900 to 218A.940, inclusive, unless the context otherwise requires ~~†~~ :

(a) “Legislature” means:

~~†(a)†~~ (1) The Legislature or either House;

~~†(b)†~~ (2) Any committee of either House;

~~†(c)†~~ (3) Any joint committee of both Houses; or

~~†(d)†~~ (4) Any other committee or commission created or authorized by the Legislature to **conduct or** perform legislative ~~functions~~ **business** at the direction of **or on behalf of** the Legislature.

↪ The term includes, without limitation, ~~†~~ **any interim, advisory or other committee or subcommittee.**

(b) “**Remote-technology system**” means any system or other means of communication which is authorized pursuant to any statute, joint rule or rule of either House and which uses any electronic, digital or other similar technology to enable a person from a remote location to attend, participate, vote or take any other action in any session or meeting of the Legislature even though the person is not physically present at the session or meeting. The term includes, without limitation, a remote-technology system authorized pursuant to sections 2 to 9, inclusive, of this act.

Sec. 16. NRS 218A.905 is hereby amended to read as follows:

218A.905 A person who, without legal authority, willfully does any of the following acts, alone or in concert with another, interferes with the legislative process:

1. Prevents or attempts to prevent the Legislature from conducting meetings ~~†~~ , **including, without limitation, preventing or attempting to prevent the use of any remote-technology systems.**

2. Disturbs, disrupts , **obstructs, tampers** or interferes with, or attempts to disturb, disrupt , **obstruct, tamper** or interfere with, a meeting of the Legislature ~~†~~ , **including, without limitation, the use of any remote-technology systems.**

3. Withholds, defaces, alters or destroys any official document or record of the Legislature, which conduct interferes with the functioning of the Legislature.

4. Withholds, defaces, alters or destroys any property owned or used by the Legislature.

5. Remains in the legislative chamber, Legislative Building, or any part thereof, or any other place where the Legislature is conducting its business, after being advised that the law or rule of the Legislature requires persons to leave after being asked to do so, and being asked to leave.

6. Prevents or attempts to prevent any Legislator or officer or employee of the Legislative Department from performing that person's official duties.

7. Coerces or attempts to coerce any Legislator or officer or employee of the Legislative Department to perform any act under color of office, by any unlawful means, threats of violence, fraud or intimidation.

8. Possesses any firearm, explosive, dangerous device or deadly weapon in the Legislative Building or any other place where the Legislature is conducting its business.

9. *Commits any act in violation of section 9 of this act.*

Sec. 17. Chapter 218D of NRS is hereby amended by adding thereto a new section to read as follows:

Notwithstanding any other provisions of law, for the purposes of carrying out the publication of any proposed amendment or amendments to the Constitution of the State of Nevada pursuant to Section 1 of Article 16 of the Nevada Constitution:

1. If the Legislature first approves a joint resolution proposing any such amendment or amendments during a special session held in an even-numbered year, the Director shall immediately publish a separate printed volume of advance sheets of statutes which includes the full text of the proposed amendment or amendments as approved by the Legislature.

2. Upon publication of the proposed amendment or amendments pursuant to this section, such publication shall be deemed to be the publication of the proposed amendment or amendments for the purposes of Section 1 of Article 16 of the Nevada Constitution without any additional publication being necessary for those purposes.

Sec. 18. NRS 218D.155 is hereby amended to read as follows:

218D.155 1. In addition to the number of requests authorized pursuant to NRS 218D.150:

(a) The Speaker of the Assembly and the Majority Leader of the Senate may each request before the date of the general election preceding a regular session, without limitation, the drafting of not more than 15 legislative measures for that regular session.

(b) The Minority Leader of the Assembly and the Minority Leader of the Senate may each request before the date of the general election preceding a regular session, without limitation, the drafting of not more than 10 legislative measures for that regular session.

(c) A person designated after the general election as the Speaker of the Assembly, the Majority Leader of the Senate, the Minority Leader of the Assembly or the Minority Leader of the Senate for the next regular session may request before the first day of that regular session the drafting of the

remaining number of the legislative measures allowed for the respective officer that were not requested by the previous officer.

2. The Legislative Counsel, *the General Counsel*, the Secretary of the Senate and the Chief Clerk of the Assembly may request before or during a regular session, without limitation, the drafting of as many legislative measures as are necessary or convenient for the proper exercise of their duties.

Sec. 19. NRS 218F.100 is hereby amended to read as follows:

218F.100 1. There is hereby created the Legislative Counsel Bureau, which consists of a Legislative Commission, an Interim Finance Committee, a Director, an Audit Division, a Fiscal Analysis Division, a Legal Division, a Research Division and an Administrative Division.

2. The Legislative Auditor is *the* chief of the Audit Division.

3. The Legislative Counsel ~~is chief~~ *and the General Counsel are the chiefs* of the Legal Division. *The Director shall designate from time to time the Legislative Counsel or the General Counsel or an employee of the Legal Division to be responsible for the administration of the Legal Division.*

4. The Research Director is *the* chief of the Research Division.

5. *The Senate Fiscal Analyst and the Assembly Fiscal Analyst are the chiefs of the Fiscal Analysis Division.* The Director shall designate from time to time one of the Fiscal Analysts or ~~another~~ *an* employee of the Fiscal Analysis Division to be responsible for the administration of the Fiscal Analysis Division.

~~3-~~ 6. The Legislative Commission shall appoint the Director. The Director shall appoint the ~~Fiscal Analysts~~ *Chief of the Administrative Division* and the chiefs of the *other* divisions with the approval of the Legislative Commission, and may serve as the chief of any division.

~~4-~~ 7. The Director may, with the consent of the Legislative Commission, designate one of the ~~other division~~ *chiefs of the divisions* or an employee of the Legislative Counsel Bureau as *the* Deputy Director.

Sec. 20. NRS 218F.150 is hereby amended to read as follows:

218F.150 1. The Director and other officers and employees of the Legislative Counsel Bureau shall not:

(a) Oppose or urge legislation, except as the duties of the Director, the Legislative Auditor, the Legislative Counsel, *the General Counsel*, the Research Director and the Fiscal Analysts require them to make recommendations to the Legislature.

(b) Except as otherwise provided in this section, NRS 218D.130, 218D.135, 218D.250 and 353.211, disclose to any person outside the Legislative Counsel Bureau the nature or content of any matter entrusted to the Legislative Counsel Bureau, and such matter is confidential and privileged and is not subject to discovery or subpoena, unless the person entrusting the matter to the Legislative Counsel Bureau requests or consents to the disclosure.

2. The nature or content of any work produced by the officers and employees of the Research Division may be disclosed if or to the extent that the disclosure does not reveal the identity of the person who requested it or

include any matter submitted by the requester which has not been published or publicly disclosed.

3. The nature and content of any work produced by the officers and employees of the Legal Division and the Fiscal Analysis Division and any matter entrusted to those officers and employees to produce such work are confidential and privileged and are not subject to discovery or subpoena.

4. The provisions of subsections 1, 2 and 3 apply to any matter or work in any form, including, without limitation, in any oral, written, audio, visual, digital or electronic form, and such matter or work includes, without limitation, any communications, information, answers, advice, opinions, recommendations, drafts, documents, records, questions, inquiries or requests in any such form.

5. When a statute has been enacted or a resolution adopted, the Legislative Counsel shall upon request disclose to any person the state or other jurisdiction from whose law it appears to have been adopted.

6. The records of the travel expenses of Legislators and officers and employees of the Legislature and the Legislative Counsel Bureau are available for public inspection at such reasonable hours and under such other conditions as the Legislative Commission prescribes.

Sec. 21. NRS 218F.700 is hereby amended to read as follows:

218F.700 **1. *The Legal Division consists of the Legislative Counsel and the General Counsel and such additional staff as the exercise and performance of their powers and duties may require.***

2. The Legislative Counsel must be:

~~1-1~~ **(a)** An attorney admitted to practice law in one of the United States; and

~~2-1~~ **(b)** Knowledgeable ~~1-1~~ **and experienced in governmental law and operations, including, without limitation,** some or all of the following:

~~1-1~~ **(1)** Political science;

~~1-1~~ **(2)** Parliamentary practice;

~~1-1~~ **(3)** Legislative procedure; and

~~1-1~~ **(4)** The methods of research, statutory revision and bill drafting.

3. *The General Counsel must be:*

(a) *An attorney admitted to practice law in one of the United States; and*

(b) *Knowledgeable and experienced in governmental law and operations, including, without limitation, some or all of the following:*

(1) *Governmental litigation before federal and state courts and agencies;*

(2) *Governmental ethics, meetings, records, privileges and immunities;*

(3) *Governmental officers and employees and employment law; and*

(4) *Governmental contracts, intellectual property and transactional law.*

4. *The provisions of this section establish the qualifications of the Legislative Counsel and the General Counsel but do not define or limit the*

respective powers and duties of the Legislative Counsel and the General Counsel.

Sec. 22. NRS 218F.710 is hereby amended to read as follows:

218F.710 1. The Legislative Counsel ~~{has}~~ **and the General Counsel each have:**

(a) The powers and duties assigned by this title and any law or resolution; and

(b) Such other powers and duties as may be assigned by the Director, the Legislature and the Legislative Commission.

2. Upon the request of **the Director or** any member or committee of the Legislature or the Legislative Commission, the Legislative Counsel ~~{shall}~~ **or the General Counsel may give ~~{an}~~ a legal opinion orally or** in writing upon any question of law, including, **without limitation,** existing law and suggested, proposed and pending legislation . ~~{which has become a matter of public record.}~~

3. **Except as otherwise provided in subsection 4, if the Legislative Counsel or the General Counsel, as applicable, is unavailable or otherwise unable to carry out his or her powers and duties regarding a particular matter for any reason, the Legislative Counsel or the General Counsel, as applicable, may carry out those powers and duties on behalf of the other legal counsel regarding that particular matter.**

4. **If any particular matter requires an appropriate separation of legal functions within the Legal Division, the Legislative Counsel and the General Counsel shall take necessary and proper actions to ensure that the appropriate separation of legal functions is established and maintained within the Legal Division.**

Sec. 23. NRS 218F.720 is hereby amended to read as follows:

218F.720 1. When deemed necessary or advisable to protect the official interests of the Legislature in any action or proceeding, the Legislative Commission, or the Chair of the Legislative Commission in cases where action is required before a meeting of the Legislative Commission is scheduled to be held, may direct the Legislative Counsel **or the General Counsel** and the Legal Division to appear in, commence, prosecute, defend or intervene in any action or proceeding before any court, agency or officer of the United States, this State or any other jurisdiction, or any political subdivision thereof. In any such action or proceeding, the Legislature may not be assessed or held liable for:

(a) Any filing or other court or agency fees; or

(b) The attorney's fees or any other fees, costs or expenses of any other parties.

2. If a party to any action or proceeding before any court, agency or officer:

(a) Alleges that the Legislature, by its actions or failure to act, has violated the Constitution, treaties or laws of the United States or the Constitution or laws of this State; or

(b) Challenges, contests or raises as an issue, either in law or in equity, in whole or in part, or facially or as applied, the meaning, intent, purpose, scope, applicability, validity, enforceability or constitutionality of any law, resolution, initiative, referendum or other legislative or constitutional measure, including, without limitation, on grounds that it is ambiguous, unclear, uncertain, imprecise, indefinite or vague, is preempted by federal law or is otherwise inapplicable, invalid, unenforceable or unconstitutional,

↳ the Legislature may elect to intervene in the action or proceeding by filing a motion or request to intervene in the form required by the rules, laws or regulations applicable to the action or proceeding. The motion or request to intervene must be accompanied by an appropriate pleading, brief or dispositive motion setting forth the Legislature's arguments, claims, objections or defenses, in law or fact, or by a motion or request to file such a pleading, brief or dispositive motion at a later time.

3. Notwithstanding any other law to the contrary, upon the filing of a motion or request to intervene pursuant to subsection 2, the Legislature has an unconditional right and standing to intervene in the action or proceeding and to present its arguments, claims, objections or defenses, in law or fact, whether or not the Legislature's interests are adequately represented by existing parties and whether or not the State or any agency, officer or employee of the State is an existing party. If the Legislature intervenes in the action or proceeding, the Legislature has all the rights of a party.

4. The provisions of this section do not make the Legislature a necessary or indispensable party to any action or proceeding unless the Legislature intervenes in the action or proceeding, and no party to any action or proceeding may name the Legislature as a party or move to join the Legislature as a party based on the provisions of this section.

5. The Legislative Commission may authorize payment of the expenses and costs incurred pursuant to this section from the Legislative Fund.

6. As used in this section:

(a) "Action or proceeding" means any action, suit, matter, cause, hearing, appeal or proceeding.

(b) "Agency" means any agency, office, department, division, bureau, unit, board, commission, authority, institution, committee, subcommittee or other similar body or entity, including, without limitation, any body or entity created by an interstate, cooperative, joint or interlocal agreement or compact.

(c) "Legislature" means:

(1) The Legislature or either House; or

(2) Any current or former agency, member, officer or employee of the Legislature, the Legislative Counsel Bureau or the Legislative Department.

Sec. 24. NRS 218F.730 is hereby amended to read as follows:

218F.730 1. The Legislative Counsel *or the General Counsel* is authorized to secure copyright under the laws of the United States in all publications issued by the Legislative Counsel Bureau.

2. Each copyright must be secured in the name of the State of Nevada.

Sec. 25. 1. Except as otherwise provided in this section, the provisions of this act do not alter the appointment or employment of any officers or employees of the Legislature or the Legislative Counsel Bureau who are serving in their positions on the effective date of this act.

2. Notwithstanding any other provisions of law, if, on the effective date of this act, any employee of the Legislative Counsel Bureau is serving in the position designated as the General Counsel of the Legal Division of the Legislative Counsel Bureau, which position was approved by the Legislative Commission at its meeting on June 5, 2020, the employee shall be deemed, on the effective date of this act, to be appointed and approved pursuant to subsection 6 of NRS 218F.100, as amended by section 19 of this act, to serve in that position as a public office designated as the General Counsel of the Legal Division of the Legislative Counsel Bureau, which public office is hereby established and codified in the Nevada Revised Statutes, as amended by the provisions of this act.

Sec. 26. This act becomes effective upon passage and approval.

Assemblywoman Benitez-Thompson moved the adoption of the amendment.

Remarks by Assemblywomen Benitez-Thompson and Tolles.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 2.

Bill read third time.

Roll call on Assembly Bill No. 2:

YEAS—40.

NAYS—Wheeler.

EXCUSED—Edwards.

Assembly Bill No. 2 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 4.

Motion carried.

COMMITTEE OF THE WHOLE IN SESSION

At 3:17 p.m.

Chair Frierson presiding.

Quorum present.

Assembly Bill No. 4 considered.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Committee of the Whole in recess at 6:06 p.m.

COMMITTEE OF THE WHOLE IN SESSION

At 6:08 p.m.

Chair Frierson presiding.

Quorum present.

Public testimony.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Committee of the Whole in recess at 7:01 p.m.

COMMITTEE OF THE WHOLE IN SESSION

At 7:21 p.m.

Chair Frierson presiding.

Quorum present.

Public testimony.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Assemblywoman Benitez-Thompson moved to amend and do pass Assembly Bill No. 4.

Assemblywoman Carlton seconded the motion.

Motion carried.

On motion of Assemblywoman Benitez-Thompson, the Committee did rise and report back to the Assembly.

ASSEMBLY IN SESSION

At 8:06 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of the Whole, to which was referred Assembly Bill No. 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JASON FRIERSON, *Chair*

GENERAL FILE AND THIRD READING

Assembly Bill No. 4.

Bill read third time.

The following amendment was proposed by the Committee of the Whole:

Amendment No. 2.

SHORT FORM AMENDMENT

Sections 11, 12 and 84 of this act are the only sections affected by this amendment.

Section 11 of Assembly Bill No. 4 is hereby amended as follows:

Sec. 11. 1. *Except as otherwise provided in this section, if any affected election is:*

(a) *A primary election or general election, the provisions of NRS 293.356 to 293.361, inclusive, governing early voting by personal appearance apply to the election.*

(b) *A primary city election or general city election, the provisions of NRS 293C.355 to 293C.361, inclusive, governing early voting by personal appearance apply to the election if the city has provided for early voting by personal appearance pursuant to NRS 293C.110.*

2. *If the affected election is a primary election or general election, the county clerk must establish:*

(a) *In a county whose population is 700,000 or more, at least 35 polling places for early voting by personal appearance, which may be any combination of temporary or permanent polling places for early voting.*

(b) *In a county whose population is 100,000 or more but less than 700,000, at least ~~17~~ 15 polling places for early voting by personal appearance, which may be any combination of temporary or permanent polling places for early voting.*

(c) *In a county whose population is less than 100,000, at least 1 permanent polling place for early voting by personal appearance.*

3. *In addition to the polling places for early voting established pursuant to subsection 2, the county clerk must establish a temporary polling place for early voting by personal appearance within the boundaries of an Indian reservation or Indian colony that is located in whole or in part within the county if:*

(a) *The Indian tribe submits a request to the county clerk for the establishment of such a temporary polling place for early voting; and*

(b) *The request described in paragraph (a) is submitted to the county clerk:*

(1) *For a primary election, not later than the April 1 preceding the primary election; or*

(2) *For a general election, not later than the September 1 preceding the general election.*

4. *If the affected election is a primary city election or a general city election and the city has provided for early voting by personal appearance pursuant to NRS 293C.110, the city clerk must establish at least one permanent polling place for early voting by personal appearance in the city.*

5. *In addition to the polling place for early voting established pursuant to subsection 4, the city clerk must establish a temporary polling place for*

early voting by personal appearance within the boundaries of an Indian reservation or Indian colony that is located in whole or in part within the city if:

(a) The Indian tribe submits a request to the city clerk for the establishment of such a temporary polling place for early voting; and

(b) The request described in paragraph (a) is submitted to the city clerk:

(1) For a primary city election:

(I) Held on the date of the primary election set forth in NRS 293.175, not later than the April 1 preceding the primary city election.

(II) Held on a date other than the date of the primary election set forth in NRS 293.175, not later than 45 days before the date of the primary city election.

(2) For a general city election:

(I) Held on the date of the general election set forth in NRS 293.12755, not later than the September 1 preceding the general city election.

(II) Held on a date other than the date of the general election set forth in NRS 293.12755, not later than 45 days before the date of the general city election.

Section 12 of Assembly Bill No. 4 is hereby amended as follows:

Sec. 12. 1. Except as otherwise provided in this section, for any affected election, the county or city clerk, as applicable, may establish one or more polling places as vote centers for the day of the election.

2. If the affected election is a primary election or general election, the county clerk:

(a) In a county whose population is 700,000 or more, must establish at least 100 vote centers for the day of the election.

(b) In a county whose population is 100,000 or more but less than 700,000, must establish at least ~~30~~ 25 vote centers for the day of the election.

(c) In a county whose population is less than 100,000, may establish one or more vote centers for the day of the election.

Section 84 of Assembly Bill No. 4 is hereby amended as follows:

Sec. 84. 1. The Chief of the Budget Division shall transfer the sum of ~~(\$2,000,000)~~ \$3,000,000 from Budget Account 101-1327 to the Secretary of State for the costs related to the preparation and distribution of mail ballots pursuant to the provisions of sections 2 to 27, inclusive, of this act for the 2020 General Election.

2. The provisions of section 10 of chapter 525, Statutes of Nevada 2019, at page 3144, do not apply to any money received by the Secretary of State from sources other than the State General Fund or the State Highway Fund for the costs related to the preparation and distribution of mail ballots pursuant to

the provisions of sections 2 to 27, inclusive, of this act for the 2020 General Election.

3. If the State of Nevada receives money from the Federal Government that the State of Nevada is authorized to use for the costs related to the 2020 General Election on or after the effective date of this section, the Chief of the Budget Division shall disburse the money that is so received in accordance with the provisions of chapter 353 of NRS to the Secretary of State. On and after the date of such a disbursement, the Secretary of State shall expend the money disbursed pursuant to this subsection before expending any of the money transferred pursuant to subsection 1 that remains on the date of the disbursement. If any money remains from a disbursement made pursuant to this subsection, such money, to the extent available, must be transferred to Budget Account 101-1327 in an amount to reimburse that account for the money transferred pursuant to subsection 1 that was expended by the Secretary of State.

4. All money transferred pursuant to subsection 1 must be expended by the Secretary of State on or before December 30, 2020. Any remaining balance of the money must not be committed for expenditure on or after December 30, 2020, by the Secretary of State or any entity to which the money is granted or otherwise transferred in any manner, and any portion of the money remaining must not be spent for any purpose after December 30, 2020, by either the Secretary of State or the entity to which the money was subsequently granted or transferred, and must be reverted to Budget Account 101-1327.

5. As used in section:

(a) “2020 General Election” means the general election held throughout the State of Nevada on the first Tuesday after the first Monday of November 2020 and every other election held on the same day as the 2020 General Election pursuant to the provisions of title 24 of NRS or any other law or city charter.

(b) “Chief of the Budget Division” means the Chief of the Budget Division of the Office of Finance created by NRS 223.400.

(c) “Mail ballot” has the meaning ascribed to it in section 6 of this act.

Assemblywoman Benitez-Thompson moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 4.

Bill read third time.

Remarks by Assemblymen Jauregui, Hardy, Bilbray-Axelrod, Leavitt, Wheeler, and Watts.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Roll call on Assembly Bill No. 4:

YEAS—29.

NAYS—Ellison, Hafen, Hambrick, Hansen, Hardy, Kramer, Krasner, Leavitt, Roberts, Titus, Tolles, Wheeler—12.

EXCUSED—Edwards.

Assembly Bill No. 4 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 8:25 p.m.

ASSEMBLY IN SESSION

At 8:27 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that the Assembly resolve itself into a Committee of the Whole for the purpose of public comment.

Motion carried.

COMMITTEE OF THE WHOLE IN SESSION

At 8:28 p.m.

Chair Frierson presiding.

Quorum present.

Public comment.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

On motion of Assemblywoman Benitez-Thompson, the Committee did rise and report back to the Assembly.

ASSEMBLY IN SESSION

At 9:19 p.m.

Mr. Speaker presiding.

Quorum present.

REMARKS FROM THE FLOOR

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Saturday, August 1, 2020, at 10 a.m. and that it do so in the memory of United States Representative John Lewis.

Motion carried.

Assembly adjourned at 9:22 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly