

ASSEMBLY JOINT RESOLUTION NO. 7—ASSEMBLYMEN  
GIUNCHIGLIANI, PARKS, ANDERSON, ARBERRY,  
CHOWNING, CHRISTENSEN, CLABORN, COLLINS,  
GOICOECHEA, GOLDWATER, KOIVISTO, MANENDO,  
MCCLAINE, MCCLEARY, MORTENSON, PIERCE AND  
WILLIAMS

MARCH 13, 2003

Referred to Committee on Constitutional Amendments

SUMMARY—Proposes to amend Nevada Constitution to revise  
provisions relating to legislative sessions.  
(BDR C-43)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Proposing to amend the  
Nevada Constitution to revise provisions relating to  
legislative sessions.

1 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF  
2 NEVADA, JOINTLY, That a new section, designated section 29A, be  
3 added to Article 4 of the Nevada Constitution to read as follows:  
4 *Sec. 29A. 1. The Legislature shall adjourn sine die*  
5 *each regular session held in an odd-numbered year not later*  
6 *than midnight of the 120th legislative day or of the 140th*  
7 *calendar day, whichever occurs first. Any legislative action*  
8 *taken after midnight of the 120th legislative day or of the*  
9 *140th calendar day of that session is void, unless the*  
10 *legislative action is conducted during a special session.*  
11 *2. The Legislature shall adjourn sine die each regular*  
12 *session held in an even-numbered year not later than*  
13 *midnight of the 45th calendar day of that session. Any*  
14 *legislative action taken after midnight of the 45th calendar*  
15 *day is void, unless the legislative action is conducted during*  
16 *a special session.*



1 And be it further

2 RESOLVED, That a new section, designated Sec. 2A, be added to  
3 Article 4 of the Nevada Constitution to read as follows:

4 *Sec. 2A. 1. The Legislature may be convened, on*  
5 *extraordinary occasions, upon petition signed by two-thirds*  
6 *of the members of each House of the Legislature. A petition*  
7 *must specify the business to be transacted during the special*  
8 *session, indicate a date on or before which the Legislature is*  
9 *to convene and be transmitted to the Secretary of State.*  
10 *Upon receipt of one or more substantially similar petitions*  
11 *signed, in the aggregate, by the required number of*  
12 *members, calling for a special session, the Secretary of State*  
13 *shall notify all members of the Legislature and the*  
14 *Governor that a special session will be convened pursuant*  
15 *to this section.*

16 *2. No bills, except those related to the business*  
17 *specified in the petition and those necessary to provide for*  
18 *the expenses of session, may be introduced at a special*  
19 *session convened pursuant to this section.*

20 *3. A special session convened pursuant to this section*  
21 *takes precedence over a special session called by the*  
22 *Governor pursuant to Section 9 of Article 5 of this*  
23 *Constitution, unless otherwise provided in the petition*  
24 *calling for the special session.*

25 *4. The Legislature may provide by law for the*  
26 *procedure for convening a special session pursuant to this*  
27 *section.*

28 *5. The Legislature shall adjourn sine die a special*  
29 *session convened pursuant to this section not later than*  
30 *midnight of the 20th calendar day of that session. Any*  
31 *legislative action taken after midnight on the 20th calendar*  
32 *day is void.*

33 And be it further

34 RESOLVED, That Section 2 of Article 4 of the Nevada  
35 Constitution be amended to read as follows:

36 Sec. 2. 1. The sessions of the Legislature shall be  
37 ~~biennial,~~ *annual*, and shall commence on the 1st Monday of  
38 February , ~~following the election of members of the~~  
39 ~~Assembly,~~ *unless the Governor of the State or the members*  
40 *of the Legislature* shall, in the interim, convene the  
41 Legislature by proclamation [-

42 ~~2. The Legislature shall adjourn sine die each regular~~  
43 ~~session not later than midnight Pacific standard time 120~~  
44 ~~calendar days following its commencement. Any legislative~~  
45 ~~action taken after midnight Pacific standard time on the 120th~~



~~calendar day is void, unless the legislative action is conducted during a special session convened by the Governor.~~

~~—3.] or petition.~~

2. The Governor shall submit :

(a) *In odd-numbered years*, the proposed executive budget ; and

(b) *In even-numbered years, any proposed appropriations or proposed revisions to the executive budget,*

to the Legislature not later than ~~[14]~~ 21 calendar days before the commencement of each regular session.

And be it further

RESOLVED, That Section 33 of Article 4 of the Nevada Constitution be amended to read as follows:

~~[See:]~~ *Sec. 33.* The members of the Legislature shall receive for their services, a compensation to be fixed by law and paid out of the public treasury, for not to exceed 60 days during any regular session of the legislature *conducted during odd-numbered years, not to exceed 45 days during any regular session of the legislature conducted during even-numbered years* and not to exceed 20 days during any special session ; ~~[convened by the governor;]~~ but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected Provided, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.

And be it further

RESOLVED, That Section 9 of Article 5 of the Nevada Constitution be amended to read as follows:

~~[Sec: 9. The]~~

*Sec. 9. 1. Except as otherwise provided in Section 2A of Article 4 of this Constitution, the* Governor may , on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses , when organized, the purpose for which they have been convened . ~~[, and the Legislature shall transact no legislative business, except that for which they were specially convened, or such other~~



~~legislative business as the Governor may call to the attention of the Legislature while in Session.]~~

*2. No bills, except those related to the purpose for which the Legislature has been specially convened and those necessary to provide for the expenses of the session, may be introduced at a special session convened pursuant to this section.*

*3. The Legislature shall adjourn sine die a special session convened pursuant to this section not later than midnight of the 20th calendar day of that session. Any legislative action taken after midnight on the 20th calendar day is void.*

And be it further

RESOLVED, That Section 12 of Article 17 of the Nevada Constitution be amended to read as follows:

Sec. 12. The first regular session of the Legislature shall commence on the second Monday of December A.D. Eighteen hundred and Sixty Four, and the second regular session of the same shall commence on the first Monday of January A.D. Eighteen hundred and Sixty Six; and the third regular session of the Legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January A.D. Eighteen hundred and Sixty Seven; and the regular sessions of the Legislature shall be held thereafter .  
~~[biennially.]~~

And be it further

RESOLVED, That Section 2 of Article 19 of the Nevada Constitution be amended to read as follows:

Sec. 2. 1. Notwithstanding the provisions of section 1 of article 4 of this constitution, but subject to the limitations of section 6 of this article, the people reserve to themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this constitution, and to enact or reject them at the polls.

2. An initiative petition shall be in the form required by section 3 of this article and shall be proposed by a number of registered voters equal to 10 percent or more of the number of voters who voted at the last preceding general election in not less than 75 percent of the counties in the state, but the total number of registered voters signing the initiative petition shall be equal to 10 percent or more of the voters who voted in the entire state at the last preceding general election.

3. If the initiative petition proposes a statute or an amendment to a statute, the person who intends to circulate it shall file a copy with the secretary of state before beginning



1 circulation and not earlier than ~~January 1 of the year~~  
2 ~~preceding the year in which a regular session of the~~  
3 ~~legislature is held.] 1 year before the date on which the~~  
4 ~~Legislature to which the petition will be transmitted~~  
5 ~~commences its regular session.~~ After its circulation, it shall  
6 be filed with the secretary of state not less than 30 days prior  
7 to any regular session of the legislature. The circulation of the  
8 petition shall cease on the day the petition is filed with the  
9 secretary of state or such other date as may be prescribed for  
10 the verification of the number of signatures affixed to the  
11 petition, whichever is earliest. The secretary of state shall  
12 transmit such petition to the legislature as soon as the  
13 legislature convenes and organizes. The petition shall take  
14 precedence over all other measures except appropriation bills,  
15 and the statute or amendment to a statute proposed thereby  
16 shall be enacted or rejected by the legislature without change  
17 or amendment within 40 days. If the proposed statute or  
18 amendment to a statute is enacted by the legislature and  
19 approved by the governor in the same manner as other  
20 statutes are enacted, such statute or amendment to a statute  
21 shall become law, but shall be subject to referendum petition  
22 as provided in section 1 of this article. If the statute or  
23 amendment to a statute is rejected by the legislature, or if no  
24 action is taken thereon within 40 days, the secretary of state  
25 shall submit the question of approval or disapproval of such  
26 statute or amendment to a statute to a vote of the voters at the  
27 next succeeding general election. If a majority of the voters  
28 voting on such question at such election votes approval of  
29 such statute or amendment to a statute, it shall become law  
30 and take effect upon completion of the canvass of votes by  
31 the supreme court. An initiative measure so approved by the  
32 voters shall not be amended, annulled, repealed, set aside or  
33 suspended by the legislature within 3 years from the date it  
34 takes effect. If a majority of such voters votes disapproval of  
35 such statute or amendment to a statute, no further action shall  
36 be taken on such petition. If the legislature rejects such  
37 proposed statute or amendment, the governor may  
38 recommend to the legislature and the legislature may propose  
39 a different measure on the same subject, in which event, after  
40 such different measure has been approved by the governor,  
41 the question of approval or disapproval of each measure shall  
42 be submitted by the secretary of state to a vote of the voters at  
43 the next succeeding general election. If the conflicting  
44 provisions submitted to the voters are both approved by a  
45 majority of the voters voting on such measures, the measure



1 which receives the largest number of affirmative votes shall  
2 thereupon become law. If at the session of the legislature to  
3 which an initiative petition proposing an amendment to a  
4 statute is presented which the legislature rejects or upon  
5 which it takes no action, the legislature amends the statute  
6 which the petition proposes to amend in a respect which does  
7 not conflict in substance with the proposed amendment, the  
8 secretary of state in submitting the statute to the voters for  
9 approval or disapproval of the proposed amendment shall  
10 include the amendment made by the legislature.

11 4. If the initiative petition proposes an amendment to the  
12 constitution, the person who intends to circulate it shall file a  
13 copy with the secretary of state before beginning circulation  
14 and not earlier than September 1 of the year before the year in  
15 which the election is to be held. After its circulation it shall  
16 be filed with the secretary of state not less than 90 days  
17 before any regular general election at which the question of  
18 approval or disapproval of such amendment may be voted  
19 upon by the voters of the entire state. The circulation of the  
20 petition shall cease on the day the petition is filed with the  
21 secretary of state or such other date as may be prescribed for  
22 the verification of the number of signatures affixed to the  
23 petition, whichever is earliest. The secretary of state shall  
24 cause to be published in a newspaper of general circulation,  
25 on three separate occasions, in each county in the state,  
26 together with any explanatory matter which shall be placed  
27 upon the ballot, the entire text of the proposed amendment. If  
28 a majority of the voters voting on such question at such  
29 election votes disapproval of such amendment, no further  
30 action shall be taken on the petition. If a majority of such  
31 voters votes approval of such amendment, the secretary of  
32 state shall publish and resubmit the question of approval or  
33 disapproval to a vote of the voters at the next succeeding  
34 general election in the same manner as such question was  
35 originally submitted. If a majority of such voters votes  
36 disapproval of such amendment, no further action shall be  
37 taken on such petition. If a majority of such voters votes  
38 approval of such amendment, it shall, unless precluded by  
39 subsection 5 or 6, become a part of this constitution upon  
40 completion of the canvass of votes by the supreme court.

41 5. If two or more measures which affect the same  
42 section of a statute or of the constitution are finally approved  
43 pursuant to this section, or an amendment to the constitution  
44 is finally so approved and an amendment proposed by the



1 legislature is ratified which affect the same section, by the  
2 voters at the same election:  
3 (a) If all can be given effect without contradiction in  
4 substance, each shall be given effect.  
5 (b) If one or more contradict in substance the other or  
6 others, the measure which received the largest favorable vote,  
7 and any other approved measure compatible with it, shall be  
8 given effect. If the one or more measures that contradict in  
9 substance the other or others receive the same number of  
10 favorable votes, none of the measures that contradict another  
11 shall be given effect.  
12 6. If, at the same election as the first approval of a  
13 constitutional amendment pursuant to this section, another  
14 amendment is finally approved pursuant to this section, or an  
15 amendment proposed by the legislature is ratified, which  
16 affects the same section of the constitution but is compatible  
17 with the amendment given first approval, the secretary of  
18 state shall publish and resubmit at the next general election  
19 the amendment given first approval as a further amendment  
20 to the section as amended by the amendment given final  
21 approval or ratified. If the amendment finally approved or  
22 ratified contradicts in substance the amendment given first  
23 approval, the secretary of state shall not submit the  
24 amendment given first approval to the voters again.

