

NEVADA LEGISLATURE

Thirty-fifth Special Session, 2023

SENATE DAILY JOURNAL

THE FIRST DAY

CARSON CITY (Wednesday), June 7, 2023

Senate called to order at 12:16 p.m.

President Anthony presiding.

Prayer by Senator Melanie Scheible.

Today, we are grateful, grateful to open our eyes another day and for the trust placed in us by the people of the State of Nevada. We are grateful for dedicated staff who serve our State with integrity. May we endeavor to be thoughtful, deliberate and kind in our decision-making and now all recommit to govern with compassion and show respect to one another throughout this special session and always.

AMEN.

Pledge of Allegiance to the Flag.

Roll called.

All present.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that the organization of the Senate of the 82nd Session of the Nevada Legislature be designated as the organization for the 35th Special Session of the Nevada Legislature.

Motion carried unanimously.

Senator Cannizzaro moved that the Secretary of the Senate be instructed to insert the 35th Special Session organization in the Journal of the Senate.

Motion carried unanimously.

PRESIDENT PRO TEMPORE OF THE SENATE—

SENATOR PAT SPEARMAN

MAJORITY FLOOR LEADER—

SENATOR NICOLE J. CANNIZZARO

ASSISTANT MAJORITY FLOOR LEADER—

SENATOR ROBERTA LANGE

MAJORITY WHIP—

SENATOR DALLAS HARRIS

CO-MAJORITY WHIPS—

SENATOR MELANIE SCHEIBLE

SENATOR FABIAN DONATE

MINORITY FLOOR LEADER—

SENATOR HEIDI SEEVERS GANSERT
 ASSISTANT MINORITY FLOOR LEADER—
 SENATOR CARRIE BUCK
 CO-MINORITY WHIPS—
 SENATOR LISA KRASNER
 SENATOR JEFF STONE
 SECRETARY OF THE SENATE—
 BRENDAN BUCY

Mr. President appointed Senators Hammond and Harris as a Committee to inform the Assembly that the Senate is organized and ready for business.

Mr. President appointed Senators Doñate and Scheible to inform the Governor that the Senate is organized and ready for business.

Senator Cannizzaro moved that the following persons be accepted as accredited press representatives, and that they be assigned space at the press and allowed the use of appropriate media facilities: KNPR: Paul Boger; KOLOTV: Michael Cooper, Terri Russel; KRNv: Ben Marigott, Audrey Mayer; NEVADA CURRENT: April Corbin Girus; REVIEW JOURNAL: Taylor Avery, Jessica Hill, Steve Sebelius; THE NEVADA INDEPENDENT: Sean Golonka, Tabitha Mueller, Jacob Solis.

A Committee from the Assembly composed of Assemblymen McArthur, Torres and Carter appeared before the bar of the Senate and announced that the Assembly is organized and ready for business.

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

Senate in recess at 12:21 p.m.

SENATE IN SESSION

At 12:34 p.m.

President Anthony presiding.

Quorum present.

Senator Harris reported that her Committee has informed the Assembly that the Senate is organized and ready for business.

Senator Doñate reported that his Committee has informed the Governor that the Senate is organized and ready for business.

The Secretary of the Senate notified the Senate that no letter regarding the 35th Special Session was delivered to the Senate by the Governor's Office.

Senator Cannizzaro moved that the Secretary of the Senate dispense with the reading of the Governor's Proclamation.

Motion carried.

Senator Cannizzaro moved that the Secretary of the Senate be instructed to insert the Governor's Proclamation in the Journal of the Senate.

Motion carried.

MESSAGES FROM THE GOVERNOR
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER
A PROCLAMATION BY THE GOVERNOR

WHEREAS, Section 9 of Article V of the Constitution of the State of Nevada provides that, "the Governor may, on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses, when organized, the business for which they have been specially convened"; and

WHEREAS, at a special session convened pursuant to Section 9 of Article V of the Constitution of the State of Nevada, "the Legislature shall not introduce, consider or pass any bills except those related to the business for which the Legislature has been specially convened and those necessary to provide for the expenses of the session"; and

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

NOW, THEREFORE, I, JOE LOMBARDO, GOVERNOR OF THE STATE OF NEVADA, pursuant to 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 which shall begin at 10:00 a.m. on Wednesday, June 7, 2023. The Legislature shall consider the following:

A financing and infrastructure project related to the construction of a Major League Baseball stadium consistent with the provisions of Senate Bill 509 (as introduced) of the 82nd regular session of the Nevada Legislature.

The Legislature may also consider an appropriation to pay for the cost 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 at the State Capitol in Carson City, this 6th day of June, in the year two thousand twenty-three.

JOE LOMBARDO

Governor

FRANCISCO V. AGUILAR

Secretary of State

GABRIEL DI CHIARA

Deputy Secretary of State

MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that, for the remainder of the 35th Special Session, the Secretary of the Senate read all bills and resolutions by number, sponsor and summary.

Motion carried unanimously.

Senator Cannizzaro moved that, for the remainder of the 35th Special Session, the reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

Senator Cannizzaro moved that, for the remainder of the 35th Special Session, the Secretary of the Senate dispense with reading the histories of all bills and resolutions.

Motion carried unanimously.

By Senators Cannizzaro and Seevers Gansert:

Senate Resolution No. 1—Adopting the Rules of the Senate for the 35th Special Session of the Nevada Legislature.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the following Rules of the Senate for the 35th Special Session of the Legislature are hereby adopted:

I. APPLICABILITY

Rule No. 1. Generally.

The Rules of the Senate for the 35th Special Session of the Legislature are applicable only during the 35th Special Session of the Legislature.

*II. OFFICERS AND EMPLOYEES
DUTIES OF OFFICERS*

Rule No. 2. President.

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

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

1. Except as otherwise provided in subsection 2:

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

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

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

2. When the President pro Tempore or another member is serving as the presiding officer, the President pro Tempore or other member may vote on any question for which he or she is otherwise qualified to vote as a member. If the Senate is equally divided on the question, the President pro Tempore or other member may not give an additional deciding vote or casting vote pursuant to Senate Rule No. 14 of the 35th Special Session or Section 17 of Article 5 of the Nevada Constitution.

Rule No. 4. Secretary.

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

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

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

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

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

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

2. The Secretary is responsible to the Majority Leader.

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

4. *In the absence of the Secretary and subject to the direction of the Majority Leader, the Assistant Secretary shall attest all writs, warrants and subpoenas issued by order of the Senate and certify as to the passage of Senate bills and resolutions; and in the absence of both officers, the Majority Leader shall designate a signatory.*

Rule No. 5. Sergeant at Arms.

The Sergeant at Arms shall:

1. *Attend the Senate during its sittings, and execute its commands and all process issued by its authority.*

2. *Keep the secrets of the Senate.*

3. *Superintend the upkeep of the Senate's Chamber, private lounge and meeting rooms for committees.*

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

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

III. SESSIONS AND MEETINGS

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

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

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

Rule No. 8. Absence—Leave Required.

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

Rule No. 9. Open Meetings.

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

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

IV. DECORUM AND DEBATE

Rule No. 10. Points of Order.

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

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

Rule No. 11. Breaches of Decorum.

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

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

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

Rule No. 11.5. Legislative Ethics.

1. *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 his or her immediate family.*

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

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

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

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

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

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

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

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

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

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

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

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

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

V. QUORUM, VOTING, ELECTIONS

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

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

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

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

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

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

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

Rule No. 15. Manner of Election—Voting.

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

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

- (a) Vote except when at his or her seat;
- (b) Explain his or her vote or discuss the question while the voting is in progress; or
- (c) Change his or her vote after the result is announced.

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

VI. LEGISLATIVE BODIES

Rule No. 16. Committee of the Whole.

1. All bills and resolutions may be referred only to the Committee of the Whole or to such standing committee or select committee as may be appointed pursuant to Senate Rule No. 16.5 of the 35th Special Session of the Legislature.

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

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

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

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

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

- (a) Must first be approved by the Committee.
- (b) Must be reported by the Chair to the Senate.

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

Rule No. 16.5. Standing Committees and Select Committees.

In addition to the Committee of the Whole, such standing committees and select committees may be appointed by the Majority Leader as may be deemed necessary.

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

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

Mason's Manual of Legislative Procedure shall govern such committees in all cases in which they are applicable and in which they are not inconsistent with the rules and orders of the Senate.

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

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

VII. RULES GOVERNING MOTIONS

A. MOTIONS GENERALLY

Rule No. 19. Entertaining.

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

Rule No. 20. Precedence of Motions.

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

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

↳ The first three motions shall be decided without debate and a motion to lay on the table without question or debate.

Rule No. 21. When Not Entertained.

- 1. When a motion to postpone indefinitely has been decided, it must not be again entertained on the same day.*
- 2. When a proposal has been postponed indefinitely, it must not again be introduced during the Special Session unless this Rule is suspended by a majority vote of the Senate.*
- 3. There must be no reconsideration or rescission of a vote on a motion to postpone indefinitely.*

B. PARTICULAR MOTIONS

Rule No. 22. To Adjourn.

A motion to adjourn shall always be in order unless a motion to rescind a final vote on a bill or resolution is pending. The name of the Senator moving to adjourn, and the time when the motion was decided, shall be entered in the Journal.

Rule No. 23. Lay on the Table.

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

Rule No. 24. To Strike Enacting Clause.

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

Rule No. 25. Division of Proposal.

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

Rule No. 26. Explanation of Motion.

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

VIII. DEBATE

Rule No. 27. Speaking on Proposal.

- 1. Every Senator who speaks shall, in his or her place, seated or standing, as determined by the Senate, address "Mr. or Madam President," in a courteous manner, and shall confine himself or herself to the proposal before the Senate.*

2. Except as otherwise provided in Senate Rules Nos. 10 and 45 of the 35th Special Session, a Senator may speak only once on a proposal before the Senate, for a period of not more than 10 minutes, unless he or she is granted leave of the President to speak for a longer period or more than once. If a Senator is granted leave to speak for a longer period or more than once, the President may limit the length of additional time that the member may speak.

3. Incidental and subsidiary proposals arising during debate shall not be considered the same proposal.

Rule No. 28. *Previous Question.*

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

IX. CONDUCT OF BUSINESS

A. GENERALLY

Rule No. 29. *Mason's Manual.*

The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which they are applicable and in which they are not inconsistent with the rules and orders of the Senate for the 35th Special Session of the Legislature, and the Joint Rules of the Senate and Assembly for the 35th Special Session of the Legislature.

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

No rule or order of the Senate for the 35th Special Session of the Legislature shall be suspended, rescinded or changed without a majority vote of the Senate.

Rule No. 31. *Protest.*

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

Rule No. 32. *Privilege of the Floor.*

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

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

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

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

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

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

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

Rule No. 34. *Petitions.*

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

Rule No. 35. *Objection to Reading of Paper.*

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

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

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

B. BILLS AND RESOLUTIONS

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

Except as otherwise provided in this Rule, the Legislative Counsel shall not honor a request for the drafting of a bill, resolution or amendment to be introduced in the Senate unless it is submitted by the Committee of the Whole, a standing committee, a select committee or a Conference Committee. The Majority Leader may:

1. Request the drafting of five legislative measures for the 35th Special Session of the Legislature; and
2. Request the drafting of an amendment,
 ↪ without seeking the approval of the Committee of the Whole or any other committee that may be appointed for the 35th Special Session.

Rule No. 38. *Skeleton Bill Prohibited.*

Skeleton bills may not be introduced.

Rule No. 39. *Reading of Bills.*

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

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

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

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

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

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

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

- (a) An amendment of the bill is recommended;
- (b) It contains an appropriation;
- (c) It requires a two-thirds vote of the Senate; or
- (d) It is controversial in nature.

3. A bill must be removed from the Consent Calendar at the request of any Senator, without question or debate. A bill so removed must be immediately placed on the Second Reading File for consideration in the usual order of business.

4. When the Consent Calendar is called:

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

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

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

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

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

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

Rule No. 42. *Reconsideration of Vote on Bill.*

No motion to reconsider a vote is in order.

Rule No. 42.5. *Vetoed Bills.*

Bills which have passed the Legislature, and forwarded by letter, to the Senate by the Governor and which are accompanied by a message of the Governor's disapproval, or veto of the same, shall become a special order and, at which time, the said message shall be read, together with the bill or bills so disposed or vetoed; and the message and the bill shall be read without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or

message shall be referred to any committee, or otherwise acted upon, save as provided by rule, custom and law; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such vetoed bill without the same having first been read; the merits of the bill itself may be debated and the only motion entertained after the Chair has stated the question are a motion for "The previous question," or a motion for "No further consideration" of the vetoed bill.

C. RESOLUTIONS

Rule No. 43. Joint Resolutions.

1. Joint resolutions must be used to address Congress, or either House thereof, or the President of the United States, or the heads of any of the national departments, or to propose amendments to the State Constitution. A roll call vote must be taken upon final passage of a joint resolution and entered into the Journal.

2. Upon introduction, the reading of a joint resolution is for informational purposes and referral to committee, unless the joint resolution is rejected or a member moves to immediately consider the joint resolution for final passage. The motion to immediately consider the joint resolution for final passage may be adopted by a majority vote of the Senate.

3. Committee amendments reported with joint resolutions may be adopted by a majority vote of the members present. Joint resolutions so amended must be reprinted, engrossed or reengrossed, and ordered to the Resolution File.

4. Any member may move to amend a joint resolution and the motion to amend may be adopted by a majority vote of the members present. Joint resolutions so amended must be treated the same as joint resolutions with committee amendments. Any joint resolution so amended must be reprinted and engrossed or reengrossed, and ordered to the Resolution File.

5. Committee amendments and all other amendments must be available to members of the public after the amendments are submitted to the Secretary for processing in order to be considered for the Resolution File.

6. The Secretary shall make the Resolution File available to members of the public each day.

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

8. An appropriate number of copies of all amended joint resolutions must be printed.

Rule No. 43.3. Memorial Resolutions.

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

Rule No. 44. Certain Resolutions Treated as Motions.

Resolutions, other than those referred to in Senate Rules Nos. 43 and 43.3 of the 35th Special Session of the Legislature, must be treated as motions in all proceedings of the Senate.

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

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

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

1. Roll Call.
2. Prayer and Pledge of Allegiance to the Flag.
3. Reading and Approval of the Journal.
4. Reports of Committees.
5. Messages from the Governor.
6. Messages from the Assembly.
7. Communications.
8. [Reserved.]
9. Motions, Resolutions and Notices.
10. Introduction, First Reading and Reference.
11. Consent Calendar.
12. Second Reading and Amendment.
13. General File and Third Reading.
14. Unfinished Business.

15. *Special Orders of the Day.*

16. *Remarks from the Floor; Introduction of Guests.* A Senator may speak under this order of business for a period of not more than 5 minutes each day.

Rule No. 46. *Privilege.*

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

Rule No. 47. *Preference to Speak.*

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

Rule No. 48. *Special Order.*

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

The next rule is 50.

D. *Remote-Technology Systems*

Rule No. 50. *Short Title; Precedence of Rules; Applicability of Rules During the Interim Between Sessions.*

1. *Rules Nos. 50 to 54, 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.*

3. *The Remote-Technology Rules remain in full force and effect throughout the interim between regular sessions of the Legislature and until new Standing Rules are adopted as part of the organization of a newly-constituted Senate at the commencement of a session.*

Rule No. 51. *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 Senate 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 Senate, 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 Senate may efficiently and effectively carry out its official powers, functions, duties and responsibilities which are expressly and exclusively assigned to the Senate 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. 52. *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 Majority Leader and uses any electronic, digital or other similar technology to enable a member of the Senate from a remote location to attend, participate, vote and take any other action in any proceedings of the Senate or the Committee of the Whole even though the member is not physically present within the Senate 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 Senate 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. 53. Authorized Use of Remote-Technology Systems to Carry Out Public Purposes.

1. Upon request by a member of the Senate:

(a) The Majority Leader may authorize the member to use a remote-technology system to attend, participate, vote and take any other action in any proceedings of the Senate or the Committee of the Whole if the Majority Leader 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 Majority Leader grants such authorization, it must be entered in the Journal of the Senate.

(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 Senate 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 Senate or the Committee of the Whole, the Secretary of the Senate, 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 Senate, cause the member's vote to be entered into the record for the purposes of the Journal of the Senate 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. 54. Authority to Adopt Rules.

1. The Senate 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 Senate 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 Senate 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.*

And be it further

RESOLVED, That this resolution becomes effective upon adoption.

Senator Cannizzaro moved the adoption of the resolution.

Resolution adopted.

By Senators Cannizzaro and SeEVERS Gansert:

Senate Resolution No. 2—Providing that no allowances will be paid for the 35th Special Session of the Nevada Legislature for periodicals, stamps, stationery or communications.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That for the 35th Special Session of the Nevada Legislature, no allowances will be paid for members of the Senate for periodicals, stamps, stationery or the use of telephones and no allowances will be paid for the President Pro Tempore, Majority Leader, Minority Leader or chair of a committee of the Senate for postage, telephone tolls or other charges for communications; and be it further

RESOLVED, That this resolution becomes effective upon adoption.

Senator Cannizzaro moved the adoption of the resolution.

Resolution adopted.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, June 7, 2023

To the Honorable the Senate:

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

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 1—Adopting the Joint Rules of the Senate and Assembly for the 35th 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 35th Special Session of the Legislature are hereby adopted:

APPLICABILITY OF JOINT RULES

Rule No. 1. Generally.

The Joint Rules for the 35th Special Session of the Legislature are applicable only during the 35th 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 82nd 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..

Senator Cannizzaro moved the adoption of the resolution.

Resolution adopted unanimously.

Senator Cannizzaro moved that all necessary rules be suspended and that the resolution be immediately transmitted to the Assembly.

Motion carried.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee of the Whole:

Senate Bill No. 1—AN ACT relating to economic development; enacting the Southern Nevada Tourism Innovation Act; amending the Southern Nevada Tourism Improvements Act; requiring the establishment in Clark County of a sports and entertainment improvement district for the financing of a Major League Baseball stadium project; authorizing the Clark County Stadium Authority to carry out the provisions of law governing the Major League Baseball stadium project; requiring the creation of a resort corridor homelessness prevention and assistance fund; authorizing the pledge of certain taxes, fees and charges for the payment of bonds and other purposes relating to the financing of the Major League Baseball stadium project; authorizing the State Treasurer to provide a credit enhancement on bonds issued to finance the construction of the Major League Baseball stadium project; requiring the issuance of general obligations of Clark County for the financing of a Major League Baseball stadium project under certain circumstances; authorizing the issuance of transferable tax credits to developer partners for qualified projects relating to the Major League Baseball stadium project; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering Senate Bill No. 1, with Senator Cannizzaro as Chair and Senator Lange as Vice Chair.

Motion carried.

Senator Cannizzaro moved that the Senate take a brief recess.

Motion carried.

Senate in recess at 12:41 p.m.

IN COMMITTEE OF THE WHOLE

At 3:18 p.m.

Senator Cannizzaro presiding.

Senate Bill No. 1 considered.

The Committee of the Whole was addressed by

SENATOR CANNIZZARO:

The first order of business is to approve the rules for the Committee of the Whole.

The rules are as follows:

1. All meetings shall be open to the public via live broadcasts on the Legislature's website.
2. Committee recesses shall be at the call of the Chair or to a time certain.
3. Provided a quorum is present, a majority of those present and voting is sufficient to pass a bill or a resolution or adopt Committee amendments. Members approved, by the Chair, to participate remotely are present and in attendance at the meeting for all purposes.
4. The Chair must be present and will decide when the Committee takes an action or a vote. The Secretary shall record motions and votes of Committee members on all votes and other actions.
5. Matters not within the Governor's Proclamation or not relevant to the specific topic under consideration will be ruled out of order.
6. Any work requested of Legislative staff on behalf of the Committee must be made through the Chair.

Senator Scheible moved to adopt the rules of the Committee of the Whole.

Senator Neal seconded the motion.

Motion carried.

SENATOR CANNIZZARO:

We will open the hearing on matters relating to Senate Bill No. 1.

(All remarks to be entered at a later time.)

On the motion of Senator Lange, seconded by Senator Dondero Loop, the Committee did rise and report back to the Senate.

SENATE IN SESSION

At 11:46 p.m.

President pro Tempore Spearman presiding.

Quorum present.

REPORTS OF COMMITTEE

Madam President pro Tempore:

Your Committee of the Whole, to which was referred Senate Bill No. 1, has had the same under consideration, and has taken no action.

UNFINISHED BUSINESS SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Resolutions Nos. 1, 2.

Senator Cannizzaro moved that the Senate adjourn until Wednesday, June 8, 2023, at 11:30 a.m.

Motion carried.

Senate adjourned at 11:47 p.m.

Approved:

PAT SPEARMAN

President pro Tempore of the Senate

Attest: BRENDAN BUCY

Secretary of the Senate