

NEVADA LEGISLATURE

Thirty-Third Special Session, 2021

ASSEMBLY DAILY JOURNAL

THE FIRST DAY

CARSON CITY (Friday), November 12, 2021

Assembly called to order at 1:56 p.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblywomen Kasama and Peters, who were excused.

Prayer by the Chaplain, Rajan Zed.

Om

bhur bhuvah svah

tat savitur varenyam

bhargo devasya dhimahi

dhiyo you nah prachodayat

We meditate on the transcendental glory of the Deity Supreme, who is inside the heart of the earth, inside the life of the sky, and inside the soul of the heaven. May He stimulate and illuminate our minds.

namah purastadatha prsthataste namo'stu te sarvata eva sarva
anantaviryamitavikramastvam sarvam samapnosi tato'si sarvah

O Lord, You are behind us and in front of us; we bow to You on every side. Your power is immeasurable. You pervade everything; You are everything.

dyauḥ śāntirantarikṣam śāntiḥ pṛthivī śāntirāpaḥ śāntiḥ vanaspatayaḥ
śāntirviśvedevāḥ śāntirbrahma śāntiḥ sarvaḥ śāntiḥ śāntireva śāntiḥ sāmā śāntiredhi

May sky be peaceful. May atmosphere be peaceful. May earth be peaceful. May waters be peaceful. May medicinal herbs be peaceful. May plants be peaceful.

Bhadram karnebhiḥ s'rnuyāma devā
bhadram pasyemākṣabhiraajatrāḥ;
Sthirairangaistustuvam sasthanūbhir
vyaśema devahitam yadāyuh

O Lord, may we hear with our ears what is auspicious; May we, with our eyes, see what is auspicious. May we live the entire length of our allotted life hale and hearty offering our praises.

Om Shanti, Shanti, Shanti.

Peace, Peace, Peace be unto all.

Om.

AMEN.

Pledge of allegiance to the Flag.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Benitez-Thompson, Monroe-Moreno, and Ellison as a committee to inform the Senate that the Assembly is organized and ready for business.

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

A committee from the Senate composed of Senators Donate, Ohrenschall, and Buck appeared before the bar of the Assembly and announced that the Senate was organized and ready for business.

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

COMMUNICATIONS

OFFICE OF THE GOVERNOR

November 12, 2021

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:

As you are aware, the results of the 2020 decennial Census were delayed due to the COVID-19 pandemic. Nevada did not receive the results until after the adjournment of the 81st regular session of the Legislature.

The Nevada Constitution, Article IV, Section 5, states that “[i]t shall be the mandatory duty of the Legislature” to apportion the Senators and Assembly Members of the State of Nevada according to the number of inhabitants, and Article I, Section 2 of the United States Constitution provides that after each decennial census, the Representatives in Congress shall be apportioned among the States.

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. Therefore, in order to carry out the duties of redistricting and reapportionment pursuant to the Nevada Constitution and the United States Constitution, I have issued a proclamation calling the Legislature into a Special Session.

In that proclamation, I call on the Legislature to perform its [sic] mandatory constitutional duties of reapportionment and redistricting. Additionally, due to the late receipt of the Census data, I request that the Legislature temporarily adjust the candidate filing deadline for judicial candidates to coincide with the deadlines for non-judicial candidates for the 2022 election. This will allow election officials adequate time to prepare for the 2022 primary elections.

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

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, which among other things has caused a delay in the completion of the 2020 decennial census; *and*

WHEREAS, due to the disruption caused by the COVID-19 pandemic, the U.S. Census Bureau did not release the 2020 Census Redistricting Data until August 2021, after the adjournment of the 81st Legislative Session; *and*

WHEREAS Section 5 of Article IV of the Constitution of the State of Nevada states that “[i]t shall be the mandatory duty of the Legislature” to apportion the Senators and Assembly Members of the State of Nevada among the legislative districts established by law, according to the number of inhabitants in them; *and*

WHEREAS, Section 2 of Article I of the Constitution of the United States provides that after each decennial census, the Representatives in Congress shall be apportioned among the States; *and*

WHEREAS, the Nevada Legislature, to ensure participation from members who are predisposed to acute illness from COVID-19 and in order to encourage and foster participation in committee meetings, may enable individuals to attend, participate, vote or take action using secure remote technologies; *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, under such an extraordinary set of circumstances, the Nevada Constitution provides the authority for the Governor to convene a special session of the Legislature by Proclamation;

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 1:00 p.m. on November 12, 2021, to consider the following matters:

1. Redistricting and reapportionment of legislative districts for Nevada State Senators and Assembly Members;
2. Redistricting and reapportionment of districts for the Board of Regents;
3. Redistricting of districts for Representatives in Congress; and,
4. A temporary adjustment to the 2022 candidate filing period for judicial candidates to coincide with the candidate filing period of non-judicial candidates, in order to accommodate elections officials’ preparation for the 2022 election.

The Legislature may introduce, consider, and pass bills related to the business for which it has been convened in this Special Session, as outlined above, and it may provide for necessary expenses of the Special Session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed this 12th day of November, in the year two thousand twenty-one.

Steve Sisolak
Governor

Barbara K. Cegavske
Secretary of State

Scott Anderson
Deputy Secretary of State

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Operations and Elections:

Assembly Resolution No. 1—Providing that no allowances will be paid for the 33rd 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.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

This Assembly Resolution provides that no allowances will be paid for periodicals, stamps, or stationary for the Thirty-third Special Session.

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 33rd 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 33rd Special Session of the Legislature are hereby adopted:

APPLICABILITY OF JOINT RULES

Rule No. 1. Generally.

The Joint Rules for the 33rd Special Session of the Legislature are applicable only during the 33rd 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.*

REAPPORTIONMENT AND REDISTRICTING

Rule No. 13. Responsibility for Measures.

The Majority Leader of the Senate and the Speaker of the Assembly may appoint a Select Committee on Redistricting and Elections for their respective Houses, which are respectively responsible for measures which primarily affect the designation of petition districts, as defined in NRS 293.069, and the districts from which members are elected to the Legislature, the House of Representatives of the United States Congress, the Board of Regents of the University of Nevada and the State Board of Education. The Majority Leader of the Senate and the Speaker of the Assembly shall determine the majority-minority party composition of the Select Committee on Redistricting and Elections for their respective Houses and shall appoint the chairs, vice chairs and members of the Select Committee on Redistricting and Elections for their respective Houses. The Select Committee on Redistricting and Elections for the respective Houses are hereby designated as the "redistricting committees" for the purposes of this Rule and Joint Rule Nos. 13.1, 13.2, 13.3, 13.4, 13.5 and 13.6.

Rule No. 13.1. Equality of Representation.

1. *Congressional Districts: The population of each of the Nevada congressional districts must be as nearly equal as practicable.*
2. *State Legislative Districts: The population of the state legislative districts must be substantially equal. In order to meet constitutional guidelines, a plan, or a proposed amendment thereto, will not be considered if the plan or proposed amendment results in an overall range of*

10 percent or more, or a relative deviation in excess of plus or minus 5 percent, from the ideal district population.

3. *Districts for the Board of Regents of the University of Nevada: Equality of population in accordance with the standard for the state legislative districts is the goal of redistricting for the Board of Regents of the University of Nevada.*

Rule No. 13.2. Population Database.

1. *The total state population, and the population of defined subunits thereof, as determined by the 2020 federal decennial census and revised by the State Demographer pursuant to NRS 360.288, must be the exclusive database for redistricting by the Nevada Legislature.*

2. *Such 2020 census data, as revised by the State Demographer pursuant to NRS 360.288 and validated by the staff of the Legislative Counsel Bureau, must be the exclusive database used for evaluation of proposed redistricting plans for population equality.*

Rule No. 13.3. Districts.

All district boundaries created by a redistricting plan must follow the census geography.

Rule No. 13.4. Procedures for Redistricting Committees and Exemptions.

1. *A Legislator or member of the public may present to the redistricting committees any plans or proposals relating to redistricting, including proposals for redistricting specific districts or all of the state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education or petition districts for consideration by the redistricting committees. Any plan or proposal relating to redistricting state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education or petition districts which were submitted to the interim Committee to Conduct an Investigation into Matters Relating to Reapportionment in and Redistricting in Nevada or through the MyDistricting Nevada 2021 public portal on the Nevada Legislature's Internet website shall be deemed to be submitted to the redistricting committees.*

2. *Requests for the drafting of a bill setting forth specific boundaries of the state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education or petition districts, as defined in NRS 293.069, and amendments affecting such districts, may only be requested by the redistricting committees or by the Speaker of the Assembly or the Majority Leader of the Senate.*

3. *The redistricting committees and the Speaker of the Assembly and the Majority Leader of the Senate are limited to one request each for the drafting of a bill setting forth the specific boundaries of the state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education and petition districts, as defined in NRS 293.069, or any combination of such districts.*

Rule No. 13.5. Compliance with the Voting Rights Act.

1. *A redistricting committee will not consider a plan that the redistricting committee determines is a violation of section 2 of the Voting Rights Act, 52 U.S.C. § 10301, which prohibits any state from imposing any voting qualification, standard, practice or procedure that results in the denial or abridgment of any United States citizen's right to vote on account of race, color or status as a member of a language minority group.*

2. *A redistricting committee will not consider a plan that the redistricting committee determines is racially gerrymandered. Racial gerrymandering exists when:*

(a) Race is the dominant and controlling rationale in drawing district lines; and

(b) The Legislature subordinates traditional districting principles to racial considerations.

3. *For the purpose of analyzing the 2020 census data, the redistricting committees shall adopt the method set forth in the Office of Management and Budget (OMB) Bulletin No. 00-02 for aggregating and allocating the 63 categories of race data that has been reported to Nevada by the United States Census Bureau as part of the federal decennial census.*

Rule No. 13.6. Public Participation.

1. *The redistricting committees shall seek and encourage:*
 - (a) *Public participation in all aspects of the reapportionment and redistricting activities; and*
 - (b) *The widest range of public input into the deliberations relating to those activities.*
2. *Notices of all meetings of the redistricting committees must be transmitted to any member of the public who so requests, without charge.*
3. *All interested persons are encouraged to appear before the redistricting committees and to provide their input regarding the reapportionment and redistricting activities. The redistricting committees shall afford a reasonable opportunity to any interested persons to present plans for redistricting, or amendments to plans for redistricting, unless such plans demonstrably fail to meet the minimally acceptable criteria set forth in this Rule and Joint Rule Nos. 13, 13.1, 13.2, 13.3, 13.4 and 13.5.*
4. *Each of the redistricting committees shall fully utilize available videoconferencing capabilities and shall, either jointly or separately, hold at least one hearing in the southern portion of the State and at least one hearing in a rural portion of the State to allow residents throughout the State an opportunity to participate in the deliberations relating to the reapportionment and redistricting activities. A meeting of the interim Committee to Conduct an Investigation into Matters Relating to Reapportionment and Redistricting in Nevada held in any portion of the State described in this subsection shall be deemed to satisfy the requirement of this subsection to conduct a meeting in that portion of the State.*
5. *The Legislative Counsel Bureau shall make available to the public copies of the validated 2020 census database for the cost of reproducing the database.*
6. *The redistricting committees shall make available for review by the public copies of all maps prepared at the direction of the committees.*

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 81st 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 Assemblywomen Benitez-Thompson and Titus and Mr. Speaker.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

Assembly Concurrent Resolution 1 sets out the Joint Standing Rules for the Assembly and the Senate for the Thirty-third Special Session.

ASSEMBLYWOMAN TITUS:

Mr. Speaker. I move that we strike Rule 13.4 subsection 2, which says that requests for the drafting of bills setting forth specific boundaries of the state can only be made by the redistricting committee, the Speaker of the Assembly, or the Majority Leader of the Senate.

MR. SPEAKER:

There is a point of order. We are considering a motion as we stand here. The remarks would be on the motion as set forth.

ASSEMBLYWOMAN TITUS:

I would urge this body to vote no on this particular measure. I feel that it disenfranchises the populace and the members of this body when we break into a subcommittee and not have a committee of the whole on a subject that is this critical to the state of Nevada for the next decade. My second objection to this, which is why I urge the body not to support this rule, is under section 13.4, subsection 2, where the only folks that can request a draft of a bill or any amendment would be the chair of the subcommittee, the Speaker of the Assembly, or the Majority Leader of the Senate. Mr. Speaker, in this body I feel that that totally disenfranchises the Republicans in this building and any other member, frankly, regardless of the committee or party you may belong to. For that reason, I urge folks to vote no on this.

MR. SPEAKER:

For the body's edification, I will point out that the rules that are before you today are rules that were before this body in 2011 when we last had redistricting, and I believe they were also before this body in 2015 when redistricting rules were adopted for the purpose of leaving open the possibility of addressing redistricting. I want to make sure that folks understand that this is not a novel or new rule, but this is what this body has traditionally considered.

Assemblymen Titus, Roberts, and Tolles requested a roll call vote.

Roll call on Assembly Concurrent Resolution No. 1:

YEAS—24.

NAYS—Black, Dickman, Ellison, Hafen, Hansen, Hardy, Krasner, Leavitt, Matthews, McArthur, O'Neill, Roberts, Titus, Tolles, Wheeler—15.

EXCUSED—Carlton, Kasama, Peters—3.

Resolution adopted and ordered transmitted to the Senate.

Mr. Speaker appointed Assemblymen Brittney Miller, Yeager, Benitez-Thompson, Frierson, Jauregui, Monroe-Moreno, Nguyen, Hansen, Leavitt, Matthews, and Tolles as a Select Committee on Redistricting and Elections.

Assemblywoman Benitez-Thompson moved that persons as set forth on the Nevada Legislature's Press Accreditation List of November 12, 2021, be accepted as accredited press representatives, assigned space at the press table in the Assembly Chamber, and allowed use of appropriate broadcasting facilities.

THE NEVADA INDEPENDENT: David Calvert, Riley Snyder, and Tabitha Mueller;
2 NEWS: Paul Nelson, Mark Cronon; KOLO NEWS: Michael Cooper, Terri Russell.

Motion carried.

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

Assembly in recess at 2:17 p.m.

ASSEMBLY IN SESSION

At 3:02 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Select Committee on Redistricting and Elections:

Assembly Bill No. 1—AN ACT relating to elections; revising the districts from which the members of the Board of Regents of the University of Nevada are elected; temporarily revising the deadline for a candidate for judicial office to file a declaration of candidacy; and providing other matters properly relating thereto.

Assemblywoman Brittney Miller moved that the bill be referred to the Committee on Select Committee on Redistricting and Elections.

Motion carried.

REMARKS FROM THE FLOOR

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Saturday, November 13, 2021 at 9:30 a.m.

Motion carried.

Assembly adjourned at 3:05 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly