

Journal

OF THE SENATE OF THE STATE OF NEVADA

EIGHTY-FIRST SESSION

THE FIRST DAY

CARSON CITY (Monday), February 1, 2021

Senate called to order at 1:12 p.m.

President Marshall presiding.

Prayer by Senator Pat Spearman.

Gracious and wise God, we call on You as we acknowledge all the Names Your children use that harmonize with Your divine will; Creator of the Universe, Giver of all that is good, and Champion for the poor, downtrodden, and those living in the social margins. We come with this petition asking for Your guidance as we begin this Legislative Session.

We acknowledge our shortcomings and failures to work with You to lift those who are targeted for destruction because of their race, gender or religious affiliation. Help us to participate in Your celebration of the multiple cultures and ethnicities that showcase Your commitment to diversity in Your sovereign acts in creation.

We ask for equal measures of understanding and determination as we seek ways to mitigate and eliminate the scourge of systemic racism that has been so pervasive in our world. Give us the courage to seek truth for authentic reconciliation and give us the strength to hold each other accountable so that we may achieve real unity and a commitment to our personal growth in our relationship with You.

Give us new ears that are cloaked with empathy and hearts filled with compassion for those who are struggling during these dual, public-health crises of systemic racism and COVID-19. These systems stand as the antithesis to Your divine will for equality and equity for all of Your children. Eternal One, we need Your wisdom infused into every word, spoken and unspoken, as the members of this Body discuss the future path for legislation that we will honor Your commandment to love our neighbor as we love ourselves.

We have worked, walked, planned and talked about becoming a more "perfected union," and now is the time to participate fully to bring Your kingdom to this earth as it exists in the spiritual realm. Now, as we begin this 81st Session of the Nevada State Senate, we are acutely aware that these deliberations might represent the crossroads or precipice for all of the work done by the generations before us. Be now that blessed assurance that their work has not been in vain. Be the

light we need to stamp out the darkness of discrimination, hate and prejudice. Be the courage needed to cocreate, with You, a better world for all.

When we have done all that we came here to do, help us to stand united in this petition for You to complete the work of justice too-long delayed that now will not be denied. We invoke Your spirit to guide these deliberations and bring a favorable conclusion to this fight for equality.

This is our petition, our hope and our affirmation. We pray in Your Holy and matchless Name. Amen, Shalom, and Ameen.

AMEN.

Pledge of Allegiance to the Flag.

MOTIONS, RESOLUTIONS AND NOTICES

Madam President requested Mrs. Claire J. Clift to serve as temporary Secretary of the Senate and Mr. Steven E. Brummer to serve as temporary Sergeant at Arms.

Madam President instructed the temporary Secretary to call the roll of the holdover Senators.

Roll called.

All holdover Senators present.

Madam President appointed Senators Denis, Scheible and Kieckhefer as a temporary Committee on Credentials.

Madam President announced that if there were no objections, the Senate would recess subject to the call of the Chair while the credentials of the newly-elected Senators are examined by the temporary Committee on Credentials.

Senate in recess at 1:18 p.m.

SENATE IN SESSION

At 1:20 p.m.

President Marshall presiding.

Quorum present.

REPORTS OF COMMITTEE

Madam President:

Your Temporary Committee on Credentials has had the credentials of the respective Senators-elect under consideration and begs leave to report that the following persons have been and are duly elected and qualified members of the Senate for the Eighty-first Session of the Legislature of the State of Nevada: Senators Chris Brooks, Carrie A. Buck, Nicole J. Cannizzaro, Pete Goicoechea, Scott T. Hammond, Dallas A. Harris, Roberta A. Lange, Dina A. Neal, Heidi Seevers Gansert and Pat Spearman.

MOISES DENIS
MELANIE SCHEIBLE
BEN KIECKHEFER

MOTIONS, RESOLUTIONS AND NOTICES

Senator Denis moved that the report of the temporary Committee on Credentials be adopted.

Motion carried unanimously.

Madam President appointed Senator Dondero Loop to escort Chief Justice James W. Hardesty of the Supreme Court of the State of Nevada to the rostrum to administer the oath of office to the newly-elected Senators.

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

Senate in recess at 1:21 p.m.

SENATE IN SESSION

At 1:22 p.m.

President Marshall presiding.

Quorum present.

Chief Justice Hardesty administered the oath of office to the newly-elected Senators.

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

Senate in recess at 1:25 p.m.

SENATE IN SESSION

At 1:34 p.m.

President Marshall presiding.

Quorum present.

Senator Ohrenschall moved that the Chief Justice be extended a unanimous vote of thanks for administering the oath.

Motion carried unanimously.

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

Roll called.

All Senators present and one vacant.

Madam President declared that nominations were in order for President pro Tempore.

Senator Hardy nominated Senator Moises Denis for President pro Tempore of the Senate.

Senator Ratti moved that the nominations be closed.

Motion carried unanimously.

Madam President declared Senator Moises Denis to be President pro Tempore of the Senate.

Madam President declared that nominations were in order for Secretary of the Senate.

Senator Cannizzaro nominated Mrs. Claire Jesse Clift to be Secretary of the Senate.

Senator Settelmeyer moved that the nominations be closed.

Motion carried unanimously.

Madam President declared Mrs. Claire Jesse Clift to be the Secretary of the Senate.

Madam President appointed Senator Brooks as a Committee to inform the Assembly that the Senate is organized and ready for business.

Madam President appointed Senator Harris as a Committee 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 allowed the use of appropriate media facilities: ASSOCIATED PRESS: Sam Metz, Scott Sonner; CUMULUS RADIO: Samantha Stone; KLAS: David Charns, Orko Manna, Vanessa Murphy, Mark Mutchler, Bill Roe; KNPR: Bert Johnson; KOLO-TV: Michael Cooper, Abel Garcia, Kelsey Marier, Terri Russell; KRNV-TV: Miles Buergin, Brett Forrest, Jerry Lawlor, Ben Margiott, Ty O'Neil, Zac Slotemaker; KTVN: Valentina Bonaparte, Clay Conover, Mark Cronon, Robert Deiters, Bryan Hofmann, Michelle Lorenzo, Paul Nelson, Wesley Sullivan, Jefferson Tyler; KUNR: Paul Boger, Lucia Starbuck; LAS VEGAS REVIEW-JOURNAL: Rory Appleton, William Dentzer, Colton Lochhead, Steve Sebelius; LAS VEGAS SUN: John Sadler, Ricardo Torres Cortez; NEVADA APPEAL: Geoff Dornan; NEVADA CURRENT: April Corbin Girmus, Michael Lyle; RENO GAZETTE JOURNAL: Andy Barron, Jason Bean, James Dehaven, Siobhan McAndrew, Kristin Oh, Terell Wilkins; SIERRA NEVADA ALLY: Brian Bahouth; THE NEVADA INDEPENDENT: David Calvert, Joey Lovato, Tabitha Mueller, Michelle Rindels, Daniel Rothberg, Riley Snyder; THIS IS RENO: Bob Conrad, Jeri Davis, Eric Marks, Ty O'Neil.

Motion carried.

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

Senate in recess at 1:38 p.m.

SENATE IN SESSION

At 1:48 p.m.

President Marshall presiding.

Quorum present.

A Committee from the Assembly composed of Assemblyman Watts appeared before the bar of the Senate and announced that the Assembly is organized and ready for business.

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

Senate in recess at 1:49 p.m.

SENATE IN SESSION

At 6:25 p.m.

President pro Tempore Denis presiding.

Quorum present.

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

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

REMARKS FROM THE FLOOR

Remarks by Senator Cannizzaro.

I want to thank everyone, first, for their patience this evening as we seek to get organized for this Legislative Session. As we begin the 81st Session of the Nevada Legislature, we do so with over 4,000 Nevadans who have lost their lives to this deadly virus we still face. Their families are in our thoughts and prayers.

On this first day of Black History Month, we recognize that communities of color have been disproportionately impacted by this virus. Today, we renew our commitment to them and everyone in this State and pledge to work toward an equal and just system for all Nevadans. We pledge to work with all Nevadans with respect to getting them back to work and to a place where we begin to prosper. At the same time, this Chamber has much work to accomplish. We are all determined to get to work and fight to protect families across our State.

Let me be clear, our top priority this Session is to combat COVID-19 and put Nevada in the strongest position possible to emerge from this crisis stronger than ever before. I remain hopeful this Body can and will work in a fashion to work better together for all of Nevada's families. Over the course of this Session, this Legislature will work across the aisle and with the federal government to respond and meet Nevada's needs.

We will ensure we are safely reopening our public schools, making sure teachers are vaccinated and getting our students safely back into the classroom. We will continue to provide that educational promise from which so many in this Body, and their families, have benefited. We will ensure workers are protected and invest in workforce training and skilled job opportunities to get families and businesses affected by the pandemic back on their feet and to a feeling of hopefulness. We will protect those who have fallen behind on their mortgage, rent and utility payments and ensure that, just because many have lost their jobs, not all is lost. Opportunity to succeed exists. We ensure to help small businesses and business owners, the engine of our communities, to deal with the economic consequences of COVID-19 so they can keep their doors open and their employees employed.

Once we tackle these immediate and most pressing issues, we can begin to look toward our future. Nevada is a state where anyone willing to work hard and play by the rules has every opportunity to succeed. While I was growing up, this was a promise made to and by my family. My colleagues in the Senate, I hope we can work together toward a brighter future for all.

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Cannizzaro and Settlemeyer:

Senate Resolution No. 1—Adopting the Standing Rules of the Senate for the 81st Session of the Legislature.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the Senate Standing Rules are hereby adopted for the 81st Session of the Legislature as follows:

I. OFFICERS AND EMPLOYEES

DUTIES OF OFFICERS

Rule No. 1. President.

The President shall take the chair and call the Senate to order precisely at the hour appointed for meeting, and if a quorum is present shall cause the Journal of the preceding day to be read. 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. 2. 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 Chair of the Standing Committee on Legislative Operations and Elections shall serve as the presiding officer. In the absence or inability of the Chair, the Vice Chair of the Standing Committee on Legislative Operations and Elections shall serve as the presiding officer. In the absence or inability of the Vice Chair of the Standing Committee on Legislative Operations and Elections, the Senate shall elect one of its members to serve as the presiding officer. 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 Standing Rule No. 31 or Section 17 of Article 5 of the Nevada Constitution.

Rule No. 3. 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 to its committees.

(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 at the end of each working day 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 discretion 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 bills and resolutions; and in the absence of both officers, the Majority Leader shall designate a signatory.

Rule No. 4. 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. 5. 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.

Rule No. 6. Continuation of Leadership of the Senate During the Interim Between Sessions.

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

2. *The President pro Tempore, Majority Leader and Minority Leader for the next succeeding regular session shall perform any duty that is required of that officer by the Standing Rules of the Senate and the Nevada Revised Statutes in the period between the time of their designation after the general election and the organization of the next succeeding regular session.*

3. *The Majority Leader and Minority Leader for the next succeeding regular session shall appoint the regular and alternate members to the Committee on Ethics as set forth in Senate Standing Rule No. 23.*

4. *The Majority Leader shall:*

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

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

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

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

The next rule is 10.

II. SESSIONS AND MEETINGS

Rule No. 10. Time of Meeting.

1. *Except as otherwise provided in subsection 2, the President shall call the Senate to order each day of sitting at 11:00 o'clock a.m., unless the Senate has adjourned to some other hour.*

2. *In the event an emergency occurs during a regular or 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. 11. Call of Senate—Moved by Three Members.

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

Rule No. 12. 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, the per diem of the Senator shall not be allowed to him or her.

Rule No. 13. Open Meetings.

1. *Except as provided in the Constitution of the State of Nevada and in subsection 2, all meetings of the Senate and its committees must be open to the public.*

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

The next rule is 20.

III. DECORUM AND DEBATE

Rule No. 20. 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. 21. 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. 22. Reserved.

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

1. The Committee on Ethics consists of:

(a) Two members of the Senate appointed by the Majority Leader from the majority political party;

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

(c) Four qualified electors of the State, two of whom are appointed by the Majority Leader, one who is appointed by the Minority Leader, and one who is appointed by the other members appointed to the Committee, and none of whom is a present member of the Legislature or employed by the State of Nevada.

↳ Not more than four members of the Committee may be members of the same political party.

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

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

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

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

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

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

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

7. The Committee:

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

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

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

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

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

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

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

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

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

10. Each Legislator is subject, at all times, to the Legislative Code of Ethical Standards in the Joint Standing Rules and, in addition, must determine whether he or she has a conflict of interest upon any matter in question before the Legislator. In determining whether the Legislator has such a conflict of interest, the Legislator should consider whether the independence of judgment of a reasonable person in his or her situation upon the matter in question would be materially affected by the Legislator's:

(a) Acceptance of a gift or loan;

(b) Private economic interest; or

(c) Commitment to a member of his or her household or immediate family.

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

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

12. If, on one or more prior occasions during the current session of the Legislature, a Legislator has made a general disclosure of a conflict of interest on the record in a meeting of a committee or on the floor of the 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.

13. In determining whether to abstain from voting upon, advocating or opposing a matter concerning which a Legislator has a conflict of interest pursuant to subsection 10, the Legislator should consider whether:

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

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

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

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

16. The standards and procedures set forth in this Rule which govern whether and to what extent a 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 10:

- (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.

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

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

The next rule is 30.

IV. QUORUM, VOTING, ELECTIONS

Rule No. 30. 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. A Senator who records himself or herself as "not voting" must make a full and complete disclosure of a conflict of interest pursuant to Senate Standing Rule No. 23.

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. 31. 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. 32. 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.

The next rule is 40.

V. LEGISLATIVE BODIES

Rule No. 40. Standing and Select Committees.

1. Except as otherwise provided in Senate Standing Rule No. 23, the Majority Leader shall appoint all standing and select committees and shall determine the majority-minority party composition of all standing and select committees. Appointments to committees shall be made by the Majority Leader for the majority party members and by the Minority Leader for the minority party members. The Majority Leader shall designate the Chair and Vice Chair of all standing and select committees.

2. The Majority Leader shall refer prefiled bills and resolutions to committee, subject to ratification by a majority vote of the Senate once the Senate is organized and ready for business.

3. Except as otherwise provided in subsection 4, the standing and select committees of the Senate and their respective jurisdiction for the reference of bills and resolutions are as follows:

(a) Commerce and Labor, seven members, with jurisdiction over measures affecting primarily titles 52-55 of NRS, and chapters 97-100, 118-119, 119B, 461, 461A, 489, 679A-693A, 694A-697, 711 and 712 of NRS, except measures affecting primarily state and local revenue.

(b) Education, seven members, with jurisdiction over measures affecting primarily chapters 53B, 378-380A, 385-386 and 388-399 of NRS, except measures affecting primarily state and local revenue.

(c) Finance, nine members, with jurisdiction over measures affecting primarily chapters 1A, 387 and 400 of NRS, appropriations, operating and capital budgets, state and federal budget issues and bonding, except measures affecting primarily state and local revenue, and over any measures carrying or requiring appropriations and favorably reported by any other committee.

(d) Government Affairs, five members, with jurisdiction over measures affecting primarily titles 20, 21, 25, 27, 28, 30, 36 and 37 of NRS, and chapters 223-228, 232-233I, 234-237, 238-242, 271, 277-280, 286-289, 353, 353A, 353C-358, 381, 384, 472, 474, 477, 693B, 709, 710 and 720 of NRS, except measures affecting primarily the provisions of the Nevada Administrative Procedure Act that govern the adjudication of contested cases, the Tahoe Regional Planning Compact and the Tahoe Regional Planning Agency, state and local revenue and state and federal budget issues.

(e) Growth and Infrastructure, five members, with jurisdiction over measures affecting primarily title 44 of NRS, and chapters 403-405, 408, 410, 459A, 476, 480-487, 490 and 701-708 of NRS, except measures affecting primarily state and local revenue.

(f) Health and Human Services, five members, with jurisdiction over measures affecting primarily titles 38, 39 and 56 of NRS, chapters 439-442 of NRS, NRS 444.002-444.430 and chapters 446-458A, 460 and 583-585 of NRS, except measures affecting primarily state and local revenue.

(g) Judiciary, eight members, with jurisdiction over measures affecting primarily the provisions of the Nevada Administrative Procedure Act that govern the adjudication of contested cases, titles 2-7, 9, 11-16 and 41 of NRS, and chapters 1, 2-7, 101-104A, 111-117, 119A, 120, 120A, 475, 719, 721 and 722 of NRS, except measures affecting primarily state and local revenue.

(h) Legislative Operations and Elections, five members, with jurisdiction over measures affecting primarily titles 17, 24 and 29 of NRS, chapters 281-285 of NRS, and the operation of the legislative session, except measures affecting primarily state and local revenue.

(i) Natural Resources, five members, with jurisdiction over measures affecting primarily titles 26 and 45-50 of NRS, chapters 383, 407 and 407A of NRS, NRS 444.435-444.650, chapters 444A-445D, 459, 488, 581, 582 and 586-590 of NRS, and the Tahoe Regional Planning Compact and the Tahoe Regional Planning Agency, except measures affecting primarily state and local revenue.

(j) Revenue and Economic Development, five members, with jurisdiction over measures affecting primarily title 32 of NRS, chapters 231, 231A, 237A and 271A-274 of NRS, and state and local revenue.

4. The Chair of the Standing Committee on Finance may assign any portion of a proposed executive budget to any of the other standing or select committees of the Senate for review. Upon receiving such an assignment the standing or select committee shall complete its review expeditiously and report its findings and any recommendations to the Standing Committee on Finance for its independent evaluation.

Rule No. 41. Appointment of Alternates.

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

Rule No. 42. Committee Expenses.

No committee shall employ assistance or incur any expense, except by permission of the Majority Leader previously obtained.

Rule No. 43. Duties of Committees.

The several committees shall acquaint themselves with the interests of the State specially represented by the committee and shall present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the State.

Rule No. 44. Reserved.

Rule No. 45. Reserved.

Rule No. 46. Forming Committee of the Whole.

In forming the Committee of the Whole, the Senator who has so moved shall name a Chair to preside. All amendments proposed by the Committee shall be reported by the Chair to the Senate.

Rule No. 47. Rules Applicable to Committee of the Whole.

The Rules of the Senate shall apply to proceedings in Committee of the Whole, except that the previous question shall not be ordered, nor the yeas and nays demanded, but the Committee 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.

Rule No. 48. Motion to Rise Committee of the Whole.

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

Rule No. 49. Reference to Committee.

When a motion is made to refer any subject, and different committees are proposed, the subject may be referred to the committee with jurisdiction over the subject as set forth in Senate Standing Rule No. 40, or to a different committee, upon a majority vote of the members present.

Rule No. 50. Return From Committee.

1. Any bill or other matter referred to a committee of the Senate must not be withdrawn or ordered taken from the committee for consideration by the Senate, for re-referral, or for any other reason without a majority vote of the Senate, and at least one day's notice of the motion therefor.

2. No such motion is in order:

(a) If the bill to be withdrawn or ordered taken from the committee may no longer be considered by the Senate; or

(b) On the last day of the session, or on the day preceding the last day of the session.

3. This Rule does not take from any committee the rights and duties of committees provided for in Senate Standing Rule No. 43.

Rule No. 51. Reserved.

Rule No. 52. Reserved.

Rule No. 53. Committee Rules.

1. The rules of the Senate, as far as applicable, are the rules of committees of the Senate. Procedure in committees, where not otherwise provided in this Rule, must follow the procedure of the Senate. For matters not included in the rules of the Senate or these rules, Mason's Manual of Legislative Procedure must be followed.

2. A majority of any committee constitutes a quorum for the transaction of business.

3. A meeting of a committee may not be opened without a quorum present.

4. In addition to regularly scheduled meetings of a committee or those called by the Chair of the committee, meetings may be set by a written petition of a majority of the committee and filed with the Chair of the committee.

5. A bill may be passed from a committee only by a majority of the committee membership. A simple majority of those present and voting is sufficient to adopt committee amendments.

6. Subcommittees may be appointed by the Chair of a committee to consider subjects specified by the Chair and shall report back to the committee. If a member of a subcommittee is not a member of the standing or select committee for which the subcommittee is created, the approval of the Majority Leader is required for that member's appointment. If a subcommittee is so

appointed, the Chair of the committee shall determine whether the subcommittee shall keep minutes of its meetings. Any minutes required to be kept pursuant to this subsection must comply with the provisions of subsection 12.

7. A committee shall act only when together, and all votes must be taken in the presence of the committee. A member shall not be recorded as voting unless the member was actually present in the committee at the time of the vote. The Chair of the committee must be present when the committee votes to take any final actions on bills or resolutions, but the Chair is not required to vote. In addition to the use of remote-technology systems pursuant to the Remote-Technology Rules set forth in Senate Standing Rules Nos. 131 to 135, inclusive, upon approval of the Majority Leader, a committee may meet together by video conference or other appropriate remote-technology systems. A member who is actually present in the committee at a posted video conference or other remote location is present and in attendance at the meeting for all purposes. A member who is participating in a committee meeting with all committee members participating through the use of a remote-technology system pursuant to the direction of the Majority Leader shall participate in the committee meeting from a location other than a committee meeting room. The provisions of this subsection do not prohibit the prefiling of legislative bills and resolutions on behalf of a committee in the manner prescribed by the Legislative Commission.

8. All committee and subcommittee meetings are open to the public, except as otherwise provided in Senate Standing Rule No. 13.

9. Before a Chair of a committee reports a bill or resolution to the Senate, the committee may reconsider its action. A motion to reconsider must be made by any member who voted on the action.

10. The Chair of a committee shall determine the agenda of each meeting of the committee except that a member of the committee may request an item for the agenda by communicating with the Chair at least 4 days before the meeting. A majority of a committee may, by vote, add an item to the agenda of the next regularly scheduled meeting.

11. Secretaries to committees shall give notices of hearings on bills to anyone requesting notices of particular bills.

12. All committees shall keep minutes of meetings. The minutes must cover members present and absent, subjects under discussion, witnesses who appear, committee members' statements concerning legislative intent, action taken by the committee, as well as the vote of individual members on all matters on which a vote is taken. Upon approval of the Chair, any member may submit to the secretary additional remarks to be included in the minutes and records of committee meetings. Upon completion of the minutes, the Chair will review for approval. At the conclusion of the legislative session, the Secretary of the Senate shall deliver all minutes and records of committee meetings in his or her possession to the Research Library of the Legislative Counsel Bureau.

13. In addition to the minutes, the committee secretary shall maintain a record of all bills, including:

- (a) Date bill referred;
- (b) Date bill received;
- (c) Date set for hearing the bill;
- (d) Date or dates bill heard and voted upon; and
- (e) Date report prepared.

14. Each committee secretary shall file the minutes of each meeting with the Secretary of the Senate as soon as practicable after the meeting.

15. All committee minutes and any subcommittee minutes required to be kept pursuant to subsection 6 are open to public inspection upon request and during normal business hours. The official record of the committee meeting is the minutes approved by the Chair.

Rule No. 54. Review of State Agency Programs.

In addition to or concurrent with committee action taken on specific bills and resolutions during a regular session of the Legislature, each standing committee of the Senate is encouraged to plan and conduct a general review of selected programs of state agencies or other areas of public interest within the committee's jurisdiction.

The next rule is 60.

VI. RULES GOVERNING MOTIONS

A. MOTIONS GENERALLY

Rule No. 60. *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. 61. *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. 62. *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 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. 63. *To Adjourn.*

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

Rule No. 64. *Lay on the Table.*

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

Rule No. 65. *Reserved.*

Rule No. 66. *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. 67. *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 proposal remains for the decision of the Senate.*
3. *A motion to strike out and insert must not be divided.*

Rule No. 68. *To Reconsider—Precedence of.*

A motion to reconsider has precedence over every other motion, including a motion to adjourn. A motion to reconsider a final vote on a bill or resolution or any other action shall be in order only on the day on which the final vote or action is taken and the vote on such a motion to reconsider must be taken on the same day.

Rule No. 69. *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.

The next rule is 80.

VII. DEBATE

Rule No. 80. *Speaking on Proposal.*

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

2. *No Senator may speak:*

(a) *More than twice during the consideration of any one question on the same day, except for explanation.*

(b) *A second time without leave when others who have not spoken desire the floor.*

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

Rule No. 81. 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.

The next rule is 90.

VIII. CONDUCT OF BUSINESS

A. GENERALLY

Rule No. 90. 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 standing rules and orders of the Senate, and the Joint Standing Rules of the Senate and Assembly.

Rule No. 91. Suspension of Rule.

No standing rule or order of the Senate shall be rescinded or changed without a majority vote of the Senate and one day's notice of the motion therefor; but a rule or order may be temporarily suspended for a special purpose by a majority vote of the members present. When the suspension of a rule is called for, and after due notice from the President no objection is offered, the President can announce the rule suspended and the Senate may proceed accordingly; but this shall not apply to that portion of Senate Standing Rule No. 109 relating to the third reading of bills, which cannot be suspended.

Rule No. 92. Notices of Bills, Topics and Public Hearings.

Adequate notice shall be provided to the Legislators and the public by posting information relative to the bills, topics and public hearings which are to come before committees. Notices shall include the date, time, place and agenda, and shall be posted conspicuously in the Legislative Building and shall be made available to the news media. This requirement of notice may be suspended for an emergency by the affirmative vote of a majority of the committee members appointed.

Rule No. 93. 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. 94. 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. 95. 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. 96. *Reserved.*

Rule No. 97. *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. 98. *Reserved.*

Rule No. 99. *Reserved.*

Rule No. 100. *Reserved.*

Rule No. 101. *Reserved.*

Rule No. 102. *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. 103. *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. 104. *Reserved.*

Rule No. 105. *Reserved.*

Rule No. 106. *Skeleton Bills.*

Skeleton bills may be introduced after the beginning of a session when, in the opinion of the sponsor and the Legislative Counsel, the full drafting of the bill would entail extensive research or be of considerable length. A skeleton bill will be a presentation of ideas or statements of purpose, sufficient in style and expression to enable the Legislature and the committee to which the bill may be referred to consider the substantive merits of the legislation proposed.

Rule No. 107. *Information Concerning Bills.*

1. *Bills introduced may be accompanied by information relative to witnesses and selected persons of departments and agencies who should be considered for committee hearings on the proposed legislation. At the time of or after introduction of a bill, a list of witnesses who are proponents of the bill together with their addresses and telephone numbers may be given to the secretary of the committee to which the bill is referred. This information may be provided by:*

(a) *The Senator introducing the bill;*

(b) *The person requesting a committee introduction of the bill; or*

(c) *The Chair of the committee introducing the bill.*

2. *The secretary of the committee shall deliver this information to the Chair of the committee to which the bill is referred. Members of the committee may suggest additional names for witnesses.*

3. *The Legislator may provide an analysis which may describe the intent, purpose, justification and effects of the bill, or any of them.*

Rule No. 108. *Reserved.*

Rule No. 109. *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. 110. *Second Reading File—Consent Calendar.*

1. *All bills reported by committee must be placed on a Second Reading File unless recommended for placement on the Consent Calendar.*

2. *A 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 recommended for placement on the Consent Calendar must be included in the Daily File listed in the Daily History of the Senate at least 1 calendar day before it may be considered.

4. 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.

5. When the Consent Calendar is called:

(a) The bills remaining on the Consent Calendar must be read by number, sponsor 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. 111. Publications.

1. An appropriate number of copies of all bills and resolutions of general interest must be printed for the use of the Senate and Assembly. Such other matter must be printed as may be ordered by the Senate.

2. Bill books will not be prepared for legislators unless they qualify for and request the service. The service, if approved, will be limited to the provision of one full set of bills, journals, histories and indexes for the Senator's desk in the Senate chamber. Bill books will not be prepared for a Senator for individual committees.

3. A Senator may request the provision of bill book service pursuant to subsection 1 if either:

(a) The Senator has served in the Senate for 10 or more years; or

(b) A physical or medical condition requires the Senator to use the bill books rather than viewing bills on a laptop computer.

4. A request for bill book service must be made to the Majority Leader of the Senate. If the Majority Leader determines that the Senator qualifies for the service, the Majority Leader shall direct the Legislative Counsel Bureau to provide the service.

Rule No. 112. Sponsorship.

1. A Senator may request that his or her name be added as a sponsor of a bill or resolution that is introduced in the Senate if the Senator has submitted to the Secretary of the Senate a statement approving the request signed by the Senator who introduced the bill or resolution, including, without limitation, submission by electronic means. A Senator may make a request to have his or her name added as a sponsor of:

(a) A resolution of the Senate, at any time after the resolution is introduced in the Senate and before the resolution is passed by the Senate.

(b) A bill or a joint or concurrent resolution:

(1) At any time after the bill or resolution is introduced in the Senate and before the bill or resolution is passed out of the Senate to the Assembly; and

(2) At any time after the bill or resolution is returned to the Senate following passage by the Assembly and before the bill or resolution is enrolled.

2. A Senator who is a sponsor of a bill or resolution that is introduced in the Senate may request that his or her name be removed as a sponsor of the bill or resolution. A Senator may make a request to have his or her name removed as a sponsor of:

(a) A resolution of the Senate, at any time after the resolution is introduced in the Senate and before the resolution is passed by the Senate.

(b) A bill or a joint or concurrent resolution:

(1) At any time after the bill or resolution is introduced in the Senate and before the bill or resolution is passed out of the Senate to the Assembly; and

(2) At any time after the bill or resolution is returned to the Senate following passage by the Assembly and before the bill or resolution is enrolled.

➔ In such case, if the Senator is the only sponsor of the bill or resolution, another Senator may request that his or her name be added to the bill or resolution as a sponsor without receiving the approval from the original sponsor.

3. If a Senator makes a request to have his or her name added or removed as a sponsor of a bill or resolution that was introduced in the Senate, the request must be entered in the Journal.

4. If a Senator who is the only sponsor of a bill or resolution that was introduced in the Senate removes his or her name from the bill or resolution while the bill is in the Senate and no other

Senator adds his or her name as the sponsor of the bill or resolution at the time of the request for removal, no further action on the bill or resolution is allowed for that legislative session.

Rule No. 113. Reading of Bills—General File.

1. Upon reading of bills on the Second Reading File, Senate and Assembly bills reported without amendments must be ordered to the General File. Committee amendments reported with bills must be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Bills so amended must be reprinted, engrossed or reengrossed, and ordered to the General File. The File must be made available to members of the public each day by the Secretary.

2. Any member may move to amend a bill during its reading on the Second Reading File or during its third reading and the motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading must be treated the same as bills with committee amendments. Any bill so amended upon the General File must be reprinted and engrossed or reengrossed.

3. Committee amendments and all other amendments must be made available to members of the public after the amendments are submitted to the Secretary for processing in order to be considered on the Second Reading File or the General File.

4. An appropriate number of copies of all amended bills must be printed.

Rule No. 114. Referral of Bill With Special Instructions.

A bill may be referred to committee with special instructions to amend at any time before taking the final vote.

Rule No. 115. Reconsideration of Vote on Bill.

1. A vote may be reconsidered on motion of any member.

2. Motions to reconsider a vote upon amendments to any pending proposal and upon a final vote on a bill or resolution may be made and decided at once.

Rule No. 116. Vetoed Bills.

Bills which have passed the Legislature, and forwarded by letter, to the Senate by the Secretary of State or 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 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 questions (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 motions 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.

Rule No. 117. Different Subject Not Admitted as Amendment.

No subject different from that under consideration shall be admitted as an amendment; and no bill or resolution shall be amended by incorporating any irrelevant subject matter or by association or annexing any other bill or resolution pending in the Senate, but a substitute may be offered at any time so long as the original is open to amendment.

Rule No. 118. 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 in 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. 118.2. *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. 119. *Certain Resolutions Treated as Motions.*

Except as otherwise provided in Senate Standing Rules Nos. 118 and 118.2, resolutions must be treated as motions in all proceedings of the Senate.

Rule No. 119.2. *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.

C. ORDER OF BUSINESS, SPECIAL ORDERS AND OTHER MATTERS

Rule No. 120. *Order of Business.*

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. Waivers and Exemptions.
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 10 minutes.

Rule No. 121. *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. 122. *Reserved.*

Rule No. 123. *Reserved.*

Rule No. 124. *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. 125. *Special Order of Business.*

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.

Rule No. 126. *Reserved.*

Rule No. 127. *Reserved.*

Rule No. 128. *Seniority Among Senators.*

1. *The Senate shall determine seniority among the Senators as follows:*

- (a) *Credit total continuous service in the Senate first;*
- (b) *Credit total noncontinuous service in the Senate second;*
- (c) *Credit total continuous service in the Assembly third; and*
- (d) *Credit total noncontinuous service in the Assembly fourth.*

2. *In every case where there are ties, those ties are broken by alphabetical order.*

Rule No. 129. *Reserved.*

D. CONTESTS OF ELECTIONS

Rule No. 130. *Procedure.*

1. *The Senate shall not dismiss a statement of contest for want of form if any ground of contest is alleged with sufficient certainty to inform the defendant of the charges he or she is required to meet. The following grounds are sufficient, but are not exclusive:*

- (a) *That the election board or any member thereof was guilty of malfeasance.*
- (b) *That a person who has been declared elected to an office was not at the time of election eligible to that office.*
- (c) *That illegal votes were cast and counted for the defendant, which, if taken from the defendant, will reduce the number of legal votes below the number necessary to elect him or her.*
- (d) *That the election board, in conducting the election or in canvassing the returns, made errors sufficient to change the result of the election as to any person who has been declared elected.*
- (e) *That the defendant has given, or offered to give, to any person a bribe for the purpose of procuring his or her election.*
- (f) *That there was a possible malfunction of any voting or counting device.*

2. *The contest must be submitted so far as may be possible upon depositions or by written or oral arguments as the Senate may order. Any party to a contest may take the deposition of any witness at any time after the statement of contest is filed with the Secretary of State and before the contest is finally decided. At least 5 days' notice must be given to the prospective deponent and to the other party. If oral statements are made at any hearing before the Senate or a committee thereof which purport to establish matters of fact, they must be made under oath. Strict rules of evidence do not apply.*

3. *The contestant has the burden of proving that any irregularities shown were of such nature as to establish the probability that the result of the election was changed thereby. After consideration of all the evidence, the Senate shall declare the defendant elected unless the Senate finds from the evidence that a person other than the defendant received the greatest number of legal votes, in which case the Senate shall declare that person elected.*

E. REMOTE-TECHNOLOGY SYSTEMS

Rule No. 131. *Short Title; Precedence of Rules; Applicability of Rules During the Interim Between Sessions.*

- 1. *Rules Nos. 131 to 135, inclusive, may be cited as the Remote-Technology Rules.*
- 2. *Except as otherwise provided in subsection 7 of Senate Standing Rule No. 53, 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. 132. *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. 133. 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. 134. Authorized Use of Remote-Technology Systems to Carry Out Public Purposes.

1. Upon request by a member of the Senate:

(a) Except as otherwise provided in this paragraph, 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:

(1) It must be entered in the Journal of the Senate.

(2) A member who uses a remote-technology system to attend or participate in a proceeding of the Senate may not vote on any matter on which a vote is taken in that proceeding unless the member is using the remote-technology system to attend or participate in the proceeding from a location in this State.

(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. Except as otherwise provided in subparagraph (2) of paragraph (a) of subsection 1, 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 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 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. 135. 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.

The next rule is 140.

IX. LEGISLATIVE INVESTIGATIONS

Rule No. 140. *Compensation of Witnesses.*

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

And be it further

RESOLVED, That this resolution becomes effective upon adoption.

Senator Cannizzaro moved the adoption of the resolution.

Remarks by Senators Cannizzaro, Settelmeier and Hansen.

SENATOR CANNIZZARO:

Rule No. 3 is revised to provide that in the absence of the Secretary of the Senate, and subject to the direction of the Majority Leader, the Assistant Secretary shall attest all writs, warrants and subpoenas issued by the Senate and shall certify passage of the Senate bills and resolutions; in the absence of both officers, the Majority Leader shall designate a signatory.

Rule Nos. 20, 23, 61, 62, 67, 80, 81, 115, 121 are revised to reflect the current 2020 *Mason's Manual of Legislative Procedure* use of the term "proposal" instead of "question"; and Rule No. 20 is similarly revised to provide for a "ruling" on points of order by the President instead of a "decision" by the President on points of order.

Rule No. 40 is revised to update the membership and jurisdiction of the Senate Standing Committees, with the following substantive changes: (1) chapter 407A, Outdoor Recreation, was added by the 2019 Session and is assigned to Natural Resources; and (2) chapter 453A, Medical Marijuana, which was previously assigned to Health and Human Services, and 453D, Adult-Use Marijuana, which was previously assigned to Revenue, were replaced by Title 56 of NRS, Regulation of Cannabis, in the 2019 Session, and Title 56 of NRS is now assigned to Health and Human Services.

Rule No 53 is revised to provide that if a Committee meeting is conducted with all members participating remotely pursuant to the direction of the Majority Leader, the members of the Committee must attend remotely from a location other than a committee room. An exception to the precedence of the Remote Technology Rules is made in Rule No. 131 so that Rule No. 53 would control with regard to committees meeting entirely remotely.

Rule No. 62 is revised to provide that in addition to the current rule that there is no reconsideration of a vote on a motion to postpone indefinitely, there must also be no rescission of a vote on a motion to postpone indefinitely.

Rule Nos. 80, 112, 121 and 124 are revised as clean-up for the Legislative Session as Senators will not be standing or rising to speak from their desks. Rule No. 94 is likewise revised as there will not be guests seated in the Senate Chamber.

Rule No. 109 is revised to reflect the practice of the Senate that the reading of a bill is by number, sponsor and summary.

Rule No. 110 is revised to remove joint resolutions from the same treatment of bills for placement or removal on the Consent Calendar; similarly, Rule No. 113 relating to reading on General File is revised to clarify that the rule applies to "bills" and not all legislative measures. The procedure for the introduction, referral, amendment, consideration and placement of joint resolutions on the Resolution File is now specifically set forth in Rule No. 118. This Rule also clarifies that joint resolutions are not treated as bills.

Rule No. 112 is revised to allow a Senator to submit by electronic means his or her approval for another Senator to be added as a sponsor on a bill or resolution.

Rule No. 130 revises the procedure for election contests to establish the grounds for an election contest as the grounds set forth in statute, to require the appointment of a committee to consider the contests which will consist of three Senators who are not parties to the contest, to require the appointment of a chair and vice chair, to authorize the chair of the committee to take certain actions necessary to facilitate the contest, to provide each party to a contest with notice and an opportunity to present written arguments concerning whether the requirements to bring and maintain a contest have been met, to provide a procedure for the parties to present evidence and arguments concerning an election contest if the Senate determines that the requirements to bring and maintain the contest have been met, to require the committee considering the contest to report to the Senate and to require the Senate to accept or reject the committee's recommendation without amendment.

Rule Nos. 131-135 incorporate the Remote-Technology Rules from the 31st and 32nd Special Sessions into the Senate Standing Rules with a change to Rule No. 134 to prohibit a Senator who is participating in a Senate Floor proceeding remotely from voting unless the Senator is participating remotely from a location in Nevada.

SENATOR SETTELMEYER:

I want to thank the Majority Leader for the recent changes to Rule No. 53 that deals with Committees trying to keep the doors open which is in line with Article 4 of the Constitution. I appreciate the change in the language. I have a question about Rule No. 134. We changed this from being able to vote from anywhere to at least needing to be within the State of Nevada. Is the intent to keep within the stated requirement that I think exists, that voting has to occur at the seat of government, which is Carson City? I would like to know if this is the intent.

SENATOR CANNIZZARO:

The intent of the language of the rule is, of course, to provide for remote participation for floor votes where it is necessary. Acknowledging we are still in the middle of a pandemic, that may be necessary from time to time. The intent is for members to be voting here, within the building, and certainly within Carson City. The rule states they shall be within the State of Nevada.

SENATOR SETTELMEYER:

I appreciate the clarification. We have a duty to operate the Legislature in a safe and responsible manner, and I appreciate everything you and the Secretary of the Senate have done to do this. I hope we can work together, in a bipartisan way, to carefully craft safety procedures and create a solution that will allow the public admittance into this building and this process. It is vital we have them helping us craft better legislation.

SENATOR HANSEN:

I just received the rules and am not completely sure what is in all of this; however, there is a critical omission. We all swore an oath to uphold the *Nevada Constitution*. Article 4, Section 15, states the doors of each House will be open during a Session and meetings of all legislative committees must be open to the public.

Article 1, Section 10, says, "The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the legislature for redress of grievances."

Under Article 4, Section 6, we have the right to have rules for our own procedures. Virtually every business in Nevada is now open to at least 25-percent capacity. If the *Nevada Constitution* requires our Chambers be kept open to the public, we should be opening up some avenue to where

the public is either in now or identify a clear statistical trigger to give the public an absolute assurance that when COVID-19 reaches a predetermined level in the State, the legislative doors will be opened. People in the Culinary Union and other businesses have to go to work and have to open up to at least 25 percent capacity. For whatever reason, our building is still 100 percent closed to the public. That clearly violates the spirit of the Constitution. It seems ironic we would hold ourselves to the higher standard of zero when we require virtually every business in Nevada to have at least a 25 percent number and most, including gaming, are at 50 percent. This means tens of thousands of people are around those workers in the State. The Constitution clearly is being violated here.

It is an omission in this Body of rules for the Senate to not have a clear, statistical-standard trigger for when we will reopen this building to the general public. If there is not a trigger, I see no reason why there is not if we are going to force or give businesses the opportunity to open up at 25 percent. We should at least have that as a minimal standard. In the absence of that, our old rules allow us to put in place some sort of trigger so the public knows when the Governor, or another person, determines the COVID-19 numbers have reached "x," "y" and "z," they will be allowed back into this building. That should be included in our rules today to ensure compliance with the Constitution. We need to let the general public know we are not excluding them from the business we are here to do. This is the people's business, yet we are excluding the very people for whom we are supposedly passing these laws.

I apologize for not having been able to read all of these. I literally just received the final draft before we sat down. I am not trying to throw anyone under the bus, but I think we have failed to follow the constitutional obligation we swore to uphold.

SENATOR CANNIZZARO:

With respect to the rules, it is within the prerogative of the Legislature, and certainly within this Body's prerogative, to adopt the Standing Rules by which we operate. While we are still in the middle of a global pandemic and dealing with its repercussions, we are trying to take appropriate measures, by these rules, to keep everyone in the building safe. We have many wonderful staff working every day who we have asked to be in this building to assist us in accomplishing our goals and objectives and enable us to do our duties. We do so with the flexibility of knowing that, as things change, we will continue to ensure the public has participation here in our building to meet the job of the constituents who elected us. These rules reflect that and seriously consider everyone's safety in this building, including our staff. They will allow us to operate in a smart manner.

Resolution adopted.

By Senators Cannizzaro and Settlemeyer:

Senate Resolution No. 2—Providing allowances to the leadership and other members of the Senate for periodicals, stamps, stationery and communications.

Senator Cannizzaro moved the adoption of the resolution.

Remarks by Senator Cannizzaro.

This resolution provides an allowance to leadership and other members of the Senate for periodicals, postage, stationery and communications for this Session.

Resolution adopted unanimously.

By Senators Cannizzaro and Settlemeyer:

Senate Resolution No. 3—Providing for the appointment of the Senate Session staff.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the following persons are elected staff of the Senate for the 81st Session of the Legislature of the State of Nevada: Becky Archer, Felicia Archer, Mike Archer, Diane Bacus, Annette M. Biamonte, Stella Blood, Morgan Briscoe, Steve E. Brummer, Kim Cadra-Nixon, Joko Santos Cailles, Jackie L. Cheney,

Nic Ciccone, Eddie Cordisco Jr., Kathy A. Davis, Ian C. DeValliere, Patricia J. Devereux, Suzanne M. Efford, Kimberly J. Evans, Debbie Fazzino, Nicole Flangas, Ian G. Gahner, Charles Gallagher, Linda Gentry, Andrew A. Gonzalez, Michael Guss, Tanner W. Hale, Susan Hanshew, Shane Harris, Lynn S. Hendricks, Gail M. Herstead, Christopher C. Hilton Jr., Joyce A. Hollister, Terry A. Horvat, Judy C. Jackson, Janae L. Johnson, Diana R. Jones, Janice R. Jones, April H. Kacura, Vicki Kemp, Roberta S. Kokx, Erich T. Kolbe, Jamie Kuryllo, Gina M. LaCascia, Kayla Lee, Kaitlin R. Lucky, Norma Mallett, Marilyn McElhany, Toshi McIntosh, Sara L. Menke, Janet Meredith, Terri L. Miller, Christine Miner, Ruth E. Moreland, Juliet W. Newman, Blayne Osborn, Shelby N. Parkes, Alex Polley, Vickie A. Polzien, Charles E. Powell, Sally Crawford Ramm, Diane Rea, Beth Ann Reykers, Sherry L. Rodriguez, Mykaela Ryan, Sarah Sawyer, Debbie Shope, Ciria Sosa, Ann Standley, Melodie Swanson, Elizabeth A. Teixeira, Tom Weber, Barbara Williams, Rich J. Williams, Jeanine M. Wittenberg, Joyce Woodhouse and Barbara Young; and be it further

RESOLVED, That this resolution becomes effective upon adoption.

Senator Cannizzaro moved the adoption of the resolution.

Remarks by Senator Cannizzaro.

We are, once again, fortunate to have an excellent staff working with us this Session.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Cannizzaro and Settlemeyer:

Senate Bill No. 1—AN ACT making an appropriation to the Legislative Fund for the costs of the 81st Legislative Session; and providing other matters properly relating there.

Senator Cannizzaro moved that all necessary rules be suspended, reading so far had considered first reading, rules further suspended, and that the bill be declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Senator Cannizzaro.

This bill is the general appropriation for the cost of the 81st Legislative Session.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Bill read third time.

Roll call on Senate Bill No. 1:

YEAS—19.

NAYS—None.

EXCUSED—Goicoechea.

VACANT—1.

Senate Bill No. 1 having received a constitutional majority, President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE GOVERNOR

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, NEVADA 89701

January 28, 2021

THE HONORABLE NICOLE CANNIZZARO
 THE HONORABLE JASON FRIERSON, Nevada Legislature,
 Legislative Building, Nevada 89701

DEAR MAJORITY LEADER CANNIZZARO AND SPEAKER FRIERSON:

Please find enclosed the text of my State of the State message to the 81st Session of the Nevada Legislature. As you know, due to the ongoing pandemic, this address was prerecorded and aired on Tuesday, January 19, 2021 to all Nevadans. This message outlines what I believe to be important proposals that will support the recovery and a stronger future for our great State, and I thank you in advance for your careful consideration and deliberation over the coming months. My staff and I look forward to working with you during the Legislative Session as we seek solutions that will enhance the quality of life for those whom we are privileged to serve.

Sincere regards,
 STEVE SISOLAK
 Governor of Nevada

MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that in accordance with the provisions of Article 5, Section 10, of the *Nevada Constitution*, that Governor Sisolak's State of the State Address to the Nevada Legislature, as presented on January 19, 2021, be entered in the Senate Journal for this legislative day.

Motion carried unanimously.

STATE OF THE STATE ADDRESS TO THE NEVADA LEGISLATURE

In normal times, I would be addressing you tonight in this Legislative Chamber, assembled in front of our constitutional officers, elected officials, Supreme Court Justices and other guests. As we all know too well, these are not normal times.

Every Nevadan has been impacted by the COVID-19 outbreak. Whether you have lost a job, had to learn from home, missed a graduation, grappled with keeping your small business open, or been unable to visit family for birthdays and holidays, or in a hospital room, this disease has touched us all. The truth is we still have a ways to go. I know, however, Nevadans are battle born. We face our challenges head on, and we will get through this difficult time together. The state of our State is determined, resilient and strong.

Two years ago, I came before all of you for my first state of the State address. I laid out a vision for what we could accomplish, and I am proud of what we were able to achieve working with State lawmakers from both parties, who are watching tonight. We gave raises to our teachers and provided record funding to our schools. We passed sweeping healthcare legislation to end surprise emergency room billing. We have outlawed insurance companies the ability to drop people with pre-existing conditions. We implemented Nevada's first-ever State climate strategy to expand the use of renewables and decrease our dependence on fossil fuels. Unemployment was low, business was buzzing, and consumer confidence was at a record high. Then, on March 5, 2020, Nevada got its first case of COVID-19. Shortly thereafter, we had 5 cases, which quickly turned into 15, then 100. As of Friday, January 15, 2021, Nevada has suffered over a quarter-of-a-million cases and over 3,700 Nevadans have lost their lives. That is 3,700 families grappling with the loss of a loved one.

In that time, we were faced with excruciating choices that continue today as we remain under a state of emergency. Throughout this crisis, we have worked hard to balance protecting public health while doing everything we can to keep the economy afloat and our businesses open. The fact remains, our State and our people have suffered in ways none of us could have imagined a year ago. Let me tell you, not a day goes by that I do not think about the sacrifices so many are making.

The challenges are unprecedented; we have so much to fix, but we are forging a new path forward. Tonight, you will hear about my priorities and my plans to achieve them. These include: how to win the battle against COVID-19 and vaccinate our people; how to get all of our students back in the classroom and provide teachers with the tools they need to do their job; how to get our economy back on its feet and our people back to work; to look ahead toward what is next;

infrastructure, green energy jobs, help for small businesses and other engines of growth to provide new opportunities for our people.

Through these historically challenging times, we have leaned on the most resilient of Nevadans, the heroes who have helped get us through: doctors, nurses, caregivers, faith leaders, public employees, educators, the Nevada National Guard and the many others working the frontlines of this crisis over the last 10 months. This includes all Nevadans who are caring for our veterans and who have served our country. They have been showing up and putting themselves at risk every day to ensure this State can move forward. They are people like Dr. Jacob Keeperman in Reno, who joins us here tonight.

It is because of people like Dr. Keeperman that I am optimistic about our future. On behalf of the State of Nevada, I want to say thank you from the bottom of my heart.

Early in our response, with no playbook for this historic crisis, Nevada's public and private sectors mobilized to fight this deadly virus. From local government and State agencies, to the Response, Relief, and Recovery Task Force chaired by Jim Murren and made up of business leaders from across the State, partners rolled up their sleeves and got to work. The Nevada Department of Agriculture worked to ensure Nevadans did not go hungry by providing over 16-million pounds of food across the State, serving approximately 250,000 individuals per month. Business and education leaders worked to bridge the digital divide for our students by creating connectingkidsnv.org. In August, approximately 80 percent of Nevada's students did not have the device or connectivity they needed to participate in distance learning. As of the start of this month, every student participating in online learning has at-home access to the internet and a computer to do their work. To keep people in their homes, millions of dollars were put into State and local rental assistance programs and an eviction mediation program was created by Chief Justice Jim Hardesty and housing advocates. The Nevada National Guard, under the direction of Major General Ondra Berry, embarked upon the largest and lengthiest State activation in Nevada history, stepping up as the heroes we all need in this moment of crisis. Labs across the State increased testing operations to record levels, reporting over 2.3-million COVID-19 molecular tests thus far. In 2019, labs in Nevada reported a total of 300,000 lab results for all diseases. The increase is staggering.

The truth remains, while heroes like Dr. Mark Pandori, Director of the Nevada State Public Health Lab, located at University Of Nevada, Reno, have helped Nevada scale up our resources so we can process thousands of COVID tests a day. We Nevadans are the only ones who can control how many of those test results come back negative. While we are awaiting the full benefit of the vaccine, we must unite in our statewide effort to slow and stop the spread of this virus by wearing masks, avoiding gatherings and protect each other. We must remain vigilant.

Our greatest challenge now is running the largest vaccination campaign in history. Despite the lack of resources or coordination from the federal government, we have pushed forward. To date, we have administered over 100,000 initial and secondary doses of the vaccine. As we await more vaccines for the State, we are ramping up our distribution efforts. Our immunization team, the Nevada National Guard, and the Division of Emergency Management are working with our local partners to get more shots in the arms of Nevadans. We are expanding our vaccination workforce to include EMS providers, medical assistants, pharmacy technicians, dentists, veterinarians and more. We opened a vaccination mega-site at Cashman Field in Las Vegas, and we are coordinating with the private sector, including our resort properties, to have more vaccination sites as our supply increases. We are working with private-health providers like Renown in Washoe County to distribute vaccines to local residents who are not typically their patients.

Again, let me assure all of you, every part of government is focused on vaccinating Nevadans. Anyone who tells you that COVID-19 is just a public-health crisis is wrong. This is an economic and fiscal crises impacting Nevadans' ability to feed themselves and their kids, inhibiting their ability to keep the lights on, keep a roof over their heads, earn a paycheck and maintain their benefits that allow them access to health care. In our first months of the pandemic, more than 250,000 Nevadans were laid off. It was devastating.

You know the truth; we depend on the hospitality industry for a big part of our economy. When travel stops, when hotel rooms go empty, when showrooms close, when our convention business and tourism shuts down, it hits our State harder than any other state in the Nation. That makes me more determined than ever to get our world-leading hospitality industry open and our workers

back on the job, but that is not enough. We need to expand our economy to other world-leading industries that can create new jobs and new opportunities for our people.

Everyone needs to remember it is not just big businesses that have been hit hard. Our small businesses have also suffered, and they account for almost half of all the jobs in our State. The grit and determination of so many small business employees and owners across Nevada amazes me as they have worked together to get through this pandemic. People like Trina Jiles, who owns Gritz Cafe in Las Vegas. Thank you, Trina.

In October 2020, I joined State Treasurer Zach Conine and the Governor's Office of Economic Development to launch a small business assistance program that has been providing up to \$10,000 in emergency grant funding to businesses like Trina's. This funding has helped small businesses keep their doors open and their employees paid through these difficult times. The response has been overwhelming, and so far, we have provided \$50 million to small businesses across Nevada, but we need to do more.

Tonight, I am announcing an additional \$50 million in my budget for this program that is vital for small businesses. I am asking the Legislature, as one of their first items of business, to get this done. Additionally, our own Lieutenant Governor Kate Marshall will be working to create a small business advocacy center to be a one-stop location to help small businesses take advantage of the resources that exist and help them cut through the red tape. As I said before, it is not enough to just aim for a full reopening of our current economy. We must look forward to the kind of economy that will let our State prosper in the future and create opportunity for all Nevadans.

Let me share with you 5 initiatives that will help propel us forward. First, is the new energy economy. Nevada is at the geographical center of energy transmission for the western United States. It has an opportunity to become to energy what Wall Street is to finance, or what Silicon Valley is to technology.

Nevada is already a leader in renewable energy, generating billions of dollars in investment and employing tens of thousands of our people. Now, we are perfectly poised to lead the world in energy storage. To reach these ends, I will work with Senator Chris Brooks and the Legislature to pass a bold energy bill establishing our commitment to increased transmission, storage and distribution of all forms of clean energy. More importantly, passing this bill will create good-paying construction jobs starting this year and will help in our fight against climate change. This bill will attract and develop a variety of new industries, including electric vehicle infrastructure, component manufacturing and lithium mining. Lithium is the primary ingredient in electricity storage, and Nevada is home to the most accessible lithium reserves in North America.

Second, I am proposing the creation of innovation zones in Nevada. New companies, creating groundbreaking technologies, can come to Nevada to develop their industries. This will be done without tax abatements or public financing. Following passage of my innovation zone legislation, Blockchains LLC has committed to make an unprecedented investment in our State and create a smart city in northern Nevada that would fully run on Blockchain technology, making Nevada the epicenter of this emerging industry and creating the high-paying jobs and revenue that go with it. There are other exciting innovations taking place throughout the State. For example, University of Nevada, Las Vegas physicists are leading the way in breakthrough superconductivity research. This technology allows for transmission of energy across long distances without energy loss and provides huge commercialization and job opportunities while helping solve our energy and climate challenges. The Department of Energy calls this breakthrough the "holy grail" of energy efficiency.

Third, preparing our workforce for the new Nevada economy. Nevada has never experienced an economic recovery challenge as great as the one it faces now. Many of the jobs lost during the pandemic will not come back as businesses move toward automation. Job training and retraining our displaced workforce, as well as connecting Nevada workers with remote working opportunities and emerging industries will be key to the State's economic future. To achieve this goal, I will be creating the Nevada Job Force calling on some of Nevada's leading companies to fund, design and implement training programs to prepare and qualify employees for these new jobs. In addition, we need to recognize that our community colleges will play an even bigger role in workforce training. I will be asking the Legislature to work with the Nevada System of Higher Education over the next two years to develop a framework transitioning Nevada's community

colleges to a new, independent authority to focus on making Nevadans' job ready. Community colleges, together with union apprenticeship programs, are critical elements in building Nevada's workforce and economic future. The COVID-19 pandemic has changed the way we work, with remote work opportunities doubling by 2025. Nevada must be ready to take advantage of this trend, which is why I am establishing the new Remote Work Resource Center to connect Nevada workers with job opportunities across the globe.

Fourth, is building our infrastructure. Infrastructure creates real jobs for real people and allows us to put hundreds of millions of dollars into our economy. Capital projects not only create high-paying construction and development jobs now but also those infrastructure improvements serve as the building blocks for our State's economic expansion for decades to come. The budget I unveiled yesterday includes \$75 million for future capital improvement projects to launch the State Infrastructure Bank. We can leverage outside capital to fund important infrastructure projects like rural broadband, renewable energy and road improvements. I am calling on State agencies and local governments to fast track billions of dollars of infrastructure projects that have not been started. The faster we move these projects from the list of things we need to do to the list of things we are doing, the more Nevadans we put to work.

Fifth, is making government work better. While public employees at every level of government worked around the clock to deal with the impact of the pandemic, we found that many of our government systems were out of date and overwhelmed. We need to fix them. This was painfully apparent with our Unemployment Insurance system. The Division was hit by unprecedented volume, going from handling 20,000 claims a week to 370,000 claims a week; a twenty-fold increase. That increase created delays that caused real hardships for families. By August, there were over 243,000 claims waiting to be verified in order to prevent fraud, fraud that would have cost businesses and taxpayers tens of millions of dollars. Today, the original backlog is reduced by 95 percent, and we now have more staff and improved systems to reduce the backlog completely. I want to thank Speaker Barbara Buckley, who chaired a Rapid Response Strike Force and Elisa Cafferata, acting Director of DETR, for their extraordinary service addressing this problem. Our computer infrastructure, however, is still outdated, and our systems need improvement. I am recommending to the Legislature that we work together to modernize and utilize private sector expertise to help Nevadans in need. More broadly, we need to recover the federal dollars that rightfully belong to Nevadans. My goal is to increase Nevada's share of federal grants by \$100 million over the next 2 years and by \$500 million annually by 2026. I will be working with Assemblywoman Daniele Monroe-Moreno and our federal delegation to do just that. Better systems, modernization, private sector help; more federal dollars are a big part of the path forward.

I want to thank State Treasurer Zach Conine, the Governor's Office of Economic Development, and countless others who have helped develop this ambitious economic plan. Once implemented, it will create 30,000 jobs in the short term. Over the next decade, it will create 170,000 construction and development jobs and over 165,000 permanent jobs.

I believe in this State and our future. We will support our current industries like tourism, while developing new industries, embracing innovation, providing workforce training, and investing in infrastructure to create a more robust and sustainable economy. We will emerge stronger from this pandemic and lead the Nation in jobs and opportunity.

Now, I would like to talk to you about the State budget. Honestly, putting together a budget for the next two years is hard enough in the good times and even more difficult during a state of emergency. Analysts and economists have different projections. Markets are volatile. Business is uncertain. This budget, therefore, reflects the current emergency. Just like your family, the State will take a responsible approach to reflect today's reality. The fact is the State's financial situation has improved slightly in the past few months. The Economic Forum's December revenue projection for the next biennium is \$8.5 billion, which is \$418 million more than was projected in June 2020 during the Special Session, when significant budget cuts were made. For perspective, prior to the pandemic, projections were indicating we would have \$9 billion to spend in this budget. We are in an improved, yet still difficult position. Our fiscal situation has improved due to the decisions we have made over the last ten months working to strike a balance between protecting public health and protecting our fragile economy.

Here are a few important items I want to tell you about the budget. We are anticipating General Fund revenue of \$4.1 billion in Fiscal Year 2022, nearly 9 percent less than the previous year. To avoid even deeper cuts, I am proposing the use of nearly \$100 million dollars from the State's existing Rainy Day Fund. If our current situation is not a downpour, I cannot imagine what would be.

This budget reflects \$187.2 million less than the previous budget including the elimination of 152 vacant State positions over the next 2 years. The COVID-19 pandemic and the unknown economic impact required State employees to do more with less, including required furloughs for the second half of fiscal year 2021. My recommended budget will not include a continuation of furloughs into the next biennium. My budget also prioritizes the health and well-being of State employees and their health benefits in a time when health is wealth.

While this budget makes tough reductions, it also contains smart investments in the essential priorities I outlined earlier, including restoring nearly \$40 million in funding for preschool and \$415 million dedicated for construction, maintenance, planning and economic development. These projects will create thousands of jobs. In order to stop talking about our doctor shortage and actually do something about it, I am proposing a \$25 million, one-time expenditure to help complete the University of Nevada, Las Vegas, Medical School Building, a school that could generate as many as 16,000 jobs over the next ten years.

Finally, in a time when one in four Nevadans are enrolled in Medicaid, access to quality healthcare is critically important to the public and economic health of our State. During the 31st Special Session, when things looked very bleak, the Legislature was forced to make 6-percent cuts to Medicaid rates and reduce neonatal intensive care unit hospital service rates. However, as a result of the efforts we have made, our revenue never went as low as our worst projections. This is why my recommended budget calls on the Legislature to restore the rate reductions to support Nevada families and providers.

I look forward to working with the Legislature to adjust this budget and make responsible revisions. I am hopeful that long, overdue federal support to state and local governments will be delivered in the coming months. That support is critical, and it is outrageous it has not arrived already.

This will be a dynamic process, but an important one as we work to recover, educate our kids, promote justice and equality, and most importantly now, protect the health of our people. I look forward to signing legislation that creates jobs, saves the State money, and improves outcomes. That is what Nevadans expect us to focus on, and that is what they deserve. To all of the parents, students and educators out there, I know this has been a particularly tough time. None of us have ever faced anything like COVID-19. Just ask Juliana Urtubey, Nevada's Teacher of the Year, who joins us tonight.

It is easy to forget what life was like before masks and social distancing. I want to pause for a moment and take this opportunity to give a big shout-out to those who educate our young people. Nevada educators deserve credit for handling the adjustments needed to educate our kids while keeping everyone healthy and safe. When our schools shifted from in-person learning to virtual or online learning, our business people gained a new appreciation for the valuable role schools play in helping to keep our economy humming. One other thing became even more apparent; COVID-19 has exacerbated educational inequities, further expanding the gap between have and have-nots. On top of that, the lack of access to in-person learning has resulted in an increase in mental and behavioral health problems for our youth. It is unacceptable and harmful to our children, and we need to fix it.

The disparities and inequities became obvious not only in education but also in all facets of our society. The Legislature and all Nevadans must take on this important work. I want to take a moment to recognize Senator Joe Neal, who was a true champion for social justice, equality and opportunity. He held us all accountable in the work we do here and in our State. We have lost a powerful Nevada voice.

As many of you know, I have not been quiet about my urgent desire to see children return to in-person learning. We will not recover as a State if we leave our children behind. I will do whatever it takes to get our students back in the classroom. That is why we worked to supply PPE, ensure rapid testing was made available to all school districts and now prioritize our educators for vaccinations. With a new infusion of federal funds, I will continue to work with State

Superintendent Jhone Ebert and local leaders to finish the job and get all of our kids, in every area of the State, returned to in-person learning. That is the immediate priority, but we also need to look at solving the longstanding challenges facing our schools.

Two years ago, in the 2019 Legislative Session, we began the process of modernizing Nevada's 53-year-old education funding formula. We took a significant step in the right direction with the creation of the Pupil-Centered Funding Plan. Education funding should be allocated to meet each student's learning needs. The dollars should follow the students, rather than being connected to districts or schools. To accomplish this, we established the Commission on School Funding including parents, educators, and financial experts. The Nevada Department of Education has been working with the Commission to promote equity, transparency, accountability and flexibility in our school funding approach.

In light of this emergency budget, I am recommending a phased approach to implementing this plan that begins during the 2021-2023 biennium using only State revenues, followed by phase 2 in the next biennium that will include both State and local revenues. This phased-in approach will allow school districts to manage resources to meet the needs of their communities.

My budget also ensures Marijuana Tax dollars will continue to fund education to ensure districts can meet the needs of students during the pandemic and into the future.

I would like to close tonight with 2 personal thoughts. First, I want to thank my family for their unending support: my mother, Mary; my two daughters, Carley and Ashley, and, of course, First Lady Kathy Sisolak. We recently celebrated our two-year anniversary, and it allowed me to reflect on what a lucky man I am for having her by my side during one of the most difficult years in Nevada's history. Kathy, thank you. I love you.

Second, I want to address the division and polarization gripping our Country. It must end. It is breaking down trust in our institutions and threatening our ability to solve the problems we face. This is America. This is Nevada, and we need to pull together. Tonight, I have asked leaders from both parties to join me. We do not always agree, but when it comes to the big challenges facing our State, the economic recession, One October, and now the pandemic, we work together for a stronger Nevada.

Now, I am asking all Nevadans to join me in giving thanks to the over 200 Nevada National Guardsmen currently in Washington, D.C. from Nevada. We can do this. We are determined. We are resilient, and we are strong. Speaker Frierson, thank you for hosting me in the Nevada Assembly Chamber tonight.

Thank you all. God bless you, and let us get back to work.

MESSAGES FROM THE ASSEMBLY

Carson City, February 1, 2021

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

COMMUNICATIONS
MESSAGES FROM THE SECRETARY OF STATE
STATE OF NEVADA
DEPARTMENT OF STATE
CARSON CITY, NEVADA 89701

January 26, 2021

CLAIRE J. CLIFT, *Secretary of the Senate*, 401 South Carson Street,
Carson City, Nevada 89701-4747

DEAR MS. CLIFT:

This letter is in acknowledgement of the transfer of Senate Joint Resolutions (SJR) No. 1 (32nd Special Session) and SJR No. 8 (80th Legislative Session) pursuant to NRS 218D.800; SJR No. 1 from the 32nd Special Session is assigned file number 8; SJR No. 8 from the 80th Legislative Session is assigned file number 44. The enclosed, engrossed

and enrolled versions of these joint resolutions are being transferred from the Secretary of State's Office to your office as of the above date.

If you have any questions in this regard, please do not hesitate to contact the Elections Division at (775) 684-7126.

Respectfully,
 BARBARA K. CEGAUSKE
Secretary of State
 By: TROY CASA
Program Officer, Elections

January 27, 2021

CLAIRE J. CLIFT, *Secretary of the Senate*, 401 South Carson Street,
 Carson City, Nevada 89701-4747

DEAR MS. CLIFT:

Pursuant to the *Nevada Constitution*, Article 19, Sec. 2(3), the Office of the Secretary of State is required to transmit to the Nevada Legislature any initiative petition proposing a constitutional amendment of statewide measure, which is filed with this office and deemed sufficient. In compliance with the *Nevada Constitution*, enclosed please find two Initiative Petitions designated S-01-2020 and S-02-2020.

Should you have any questions, please contact me at (775) 684-5720.

Respectfully,
 BARBARA K. CEGAUSKE
Secretary of State
 By: MARK WLASCHIN
Deputy Secretary, Elections

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Cannizzaro, Spearman, Ratti, Woodhouse, Parks, Brooks, Cancela, Denis, Dondero Loop, Harris, Ohrenschall and Scheible (emergency request of Senate Majority Leader):

Senate Joint Resolution No. 8 of the 80th Session—Proposing to amend the Nevada Constitution to guarantee equal rights.

WHEREAS, The Fourteenth Amendment to the United States Constitution prohibits any state from denying to any person within its jurisdiction the equal protection of the laws; and

WHEREAS, The Nevada Supreme Court has interpreted the requirement of Section 21 of Article 4 of the Nevada Constitution that “all laws shall be general and of uniform operation throughout the State” to be coextensive with the guarantees of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution; and

WHEREAS, The generality of the language used in the Fourteenth Amendment to the United States Constitution and Section 21 of Article 4 of the Nevada Constitution has allowed the Judicial branches of the Federal and State governments to establish a hierarchy within the persons entitled to the protection of the laws; and

WHEREAS, The United States Supreme Court has recognized that each individual state may adopt its own constitution and provide its citizens more expansive individual liberties than those provided by the Federal Constitution; and

WHEREAS, The Legislature of this State wishes to strictly guarantee the equality of rights under law to certain persons within its jurisdiction; now, therefore, be it

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 24, be added to Article 1 of the Nevada Constitution to read as follows:

Sec. 24. Equality of rights under the law shall not be denied or abridged by this State or any of its political subdivisions on account of race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry or national origin.

Senator Ohrenschall moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee of the Whole:

Senate Joint Resolution No. 1 of the 32nd Special Session—Proposing to amend the Nevada Constitution to revise provisions governing the taxation of minerals extracted in this State and to require the Legislature to provide by law for a program to make payments to eligible persons in this State from a portion of the tax on the proceeds of minerals.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 5 of Article 10 of the Nevada Constitution be amended to read as follows:

Sec. 5. 1. The ~~Legislature~~ *Legislature* shall provide by law for *the taxation of mines, mining claims and the proceeds of all minerals, including oil, gas and other hydrocarbons, extracted in this State.*

2. *In addition to any other taxes provided by law, for each calendar year beginning on or after January 1, 2023, a tax is hereby imposed upon the ~~net~~ gross proceeds of all minerals, including oil, gas and other hydrocarbons, extracted in this ~~state,~~ State during a calendar year, at a rate ~~not to exceed 5 percent of the net~~ of 7.75 percent of the gross proceeds ~~[-. No other tax may be imposed upon a mineral or its proceeds until the identity of the proceeds as such is lost.~~*

~~2. The legislature shall appropriate to each county that sum which would be produced by levying a tax upon the entire amount of the net proceeds taxed in each taxing district in the county at the rate levied in that district upon the assessed valuation of real property. The total amount so appropriated to each county must be apportioned among the respective governmental units and districts within it, including the county itself and the school district, in the same proportion as they share in the total taxes collected on property according to value.] , unless the Legislature increases or reduces the rate of the tax by a law enacted in accordance with subsection 5.~~

3. ~~[Each patented mine or mining claim must be assessed and taxed as other real property is assessed and taxed, except that no value may be attributed to any mineral known or believed to underlie it, and no value may be attributed to the surface of a mine or claim if one hundred dollars' worth of labor has been actually performed on the mine or claim during the year preceding the assessment.] Fifty percent of any money collected by the State from the tax imposed pursuant to subsection 2 on the gross proceeds of minerals extracted in this State must be segregated in proper accounts in the State Treasury and, in accordance with appropriations made by law, used exclusively to fund a program established pursuant to subsection 4.~~

4. *The Legislature shall provide by law for a program to make payments from the money held in the State Treasury pursuant to subsection 3 to eligible persons domiciled in this State on a yearly basis, with the first payment being due on August 30, 2024, and subsequent payments being due on the last Friday of August for each year thereafter. The Legislature shall establish by law the criteria which a person must satisfy to be eligible for such payments.*

5. *Notwithstanding any other provision of this Constitution:*

(a) *A majority of all the members elected to each House is necessary to pass any provision of a bill that enacts or amends any law providing for the taxation of mines, mining claims or the proceeds of minerals, including oil, gas and other hydrocarbons, extracted in this State, if the provision creates, generates or increases any public revenue in any form, including, without limitation, any provision of a bill that increases the rate of the tax imposed pursuant to subsection 2.*

(b) *An affirmative vote of not fewer than two-thirds of the members elected to each House is necessary to pass a bill which provides for an exemption from or a reduction in the rate of the tax imposed pursuant to subsection 2 with respect to the gross*

proceeds of minerals extracted in this State during a calendar year by a class of persons extracting such minerals or with respect to the gross proceeds of a type of mineral extracted in this State during a calendar year.

And be it further

RESOLVED, That this resolution becomes effective upon adoption.

Senator Neal moved that the resolution be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Judiciary:

Senate Joint Resolution No. 1—Proposing to amend the Nevada Constitution to provide that the Nevada Court of Appeals has original jurisdiction over certain cases relating to water.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 4 of Article 6 of the Nevada Constitution be amended to read as follows:

Sec. 4. 1. *The court of appeals has original jurisdiction in all civil cases arising from a final order or decision of the State Engineer. In all other cases, the Supreme Court and the court of appeals have appellate jurisdiction in all civil cases arising in district courts, and also on questions of law alone in all criminal cases in which the offense charged is within the original jurisdiction of the district courts. ~~{The}~~ Except as otherwise provided in this subsection, the Supreme Court shall fix by rule the jurisdiction of the court of appeals and shall provide for the review, where appropriate, of appeals decided by the court of appeals. The Supreme Court and the court of appeals have power to issue writs of mandamus, certiorari, prohibition, quo warranto and habeas corpus and also all writs necessary or proper to the complete exercise of their jurisdiction. Each justice of the Supreme Court and judge of the court of appeals may issue writs of habeas corpus to any part of the State, upon petition by, or on behalf of, any person held in actual custody in this State and may make such writs returnable before the issuing justice or judge or the court of which the justice or judge is a member, or before any district court in the State or any judge of a district court.*

2. In case of the disability or disqualification, for any cause, of a justice of the Supreme Court, the Governor may designate a judge of the court of appeals or a district judge to sit in the place of the disqualified or disabled justice. The judge designated by the Governor is entitled to receive his actual expense of travel and otherwise while sitting in the Supreme Court.

3. In the case of the disability or disqualification, for any cause, of a judge of the court of appeals, the Governor may designate a district judge to sit in the place of the disabled or disqualified judge. The judge whom the Governor designates is entitled to receive his actual expense of travel and otherwise while sitting in the court of appeals.

And be it further

RESOLVED, That Section 6 of Article 6 of the Nevada Constitution be amended to read as follows:

Sec. 6. 1. The District Courts in the several Judicial Districts of this State have original jurisdiction in all cases excluded by law from the original jurisdiction of justices' courts ~~{}~~ *except those cases within the original jurisdiction of the court of appeals.* They also have final appellate jurisdiction in cases arising in Justices Courts and such other inferior tribunals as may be established by law. The District Courts and the Judges thereof have power to issue writs of Mandamus, Prohibition, Injunction, Quo-Warranto, Certiorari, and all other writs proper and necessary to the complete exercise of their jurisdiction. The District Courts and the Judges thereof shall also have power to issue writs of Habeas Corpus on petition by, or on behalf of any person who is held in actual custody in their respective districts, or who has suffered a criminal conviction in their respective districts and has not completed the sentence imposed pursuant to the judgment of conviction.

2. The legislature may provide by law for:

(a) Referees in district courts.

(b) The establishment of a family court as a division of any district court and may prescribe its jurisdiction.

And be it further

RESOLVED, That this resolution becomes effective upon passage.

Senator Scheible moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

By Senator Hardy:

Senate Concurrent Resolution No. 1—Urging employers in this State to provide personal protective equipment to employees to prevent the spread of COVID-19.

Senator Ratti moved that the resolution be referred to the Committee on Health and Human Services.

Motion carried.

Assembly Concurrent Resolution No. 1—Adopting the Joint Standing Rules of the Senate and Assembly for the 81st Session of the Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Joint Rules of the Senate and Assembly for the 81st Session of the Legislature are hereby adopted as follows:

CONFERENCE COMMITTEES

Rule No. 1. 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, a new bill or resolution, or other changes as it sees fit. A new bill or resolution so reported shall be treated as amendments unless the bill or resolution is composed entirely of original matter, in which case it 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. 2. Biennial Message of the Governor.

Upon motion, the biennial message of the Governor must be received and read and entered in full in the Journal of proceedings.

Rule No. 2.2. Other Messages From the Governor.

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

Rule No. 2.4. Proclamation by the Governor Convening Special Session.

Proclamations by the Governor convening the Legislature in special session must, by direction of the presiding officer of each House, be read immediately after the convening of the special session, and must be filed and entered in the Journal of proceedings.

Rule No. 2.6. Messages Between Houses.

Messages from the Senate to the Assembly shall be delivered by the Secretary or a person designated by the Secretary and messages from the Assembly to the Senate shall be delivered by the Chief Clerk or a person designated by the Chief Clerk.

NOTICE OF FINAL ACTION

Rule No. 3. 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. 4. Signature.

Each enrolled bill or joint resolution shall be presented to the presiding officers of both Houses for signature. They shall, after an announcement of their intention to do so is made in open session, sign the bill or joint resolution and their signatures shall be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.

Rule No. 5. Joint Sponsorship.

1. A bill or resolution introduced by a standing committee of the Senate or Assembly may, at the direction of the chair of the committee, set forth the name of a standing 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. A bill or resolution introduced by one or more Legislators elected to one House may, at the direction of the Legislator who brings the bill or resolution forward for introduction, set forth the names of one or more Legislators who are members elected to the other House and who wish to be primary joint sponsors or non-primary joint sponsors of the bill or resolution. Not more than five Legislators from each House may be set forth on the face of a bill or resolution as primary joint sponsors. The names of each primary joint sponsor and non-primary joint sponsor must be set forth on the face of the bill or resolution in the following order immediately below the date on which the bill or resolution is introduced:

(a) The name of each primary joint sponsor, in the order indicated on the colored back of the introductory copy of the bill or resolution; and

(b) The name of each non-primary joint sponsor, in alphabetical order.

3. The Legislative Counsel shall not cause to be printed the name of a standing 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 5. The Legislative Counsel shall not cause to be printed the name of a Legislator as a primary joint sponsor or non-primary joint sponsor on the face of a bill or resolution unless the Legislator has signed 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 5.

4. Upon introduction, any bill or resolution that sets forth the names of primary joint sponsors or non-primary joint sponsors, or both, must be numbered in the same numerical sequence as other bills and resolutions of the same House of origin are numbered.

5. Except as otherwise provided in subsection 7, once a bill or resolution has been introduced, a primary joint sponsor or non-primary 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 or non-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 Legislator as a primary joint sponsor or non-primary joint sponsor, the statement must be signed by that Legislator. If the amendment proposes to add or remove a standing committee as a 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.

6. An amendment that proposes to add or remove a primary joint sponsor or non-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 or non-primary joint sponsor.

7. If all the primary sponsors and co-sponsors of a bill or resolution remove their names from a bill or resolution while the bill or resolution is in the House of origin and no other sponsor adds his or her name as the sponsor of the bill or resolution, the names of the members who are primary joint sponsors or non-primary joint sponsors, if any, must be removed from the bill or resolution without an amendment pursuant to subsection 5.

PUBLICATIONS

Rule No. 6. Ordering and Distribution.

1. The bills, resolutions, journals and histories will be provided electronically to the officers and members of the Senate and Assembly, 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 matter 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. 7. 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, opinion 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.

6. A concurrent resolution used for the purposes expressed in paragraph (e) of subsection 2 may only be requested by a statutory, interim or standing committee.

Rule No. 8. Reserved.

ADJOURNMENT

Rule No. 9. 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, for a total of not more than 20 days during any regular session, may be taken to permit standing committees, select committees or the Legislative Counsel Bureau to prepare the matters respectively entrusted to them for the consideration of the Legislature as a whole.*

Rule No. 9.5. Adjournment Sine Die.

1. *The Legislature shall not take any action on a bill or resolution after midnight Pacific time at the end of the 120th consecutive calendar day of session, inclusive of the day on which the session commences. Any legislative action taken after midnight Pacific time at the end of the 120th consecutive calendar day of session is void, unless the legislative action is conducted during a special session.*

2. *A Legislator shall not take any action to impede the progress of the Legislature in completing its business by the time specified in subsection 1.*

3. *The Legislature and its members, officers and employees shall not employ any device, pretense or fiction that adjusts, evades or ignores the measure of time specified in subsection 1 for the purpose of extending the duration of the session.*

4. *Any action taken in violation of subsection 2 or 3 shall be deemed out of order.*

5. *As used in this Rule, "midnight Pacific time" must be determined based on the actual measure of time that, on the final calendar day of the session, is being used and observed by the general population as the uniform time for the portion of Nevada which lies within the Pacific time zone, or any legal successor to the Pacific time zone, and which includes the seat of government of this State as designated by Section 1 of Article 15 of the Nevada Constitution.*

EXPENDITURES FROM THE LEGISLATIVE FUND

Rule No. 10. 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.

LEGISLATIVE COMMISSION

Rule No. 11. Membership and Organization.

1. *When members of the minority party in the Senate or in the Assembly comprise one-third or less of the total number elected to that House, minority party membership for that House on the Legislative Commission must be:*

(a) *One, if such membership is less than one-fifth of the total number elected to that House.*

(b) *Two, if such membership is at least one-fifth but not more than one-third of the total number elected to that House.*

➤ *If the members of the minority party in the Senate or in the Assembly comprise more than one-third of the total number elected to that House, minority party membership for that House on the Commission must be three, being equal to the membership of the majority party.*

2. *Each House shall select one or more alternate members for each member from that House, designating them according to party or according to the individual member whom the alternate would replace.*

3. *A vacancy in the regular Senate or Assembly membership created by death or by resignation or by the Legislator's ceasing to be a member of the Legislature shall be filled by the proper alternate member as designated by that House. If there is no proper alternate member, the Legislative Commission shall fill the vacancy by appointing a Senator or Assemblyman or Assemblywoman of the same party.*

4. *If for any reason a member is or will be absent from a meeting and there are no alternates available, the Chair of the Commission may appoint a member of the same House and political party to attend the meeting as an alternate.*

5. *The members shall serve until their successors are appointed by resolution as provided in NRS 218E.150, except that the membership of any member who does not become a candidate for*

reelection or who is defeated for reelection shall terminate on the day next after the election and the vacancy shall be filled as provided in this Rule.

6. The Chair shall be selected at the first meeting of the newly formed Legislative Commission and shall serve until his or her successor is appointed following the formation of the next Legislative Commission.

RECORDS OF COMMITTEE PROCEEDINGS

Rule No. 12. Duties of Secretary of Committee and Director.

1. Each standing committee of the Legislature shall cause a record to be made of the proceedings of its meetings.

2. The secretary of a standing 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 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. Reserved.

Rule No. 13.1. Reserved.

Rule No. 13.2. Reserved.

Rule No. 13.3. Reserved.

Rule No. 13.4. 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 packing or cracking.

3. Racial packing exists when:

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

(b) The district lines are drawn to concentrate members of a group into a single district, thereby diminishing their impact as individual voters.

4. Racial cracking exists when:

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

(b) District lines are drawn to split members of a group among multiple districts, so as to dilute their impact and to prevent them from constituting a majority.

5. 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 was reported to Nevada in 2011 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 Standing Rule No. 13.4.

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.

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.

LIMITATIONS ON INTRODUCTION AND REQUESTS

FOR DRAFTING OF LEGISLATIVE MEASURES

Rule No. 14. Limitations on Drafting and Requirements for Introduction; Indication of Requester on Committee Introductions.

1. Except as otherwise provided in subsection 3 and Joint Standing Rules Nos. 14.4, 14.5 and 14.6, after a regular legislative session has convened, the Legislative Counsel shall honor, if submitted before 5 p.m. on the 15th calendar day of the legislative session, not more than 60 requests, in total, from each House for the drafting of a bill or joint resolution. The Majority Leader of the Senate and the Speaker of the Assembly shall, not later than the 8th calendar day of the legislative session, allocate all, some or none of the 60 requests and provide the Legislative Counsel with a written list of the number of requests for the drafting of a bill that may be submitted by each member and standing committee of their respective Houses, and as Majority Leader or Speaker, as applicable, within the limit provided by this subsection. The lists may be revised any time before the 15th calendar day of the legislative session to reallocate any unused requests or requests which were withdrawn before drafting began on the request.

2. A request for the drafting of a bill or resolution that is submitted by a standing committee pursuant to this section must be approved by a majority of all of the members appointed to the committee before the request is submitted to the Legislative Counsel.

3. A standing committee may only request the drafting of a bill or resolution or introduce a bill or resolution that is within the jurisdiction of the standing committee.

4. A measure introduced by a standing committee at the request of a Legislator or organization must indicate the Legislator or organization at whose request the measure was drafted.

5. The following measures must be introduced by a standing committee:

(a) Measures drafted at the request of agencies and officers of the Executive Branch of State Government, local governments, the courts and other authorized nonlegislative requesters.

(b) Measures requested by statutory committees and interim legislative studies.

(c) Bills requested by a standing committee, or by persons designated to request measures on behalf of a standing committee during the interim. Bills requested by or on behalf of a standing committee must be introduced by that committee.

6. Resolutions requested by or on behalf of a standing committee may be introduced by an individual member.

7. A Legislator may not change the subject matter of a request for a legislative measure after it has been submitted for drafting.

Rule No. 14.1. Secondary Deadline for Submission of Details to the Legislative Counsel.

1. If a request for the drafting of a bill or resolution is submitted to the Legislative Counsel by a Senator or member of the Assembly, a standing committee of the Assembly or Senate or the Majority Leader of the Senate or the Speaker of the Assembly on or before the 15th calendar day of the legislative session pursuant to subsection 1 of Joint Standing Rule No. 14, the member, chair of the standing committee or his or her designee, and the Majority Leader and Speaker, as applicable, shall, by the 22nd calendar day of the legislative session, provide the Legislative Counsel with information to draft the request which is sufficient in detail to allow for complete drafting of the request.

2. *The Legislative Counsel shall give priority to the drafting of bills and resolutions for which sufficient detail to allow complete drafting of the request was submitted within the period required by this Rule.*

3. *The provisions of this Rule apply to a request submitted by a Legislator who is not returning to the Legislature for the legislative session if the request was claimed by another Legislator who is or will be serving during the legislative session.*

4. *The provisions of this Rule do not apply to:*

(a) *Emergency requests submitted pursuant to Joint Standing Rule No. 14.4.*

(b) *Requests for which a waiver is granted pursuant to Joint Standing Rule No. 14.5. Rule No. 14.2. Limitations on Time for Introduction of Legislation.*

1. *Except as otherwise provided in Joint Standing Rules Nos. 14.4, 14.5 and 14.6:*

(a) *Unless the provisions of paragraph (b) or (c) are applicable, a bill or joint resolution may only be introduced on or before:*

(1) *The 10th calendar day following delivery of the introductory copy of the bill or joint resolution; or*

(2) *The last day for introduction of the bill or joint resolution as required by paragraph (e),*

↪ *whichever is earlier.*

(b) *If a bill or joint resolution requires revision after the introductory copy has been delivered, such information as is required to draft the revision must be submitted to the Legislative Counsel before the 10th calendar day following delivery of the introductory copy of the bill or joint resolution. The revised bill or joint resolution may only be introduced on or before:*

(1) *The 15th calendar day following delivery of the original introductory copy of the bill or joint resolution; or*

(2) *The last day for introduction of the bill or joint resolution as required by paragraph (e),*

↪ *whichever is earlier.*

(c) *If the bill or joint resolution requires a second or subsequent revision, such information as is required to draft the revision must be submitted to the Legislative Counsel before the 15th calendar day following delivery of the original introductory copy of the bill or joint resolution. A bill or joint resolution revised pursuant to this paragraph may only be introduced on or before:*

(1) *The 20th calendar day following delivery of the original introductory copy of the bill or joint resolution; or*

(2) *The last day for introduction of the bill or joint resolution as required by paragraph (e),*

↪ *whichever is earlier.*

(d) *A request that was designated for pre-filing pursuant to NRS 218D.150 must be introduced on or before the 15th calendar day of the legislative session.*

(e) *Except as otherwise provided in subsection 3, the last day for introduction of a bill or joint resolution that was requested by:*

(1) *Except as otherwise provided in subparagraph (2), a Legislator is the 43rd calendar day of the legislative session.*

(2) *A Legislator, pursuant to subsection 1 of Joint Standing Rule No. 14, a standing or interim committee or other requester is the 50th calendar day of the legislative session.*

2. *The Legislative Counsel shall indicate on the face of the introductory copy of each bill or joint resolution the final date on which the bill or joint resolution may be introduced.*

3. *If the final date on which the bill or joint resolution may be introduced falls upon a day on which the House in which the bill or joint resolution is to be introduced is not in session, the bill or joint resolution may be introduced on the next day that the House is in session.*

SCHEDULE FOR ENACTMENT OF BILLS

Rule No. 14.3. Final Dates for Action by Standing Committees and Houses.

Except as otherwise provided in Joint Standing Rules Nos. 14.4, 14.5 and 14.6:

1. *The final standing committee to which a bill or joint resolution is referred in its House of origin may only take action on the bill or joint resolution on or before the 68th calendar day of the legislative session. A bill may be re-referred after that date only to the Senate Committee on Finance or the Assembly Committee on Ways and Means and only if the bill is exempt pursuant to subsection 1 of Joint Standing Rule No. 14.6.*

2. *Final action on a bill or joint resolution may only be taken by the House of origin on or before the 79th calendar day of the legislative session.*

3. The final standing committee to which a bill or joint resolution is referred in the second House may only take action on the bill or joint resolution on or before the 103rd calendar day of the legislative session. A bill may be re-referred after that date only to the Senate Committee on Finance or the Assembly Committee on Ways and Means and only if the bill is exempt pursuant to subsection 1 of Joint Standing Rule No. 14.6.

4. Final action on a bill or joint resolution may only be taken by the second House on or before the 110th calendar day of the legislative session.

Rule No. 14.4. Emergency Requests.

1. After a legislative session has convened:

(a) The Majority Leader of the Senate and the Speaker of the Assembly may each submit to the Legislative Counsel, on his or her own behalf or on the behalf of another Legislator or a standing committee of the Senate or Assembly, not more than ten requests for the drafting of a bill or resolution.

(b) The Minority Leader of the Senate and the Minority Leader of the Assembly may each submit to the Legislative Counsel, on his or her own behalf or on the behalf of another Legislator or a standing committee of the Senate or Assembly, not more than three requests for the drafting of a bill or resolution.

2. A request submitted pursuant to subsection 1:

(a) May be submitted at any time during the legislative session and is not subject to any of the provisions of subsection 1 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3.

(b) Is in addition to, and not in lieu of, any other requests for the drafting of a bill or resolution that are authorized to be submitted to the Legislative Counsel by the Majority Leader of the Senate, Speaker of the Assembly, Minority Leader of the Senate or Minority Leader of the Assembly.

3. The list of requests for the preparation of legislative measures prepared pursuant to NRS 218D.130 must include the phrase "EMERGENCY REQUEST OF" and state the title of the person who requested each bill or resolution pursuant to this Rule. If the request was made on behalf of another Legislator or a standing committee, the list must also include the name of the Legislator or standing committee on whose behalf the bill or resolution was requested.

4. The Legislative Counsel shall cause to be printed on the face of the introductory copy and all reprints of each bill or resolution requested pursuant to this Rule the phrase "EMERGENCY REQUEST OF" and state the title of the person who requested the bill or resolution.

Rule No. 14.5. Waivers.

1. At the request of a Legislator or a standing or select committee of the Senate or Assembly, subsection 1 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 or any of the provisions of Joint Standing Rules Nos. 14.1 and 14.3, or any combination thereof, may be waived by the Majority Leader of the Senate and the Speaker of the Assembly, acting jointly, at any time during a legislative session.

2. A waiver granted pursuant to subsection 1:

(a) Must be in writing, executed on a form provided by the Legislative Counsel, and signed by the Majority Leader and the Speaker.

(b) Must indicate the date on which the waiver is granted.

(c) Must indicate the Legislator or committee on whose behalf the waiver is being granted.

(d) Must include the bill number or resolution number for which the waiver is granted or indicate that the Legislative Counsel is authorized to accept and honor a request for a new bill or resolution.

(e) Must indicate the provisions to which the waiver applies.

(f) May include the conditions under which the bill or resolution for which the waiver is being granted must be introduced and processed.

3. The Legislative Counsel shall not honor a request for the drafting of a new bill or resolution for which a waiver is granted pursuant to this Rule unless information which is sufficient in detail to allow for complete drafting of the bill or resolution is submitted to the Legislative Counsel within 2 calendar days after the date on which the waiver is granted.

4. Upon the receipt of a written waiver granted pursuant to this Rule, the Legislative Counsel shall transmit a copy of the waiver to the Secretary of the Senate and the Chief Clerk of the Assembly. The notice that a waiver has been granted for an existing bill or resolution must be

read on the floor and entered in the Journal, and a notation that the waiver was granted must be included as a part of the history of the bill or resolution on the next practicable legislative day. A notation that a waiver was granted authorizing a new bill or resolution must be included as a part of the history of the bill or resolution after introduction.

5. The Legislative Counsel shall secure the original copy of the waiver to the official cover of the bill or resolution.

Rule No. 14.6. Exemptions.

1. Upon request of the draft by or referral to the Senate Committee on Finance or the Assembly Committee on Ways and Means, a bill which:

(a) Contains an appropriation; or

(b) Has been determined by the Fiscal Analysis Division to:

(1) Authorize the expenditure by a state agency of sums not appropriated from the State General Fund or the State Highway Fund;

(2) Create or increase any significant fiscal liability of the State;

(3) Implement a budget decision; or

(4) Significantly decrease any revenue of the State,

↪ is exempt from the provisions of subsection 1 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3. The Fiscal Analysis Division shall give notice to the Legislative Counsel to cause to be printed on the face of the bill the term "exempt" for any bills requested by the Senate Committee on Finance or Assembly Committee on Ways and Means that have been determined to be exempt and shall give written notice to the Legislative Counsel, Secretary of the Senate and Chief Clerk of the Assembly of any bill which is determined to be exempt or eligible for exemption after it is printed. When a bill is determined to be exempt or eligible for an exemption after the bill was printed, a notation must be included as a part of the history of the bill on the next practicable legislative day. The term "exempt" must be printed on the face of all reprints of the bill after the bill becomes exempt.

2. Unless exempt pursuant to paragraph (a) of subsection 1, all of the provisions of Joint Standing Rules Nos. 14, 14.1, 14.2 and 14.3 apply to a bill until the bill becomes exempt pursuant to subsection 1. A bill that has become exempt does not lose the exemption regardless of subsequent actions taken by the Legislature.

3. A cumulative list of all bills determined by the Fiscal Analysis Division pursuant to subsection 1 to be exempt or eligible for exemption after being printed must be maintained and printed in the back of the list of requests for the preparation of legislative measures prepared pursuant to NRS 218D.130.

4. The provisions of subsection 1 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3 do not apply to:

(a) A measure that primarily relates to carrying out the business of the Legislature.

(b) A bill returned from enrollment for a technical correction.

(c) A bill that was previously enrolled but, upon request of the Legislature, has been returned from the Governor for further consideration.

Rule No. 14.7. Amendments.

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 to carry out the purposes for which it was adopted, which is to ensure the effectiveness of the limitations set forth in Joint Standing Rules Nos. 14, 14.1, 14.2 and 14.3.

Rule No. 15. Reserved.

Rule No. 16. Reserved.

DATE OF FIRST JOINT BUDGET HEARING

Rule No. 17. Requirement.

The first joint meeting of the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means to consider the budgets of the agencies of the State must be held on or before the 92nd calendar day of the regular session.

CRITERIA FOR REVIEWING BILLS THAT REQUIRE POLICIES OF HEALTH INSURANCE TO PROVIDE COVERAGE FOR CERTAIN TREATMENT OR SERVICES

Rule No. 18. Topics of Consideration.

Any standing committee of the Senate or Assembly to which a bill is referred requiring a policy of health insurance delivered or issued for delivery in this State to provide coverage for any treatment or service shall review the bill giving consideration to:

- 1. The level of public demand for the treatment or service for which coverage is required and the extent to which such coverage is needed in this State;*
- 2. The extent to which coverage for the treatment or service is currently available;*
- 3. The extent to which the required coverage may increase or decrease the cost of the treatment or service;*
- 4. The effect the required coverage will have on the cost of obtaining policies of health insurance in this State;*
- 5. The effect the required coverage will have on the cost of health care provided in this State; and*
- 6. Such other considerations as are necessary to determine the fiscal and social impact of requiring coverage for the treatment or service.*

INTERIM LEGISLATIVE COMMITTEES

Rule No. 19. Approval for Meeting During Session and Date for Reporting.

- 1. A legislative committee that meets during the interim shall not schedule or otherwise hold a meeting during a regular session of the Legislature or during an adjournment pursuant to Joint Standing Rule No. 9 without the prior approval of the Majority Leader of the Senate and the Speaker of the Assembly.*
- 2. Each legislative committee that adopted any findings or recommendations during the interim since the last regular session of the Legislature shall, not later than the 14th calendar day of the regular session, inform interested members of the Senate and Assembly of those findings and recommendations.*

ANTI-HARASSMENT POLICY

Rule No. 20. 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 of 1964, 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, visual 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 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 also apply to employees, Legislators, lobbyists, vendors, contractors, customers and any other visitors to the Legislature.

11. The Legislative Counsel Bureau 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 private right of action or enforceable legal rights in any person.

Rule No. 20.5. Lobbyists to Maintain Appropriate Working Environment; Procedure for Filing, Investigating and Taking Remedial Action on Complaints.

1. A lobbyist shall not engage in any conduct with a Legislator or any other person working in the Legislature which is prohibited by a Legislator under Rule No. 20. Each lobbyist is responsible to conduct himself or herself in a manner which will ensure that others who work in the Legislature are able to work in an environment free from sexual harassment and other unlawful harassment.

2. Each lobbyist must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment as described in Rule No. 20.

3. A lobbyist who encounters conduct that he or she believes is sexual harassment, other unlawful harassment, retaliation or otherwise inconsistent with this policy may file a written complaint with:

(a) The Director of the Legislative Counsel Bureau; or

(b) The reporting system established pursuant to subsection 11 of Rule No. 20.

↳ Such a complaint must include the details of the incident or incidents alleged, 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.

4. If a person encounters conduct by a lobbyist which he or she believes is sexual harassment, or other unlawful harassment, retaliation or otherwise inconsistent with this policy, the person may file a complaint in the manner listed in subsection 3, or may submit a complaint in accordance with the reporting system established pursuant to subsection 11 of Rule No. 20.

5. If a complaint made against a lobbyist pursuant to this Rule is substantiated, appropriate disciplinary action may be brought against the lobbyist which may include, without limitation, having his or her registration as a lobbyist suspended.

6. The provisions of this policy are not intended to address conduct between lobbyists and must not be used for that purpose. This policy does not create any private right of action or enforceable legal rights in any person.

VOTE ON GENERAL APPROPRIATION BILL

Rule No. 21. *Waiting Period Between Introduction and Final Passage.*

A period of at least 24 hours must elapse between the introduction of the general appropriation bill and a vote on its final passage by its House of origin.

USE OF LOCK BOXES BY STATE AGENCIES

Rule No. 22. *Duties of Senate Standing Committee on Finance and Assembly Standing Committee on Ways and Means.*

To expedite the deposit of state revenue, the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means shall, when reviewing the proposed budget of a state agency which collects state revenue, require, if practicable, the agency to deposit revenue that it has received within 24 hours after receipt. The Committees shall allow such agencies to deposit the revenue directly or contract with a service to deposit the revenue within the specified period.

Rule No. 23. *Reserved.*

Rule No. 24. *Reserved.*

Rule No. 25. *Reserved.*

Rule No. 26. *Reserved.*

Rule No. 27. *Reserved.*

Rule No. 28. *Reserved.*

Rule No. 29. *Reserved.*

LEGISLATIVE CODE OF ETHICAL STANDARDS

Rule No. 30. *Short Title; Applicability; Relation to Other Ethical Standards.*

1. Rules Nos. 30 to 39, inclusive, may be cited as the Legislative Code of Ethical Standards.

2. The Legislative Code of Ethical Standards applies to:

(a) All Legislators at all times.

(b) All members of legislative staff when performing or exercising their legislative assignments, tasks, duties, responsibilities or powers.

(c) All lobbyists when they:

(1) Appear in person in the Legislative Building or any other building in which the Legislature or any of its legislative committees hold meetings during a regular or special session or the interim between sessions, including, without limitation, any building in which a meeting is held by teleconference or videoconference; or

(2) Represent the interests of any lobbying client to a Legislator or a member of legislative staff, regardless of whether such representation occurs during a regular or special session or the interim between sessions and regardless of the location where such representation occurs or the means of communication used to provide such representation.

3. The Legislative Code of Ethical Standards is intended to supplement all other ethical standards recognized by rules and laws governing ethics and does not limit the application of such

other ethical standards but is cumulative thereto, so that the application or attempted application of any one of the ethical standards does not bar the application or attempted application of any other, except in circumstances where Section 6 of Article 4 of the Nevada Constitution invests each House with plenary and exclusive constitutional powers.

4. The Legislative Code of Ethical Standards does not create any private right of action or enforceable legal rights in any person.

Rule No. 31. Purpose and Construction.

1. The purpose of the Legislative Code of Ethical Standards is to:

(a) Establish the highest standards of ethical behavior founded upon principles of dignity, decorum, civility and respect;

(b) Prohibit any conduct that creates the appearance of impropriety; and

(c) Prohibit any improper, inappropriate or dishonorable conduct that is unbecoming to the legislative process or is inconsistent with or undermines the people's faith, trust and confidence in the integrity of the legislative process.

2. The Legislative Code of Ethical Standards must be construed:

(a) Liberally to carry out and achieve its purposes; and

(b) Strictly against any person alleging that his or her conduct is not subject to its provisions, so that any doubt or uncertainty as to the application of its provisions must be resolved against such a person and in favor of removing unethical behavior from the legislative process.

Rule No. 32. Definitions.

As used in the Legislative Code of Ethical Standards, unless the context otherwise requires, the words and terms defined in Rules Nos. 33 to 36, inclusive, have the meanings ascribed to them in those rules.

Rule No. 33. "Legislative Committee" Defined.

1. "Legislative committee" means any legislative committee or commission appointed to conduct or perform legislative business during a regular or special session or the interim between sessions.

2. The term includes, without limitation:

(a) Any joint, standing, temporary, special or select committee;

(b) Any committee of the whole;

(c) Any interim committee; or

(d) Any subcommittee.

Rule No. 34. "Lobbying Client" Defined.

1. "Lobbying client" means a person who employs, retains, contracts for or otherwise uses or engages the services of a lobbyist to represent the interests of the person to one or more Legislators or members of legislative staff, whether or not any compensation is paid for the services.

2. The term includes, without limitation, a client that is a government, governmental agency or political subdivision of a government.

Rule No. 35. "Lobbyist" Defined.

1. "Lobbyist" means a person who:

(a) Is required to register as a lobbyist during a regular or special session pursuant to chapter 218H of NRS, regardless of whether the person properly registers or fails to register as a lobbyist as required by that chapter; or

(b) Represents the interests of any lobbying client to a Legislator or a member of legislative staff, regardless of whether such representation occurs during a regular or special session or the interim between sessions and regardless of the location where such representation occurs or the means of communication used to provide such representation.

2. The term does not include a person who is excluded from the term "lobbyist" as defined in NRS 218H.080.

Rule No. 36. "Member of Legislative Staff" Defined.

1. "Member of legislative staff" means any member of a Legislator's staff or any officer, employee, assistant or other person employed with reference to the legislative duties of a Legislator or the Legislative Branch, regardless of whether they are paid or otherwise compensated to serve in their positions.

2. *The term includes, without limitation, any officers, employees, attaches, interns or other staff of:*

- (a) *The Legislature or either House;*
- (b) *Any legislative committee;*
- (c) *Any legislative office or caucus;*
- (d) *Any division of the Legislative Counsel Bureau; or*
- (e) *Any other agency, body, office, organization or unit of the Legislative Branch.*

Rule No. 37. Ethical Standards; Prohibited Conduct.

1. *The people of the State of Nevada have the right to expect and demand that each Legislator, member of legislative staff or lobbyist adheres to the highest standards of ethical behavior founded upon principles of dignity, decorum, civility and respect because such ethical standards are essential to ensure and enhance the people's faith, trust and confidence in the integrity of the legislative process.*

2. *Each Legislator, member of legislative staff or lobbyist has a solemn and unerring responsibility and duty to do everything in his or her power to:*

- (a) *Behave properly, appropriately and honorably with each other and with members of the public who participate in the legislative process; and*
- (b) *Encourage, promote and secure an atmosphere in which ethical behavior is the highest priority and is practiced unceasingly and without fail.*

3. *Each Legislator, member of legislative staff or lobbyist shall not engage in or attempt, offer, or agree to engage in, or assist or induce another person to engage in:*

- (a) *Any conduct that creates the appearance of impropriety; or*
- (b) *Any improper, inappropriate or dishonorable conduct that is unbecoming to the legislative process or is inconsistent with or undermines the people's faith, trust and confidence in the integrity of the legislative process.*

4. *The conduct prohibited by this Rule includes, without limitation, any conduct that:*

- (a) *Is intended to threaten, harass, intimidate or improperly influence another person who is participating in the legislative process.*
- (b) *Creates a hostile work environment for another person who is participating in the legislative process.*
- (c) *Causes harm or serious emotional distress, or the reasonable apprehension thereof, to another person who is participating in the legislative process.*
- (d) *Involves impolite, disrespectful or disorderly behavior that results in unreasonable or harmful interference with another person who is participating in the legislative process.*
- (e) *Involves false or misleading accusations or allegations against another person who is participating in the legislative process.*
- (f) *Involves dishonesty, fraud, deceit or misrepresentation.*
- (g) *Is intended to assist or induce another person to violate or attempt to violate the Legislative Code of Ethical Standards.*

Rule No. 38. Complaints.

1. *A person may file a complaint alleging a breach of the Legislative Code of Ethical Standards in accordance with the Standing Rules of each House, except that a person may not file a complaint alleging the same or substantially similar conduct with more than one House.*

2. *If the complaint alleges an ethical breach by or against a Legislator or the ethical breach otherwise involves a particular Legislator, the complaint must be filed with the Legislator's House, even if the complaint also alleges an ethical breach by or against a member of legislative staff or a lobbyist.*

Rule No. 39. Authority of Senate and Assembly to Adopt Ethical Standards and Prohibit and Sanction Ethical Breaches.

1. *The Senate and Assembly hereby find and declare that:*

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

member.” (*Heller v. Legislature*, 120 Nev. 456 (2004); *Commission on Ethics v. Hardy*, 125 Nev. 285 (2009); *Mason’s Manual of Legislative Procedure* §§ 2-3 and 560-564 (2010) (*Mason’s Manual*))

(b) Section 7 of Article 4 of the Nevada Constitution invests each House with plenary and exclusive constitutional powers to govern, control and regulate any person who is not a member but who is guilty of disrespect to the House by disorderly or contemptuous behavior in its presence, and each House also has inherent powers, according to the common parliamentary law, to prohibit and sanction all offensive behavior committed against it by any person who is not a member. (*Mason’s Manual* §§ 805-806; Luther S. Cushing, *Elements of the Law & Practice of Legislative Assemblies* §§ 690-695 (1856) (*Cushing’s Legislative Assemblies*))

(c) In addition to its other 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; *Cushing’s Legislative Assemblies* § 533)

(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))

2. The Senate and Assembly hereby exercise their constitutional and inherent powers and privileges and adopt the Legislative Code of Ethical Standards in the Joint Standing Rules to:

(a) Establish ethical standards to regulate the behavior and conduct of persons who participate in the legislative process; and

(b) Prohibit and sanction ethical breaches.

CONTINUATION OF RULES

Rule No. 40. Continuation of Joint Standing Rules During the Interim Between Regular Sessions.

The Joint Standing Rules set forth herein shall remain in full force and effect throughout the interim between regular sessions of the Legislature and until new Joint Standing Rules of the Senate and Assembly are adopted as part of the organization of a newly-constituted Legislature at the commencement of a session, unless a conflict exists with a rule adopted by the Senate and Assembly for a special session occurring between regular sessions.

And be it further

RESOLVED, That this resolution becomes effective upon adoption.

Senator Cannizzaro moved the adoption of the resolution.

Remarks by Senator Cannizzaro.

Assembly Concurrent Resolution No. 1 includes the following: Rule No. 5 is revised to provide that if all the primary sponsors and cosponsors of a bill or resolution remove their names while the bill or resolution is in the house of origin and no other sponsor adds his or her name as a sponsor, the names of the members who are joint sponsors from the other House, if any, must also be removed from the bill or resolution without requiring an amendment to remove their names as joint sponsors.

Rule No. 14.5 is revised to clarify that the procedure for waivers applies to bills and resolutions.

Rule No. 17 is revised to reflect the accurate date, as indicated on the 120-day session calendar, that the money committees must start resolving budget differences, which is the 92nd calendar day of session.

Resolution adopted.

Resolution transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Senate Bill No. 2—AN ACT relating to education; revising requirements to conduct certain assessments; removing requirements to measure the height and weight of certain pupils; revising provisions relating to budgeting; eliminating certain reporting requirements; removing the requirement to take an examination relating to civics to graduate from high school; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Finance:

Senate Bill No. 3—AN ACT relating to the judiciary; increasing prospectively the base salaries of justices of the Supreme Court of Nevada, judges of the Court of Appeals and district court judges in this State; removing the requirement that certain participants in the Judicial Retirement Plan pay 50 percent of the total actuarially determined contribution rate to the Plan; providing that certain judges are not eligible for longevity pay; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Finance.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 4—AN ACT relating to fireworks; revising provisions governing the authority of a board of county commissioners to enact certain ordinances related to fireworks; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 5—AN ACT relating to health care; requiring the Department of Health and Human Services to establish an electronic tool to analyze certain data concerning access to telehealth; requiring certain entities to review access to services provided through telehealth and evaluate policies to make such access more equitable; revising provisions governing services provided through telehealth and insurance coverage of such services; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 6—AN ACT relating to public safety; revising the persons authorized to file an application for an order for protection against high-risk behavior; renaming “ex parte order” to “temporary order”; making various changes relating to the issuance of orders for protection against high-risk behavior; revising the persons to whom an adverse party must surrender his or her firearms; requiring a court to order the return of any surrendered firearm of an adverse party upon the expiration of an extended order for protection against high-risk behavior; revising provisions relating to the dissolution of orders for protection against high-risk behavior; eliminating the requirement for a court clerk or designee to provide assistance to certain persons relating to such orders; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Judiciary:

Senate Bill No. 7—AN ACT relating to courts; providing that the juvenile court has exclusive jurisdiction over certain orders for protection where the adverse party is a child under 18 years of age; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Judiciary:

Senate Bill No. 8—AN ACT relating to guardianship of minors; establishing provisions relating to the transfer of jurisdiction of a guardianship of a minor to or from another state; establishing provisions relating to the registration and recognition of guardianship orders concerning minors that were issued in another state; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Judiciary:

Senate Bill No. 9—AN ACT relating to securities; creating an exemption from licensing requirements for investment advisers to certain private funds; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 10—AN ACT relating to taxation; revising provisions governing the calculation of the amount of certain partial abatements of property taxes; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 11—AN ACT relating to taxation; authorizing certain incorporated cities to impose a supplemental governmental services tax based on the valuation of a vehicle; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 12—AN ACT relating to housing; requiring an owner of certain housing that is financed by tax credits or other money provided by a government agency to provide certain notices before terminating a restriction relating to the affordability of the housing; setting forth requirements for such notice; authorizing the Housing Division of the Department of Business and Industry to impose an administrative fine upon an owner who fails to provide such notice; authorizing the Division to prohibit an owner who terminates an affordability restriction from applying for certain tax credits; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 13—AN ACT relating to local governments; revising provisions governing the budgeted ending fund balance of certain local governments that is excluded from collective bargaining negotiations; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 14—AN ACT relating to emergency management; revising requirements relating to the distribution by the Division of Emergency Management of the Department of Public Safety of a written guide to assist a person or governmental entity required to file certain emergency response plans; requiring certain state agencies to coordinate with the Division of Emergency Management to annually compile a list of each utility and provider of new electric resources required to submit a vulnerability assessment and emergency response plan; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 15—AN ACT relating to grants; revising provisions governing the powers and duties of the Administrator of the Office of Grant Procurement, Coordination and Management of the Department of Administration; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 16—AN ACT relating to minority affairs; transferring the duty to provide staff assistance to the Nevada Commission on Minority Affairs from the Department of Administration to the Department of Business and Industry; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Growth and Infrastructure:

Senate Bill No. 17—AN ACT relating to motor vehicles; revising provisions governing the renewal of certain instruction permits to operate a motor vehicle or motorcycle; revising the requirements to obtain a license to operate a school for training drivers; requiring the operator of such a school to maintain and make available to the Department of Motor Vehicles and the State of Nevada certain records, books and other information; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By the Committee on Growth and Infrastructure:

Senate Bill No. 18—AN ACT relating to public utilities; increasing the maximum amount of administrative fines that the Public Utilities Commission of Nevada is authorized to assess for certain violations relating to public utilities; authorizing the Commission to assess an administrative fine on a person who provides inaccurate or misleading information to the Commission under certain circumstances; increasing criminal penalties for certain violations relating to public utilities; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 19—AN ACT relating to records of criminal history; establishing provisions authorizing certain entities to obtain information

relating to the records of criminal history of certain persons responsible for the safety and well-being of children, elderly persons or persons with disabilities; providing a fee; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Judiciary:

Senate Bill No. 20—AN ACT relating to crimes; providing that the Sexual Assault Survivors' Bill of Rights does not apply to certain offenders who are victims of sexual assault; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Judiciary:

Senate Bill No. 21—AN ACT relating to the protection of children; revising requirements relating to background investigations for certain applicants for employment with, and employees of, certain institutions, agencies and facilities that serve children; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Judiciary:

Senate Bill No. 22—AN ACT relating to correctional institutions; revising the order of priority of certain deductions from the individual account of an offender and from the wages of an offender; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 23—AN ACT relating to conservation; revising the boundaries of the areas from which certain members of the State Conservation Commission are appointed; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 24—AN ACT relating to workforce development; revising requirements governing the approval of a program of workforce development by the Office of Economic Development; revising provisions governing the administration of the Workforce Innovations for a New Nevada Account; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 25—AN ACT relating to taxation; revising provisions governing the determination of whether food for human consumption is subject to sales and use taxes; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 26—AN ACT relating to the security of personal information; revising the information protected as personal information; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Education:

Senate Bill No. 27—AN ACT relating to education; authorizing the Superintendent of Public Instruction to investigate persons subject to his or her jurisdiction; creating the Account for Teacher Incentives and authorizing certain uses of money in the Account; repealing provisions which abolished the Teachers' School Supplies Assistance Account and revising the authorized uses of money in the Account; revising the membership of the Commission on Professional Standards in Education; creating additional kinds of licenses for teachers and other educational personnel; authorizing the State Board of Education to delegate authority to suspend or revoke a license to the Department of Education; revising provisions relating to the Teach Nevada Scholarship Program; revising provisions relating to the policy for parental involvement required by federal law; revising provisions relating to the Nevada Institute on Teaching and Educator Preparation; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Education.
Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 28—AN ACT relating to the military; establishing the offense of sexual harassment within the Nevada Code of Military Justice; revising provisions relating to the offense of sexual assault within the Code; providing a penalty; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Growth and Infrastructure:

Senate Bill No. 29—AN ACT relating to motor vehicles; authorizing the Department of Motor Vehicles to appoint an agent to issue salvage titles; authorizing such an agent to use the name, service marks, trademarks or logo of the Department in an advertisement upon receipt of the Department's written permission for such use; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 30—AN ACT relating to crimes; increasing the penalties for certain unlawful acts committed by prisoners relating to human excrement or bodily fluid; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 31—AN ACT relating to public safety; revising the definition of a record of criminal history; revising the requirements for publication of certain statistical data; revising provisions relating to the information provided to an authorized participant of a service to conduct a name-based search of records of criminal history; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 32—AN ACT relating to offenders; revising provisions governing certain programs of treatment for offenders established by the Director of the Department of Corrections; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 33—AN ACT relating to natural resource management; replacing the term “reforestation” with “revegetation”; expanding the types of vegetation and areas where vegetation is located that the State Forester Firewarden is responsible for conserving, protecting and enhancing; expanding the application of certain provisions governing forests and watersheds to include rangelands; transferring the requirement to carry out certain tasks related to fire retardant roofing, fire-hazardous forested areas and

ensuring consistency with fire codes, rules and regulations from the State Forester Firewarden to the State Fire Marshal; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 34—AN ACT relating to agriculture; revising provisions relating to certain employees of the State Department of Agriculture who have the powers of a peace officer; clarifying that certain inspections conducted by the Department are visual inspections; revising the definition of “police officer” to include agricultural police officers for purposes of certain benefits and exemptions; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 35—AN ACT relating to the Private Investigator's Licensing Board; abolishing the Fund for the Private Investigator's Licensing Board; requiring certain money collected by the Board to be deposited in certain financial institutions; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Education:

Senate Bill No. 36—AN ACT relating to education; requiring a development committee for a school district or charter school that develops a plan for responding to a crisis, emergency or suicide to include at least one representative of the county or district board of health; requiring the Department of Education to include information regarding an epidemic in its model plan for the management of crises, emergencies and suicides; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 37—AN ACT relating to district attorneys; revising certain provisions relating to the process by which a district attorney may request assistance in criminal cases from the Office of the Attorney General; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 38—AN ACT relating to legal services; establishing certain provisions applicable to pro bono contracts for legal services entered into by the Attorney General or any other officer, agency or employee in the Executive Department of the State Government; requiring the Attorney General to prepare and submit an annual report concerning such contracts; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 39—AN ACT relating to governmental financial administration; authorizing the State Treasurer to enter into a contract to provide for the acceptance of transfers of certain digital representations of United States dollars by certain governmental entities that have been approved by the State Treasurer to participate in the contract; requiring the State Treasurer to adopt regulations establishing certain requirements for such a contract; authorizing a governmental entity that participates in such a contract to charge a convenience fee under certain circumstances; authorizing certain governmental entities to participate in such a contract; revising certain definitions of the term “electronic transfer of money” to exclude transfers of certain digital representations of United States dollars; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 40—AN ACT relating to health care; authorizing the Patient Protection Commission to request certain reports from a state or local governmental entity; requiring the Department of Health and Human Services to establish an all-payer claims database containing information relating to health insurance claims for benefits provided in this State; requiring certain insurers to submit data to the database; authorizing certain additional insurers to submit data to the database; providing for the release of data in the database under certain circumstances; requiring the Department to publish a report on the quality and cost of health care using data from the database; requiring the Department to submit certain other reports concerning the database to the Legislature; providing immunity from civil and criminal liability for certain persons and entities; authorizing the imposition of administrative penalties for violations of certain requirements concerning the database; prescribing authorized uses for certain administrative penalties; requiring the Department to compile a report containing an inventory of certain data; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 41—AN ACT relating to criminal procedure; revising provisions relating to orders authorizing the use of a pen register or trap and trace device; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Judiciary:

Senate Bill No. 42—AN ACT relating to courts; revising provisions governing the printing and distribution of certain court rules and the decisions of the Nevada Supreme Court and the Nevada Court of Appeals; eliminating the requirement for the Nevada Supreme Court to provide by rule for mandatory training concerning certain litigation involving medical malpractice for certain district judges; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 43—AN ACT relating to outdoor recreation; increasing the membership of the Advisory Board on Outdoor Recreation; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 44—AN ACT relating to behavioral health; authorizing the issuance of a provisional license or certificate to engage in various professions relating to behavioral health to an applicant who meets certain requirements; requiring licensing boards that regulate such professions to report certain information; providing for the issuance of a license as a master social worker to an applicant who meets certain qualifications; authorizing a master social worker or independent social worker to engage in certain activities; prescribing required documentation for an applicant for a license to engage in social work who is the graduate of a foreign college or university; authorizing the Board of Examiners for Social Workers to place a license to engage in social work on inactive status and refuse to issue a license under certain circumstances; requiring an employee of the Board to submit a complaint against a licensee to the Board under certain circumstances; prohibiting a person from engaging in the unlicensed practice of social work; providing for a study of certain

licensing and certification procedures; providing a penalty; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 45—AN ACT relating to crimes; changing the name and duties of the Ombudsman for Domestic Violence; changing the name of the Account for Programs Related to Domestic Violence; changing the name, duties and composition of the Committee on Domestic Violence; increasing the minimum penalty for a battery which constitutes domestic violence against a pregnant person; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 46—AN ACT relating to the Office of the Attorney General; authorizing certain employees of the Office of the Attorney General to request that certain personal information be kept in a confidential manner; authorizing such persons to request the Department of Motor Vehicles to display an alternate address on his or her driver's license, commercial driver's license or identification card; designating certain vehicles owned and operated by the Office of the Attorney General as emergency vehicles; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 47—AN ACT relating to state securities; revising provisions relating to the issuance of certain interim debentures to fund the general operations of the State; eliminating the expiration date of provisions authorizing the issuance of such interim debentures; making certain other temporary changes relating to state securities permanent; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Growth and Infrastructure:

Senate Bill No. 48—AN ACT relating to motor vehicles; requiring the Director of the Department of Motor Vehicles to designate a city officer of certain incorporated cities as an agent of the Department for certain purposes; requiring a portion of the governmental services tax collected in such a city to

be credited to the city as a commission for the services of the city officer; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 49—AN ACT relating to cannabis; removing authorization for the Cannabis Compliance Board to take testimony by deposition in hearings before the Board; revising provisions governing a regulatory waiver to the registration requirement for holders of an ownership interest of less than 5 percent in a cannabis establishment; changing the labeling requirement for cannabis products; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 50—AN ACT relating to criminal procedure; prohibiting a magistrate from issuing a no-knock arrest warrant or search warrant except under certain circumstances; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 51—AN ACT relating to state employees; prohibiting an employee of the Executive Department of the State Government from engaging in sex- or gender-based harassment; providing for the adoption and annual review of a policy for such employees concerning sex- or gender-based harassment; prescribing certain duties of an appointing authority relating to sex- or gender-based harassment; creating the Sex- or Gender-Based Harassment and Discrimination Investigation Unit within the Division of Human Resource Management of the Department of Administration; providing for the investigation of a complaint by the Investigation Unit; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 52—AN ACT relating to outdoor recreation; requiring the Administrator of the Division of Outdoor Recreation in the State Department of Conservation and Natural Resources to establish a program for awarding a dark sky designation to certain sites in this State; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 53—AN ACT relating to the Division of State Parks of the State Department of Conservation and Natural Resources; authorizing the Administrator of the Division to organize the areas under the jurisdiction of the Division into regions; revising provisions relating to certain fees collected for the repair, operation and maintenance of communication systems in state parks; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 54—AN ACT relating to agriculture; revising the qualifications of the members of the State Board of Agriculture; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 55—AN ACT relating to employee leasing companies; transferring the duties for the licensing and certain regulation of employee leasing companies from the Administrator of the Division of Industrial Relations of the Department of Business and Industry to the Commissioner of Insurance; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 56—AN ACT relating to insurance; imposing certain requirements governing coverage of behavioral health services; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 57—AN ACT relating to counties; revising provisions governing the imposition of certain special assessments by a board of county commissioners; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Growth and Infrastructure:

Senate Bill No. 58—AN ACT relating to public safety; revising certain functions and responsibilities of the Investigation Division of the Department of Public Safety and the Chief of the Investigation Division; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By the Committee on Growth and Infrastructure:

Senate Bill No. 59—AN ACT relating to the Public Utilities Commission of Nevada; limiting the scope of the judicial review of decisions of the Commission to final decisions in contested cases; prohibiting the filing of certain briefs in a proceeding for judicial review of a final decision of the Commission unless permitted by the court; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By the Committee on Growth and Infrastructure:

Senate Bill No. 60—AN ACT relating to vehicles; revising provisions relating to applications for and the design of special license plates; revising provisions relating to the reissuance of license plates; requiring license plates issued for vehicles used in investigations conducted by certain governmental agencies to bear no distinguishing marks which indicate that the vehicles are owned by a governmental entity; making information related to such vehicles confidential; revising provisions governing the issuance and renewal of certain special license plates; removing provisions relating to the distribution of certain fees from the Pollution Control Account; authorizing certain persons to operate a vehicle for a limited period of time without possessing a permit to operate a vehicle that is not currently registered; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 61—AN ACT relating to persons with disabilities; providing for the training of licensees under the program for the operation of vending facilities by licensees who are blind; establishing procedures for the resolution of certain disputes related to the program; revising certain terminology related

to the program; revising provisions establishing a priority of right for the operation by licensees of vending facilities in or on certain public buildings and properties; authorizing the operation of vending facilities by licensees in or on the buildings and properties of certain agencies; providing for the election of the Nevada Committee of Vendors Who Are Blind and prescribing certain duties of the Committee; authorizing contracts under which a licensee operates a vending facility on certain private property to provide for the payment of an incentive to the owner of the property; making certain other revisions relating to the operation of the program; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 62—AN ACT relating to solicitation of contributions; expanding the types of organizations required to register with the Secretary of State as a charitable organization and make certain disclosures in connection with the solicitation of contributions; revising provisions governing the information required to be filed with the Secretary of State to register as a charitable organization; revising the information required to be disclosed in connection with the solicitation of contributions; revising provisions governing the solicitation of contributions by certain charitable organizations and nonprofit corporations; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 63—AN ACT relating to hemp; requiring the submission of an application for registration as a grower, handler or producer to the State Department of Agriculture on or before July 1 of any year; setting forth certain requirements for the sampling and testing of hemp; revising the circumstances under which the Department is authorized to refuse to issue or renew, suspend or revoke a registration as a grower, handler or producer; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 64—AN ACT relating to taxation; reducing the statutory rate of depreciation applicable to improvements made on real property for the purpose of determining the taxable value of the property; revising provisions governing the calculation of the amount of certain partial abatements of property taxes; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 65—AN ACT relating to agriculture; revising provisions relating to the composition and administration of the State Department of Agriculture; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Education:

Senate Bill No. 66—AN ACT relating to education; creating the Nevada K-16 Connectivity and Innovation Advisory Commission; prescribing the duties of the Commission; requiring the Commission to prepare and submit an annual report; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 67—AN ACT relating to public works; authorizing a public body to enter into a job order contract for the maintenance, repair, alteration, demolition, renovation, remediation or minor construction of a public work; prescribing the procedure for awarding a job order contract; making certain documents and other information submitted by a person seeking a job order contract confidential until a contract is awarded; prescribing responsibilities of a contractor who enters into a job order contract; revising provisions relating to the expedited process by which the State or a local government solicits bids and awards contracts for certain smaller public works projects or completes such projects itself; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 68—AN ACT relating to public financial administration; revising provisions governing the investment of certain money held by the State; increasing the maximum amount of money the State Treasurer is authorized to transfer from the State Permanent School Fund to a corporation for public benefit to provide private equity funding to certain businesses; revising provisions governing the guarantee of bonds of school districts with money from the State Permanent School Fund; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 69—AN ACT relating to behavioral health; providing for the certification of peer recovery support specialists and peer recovery support specialist supervisors; requiring a peer recovery support specialist or peer recovery support specialist supervisor to report certain information; requiring any instruction, curriculum or program concerning substance misuse or substance use disorder in a public school to be evidence-based; requiring the participation of public schools in a system to collect data concerning youth risk behavior of pupils enrolled in certain grades in a public school; providing for the certification of substance use disorder prevention coalitions and prescribing the duties of such a coalition; requiring certain reporting concerning curricula and programs on substance misuse and substance use disorders in public schools; providing a penalty; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 70—AN ACT relating to mental health; revising provisions governing the use of chemical restraints on persons with disabilities; establishing procedures for placing a person on and releasing a person from a mental health crisis hold; revising provisions governing the emergency admission of a person to a mental health facility or hospital; revising provisions governing involuntary court-ordered admission to a mental health facility and involuntary assisted outpatient treatment; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 71—AN ACT relating to unclaimed property; revising provisions of the Uniform Unclaimed Property Act; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 72—AN ACT relating to common-interest communities; requiring a limited-purpose association to comply with certain requirements relating to the establishment and foreclosure of a lien for assessments; revising

provisions relating to the imposition of fines that may be assessed for certain violations of the governing documents of a unit-owners' association; revising provisions relating to meetings of the executive board of a unit-owners' association; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 73—AN ACT relating to taxation; authorizing the City Council of the City of Reno to adopt a resolution establishing the formation of a committee to recommend the imposition of certain taxes or reallocation of certain tax revenue to fund certain natural resources projects and services in the City of Reno; providing that if such a committee is formed and submits its recommendations to the City Council of the City of Reno within the time prescribed, the City Council of the City of Reno is required to submit a question to the voters of the City of Reno at the 2022 General Election asking whether the recommended taxes should be imposed or the recommended tax revenue reallocated, or both; requiring the City Council of the City of Reno to adopt an ordinance imposing any such taxes or reallocating any such tax revenue approved by the voters; providing for the use of the proceeds of such taxes and tax revenue for such natural resources projects and services; providing for the prospective expiration of the authority to establish such a committee; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 74—AN ACT relating to taxation; clarifying that the population totals certified by the Governor annually are used in determining the allocation and deposit of proceeds of the basic city-county relief tax; revising provisions governing the population totals used in determining the distribution of certain taxes; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 75—AN ACT relating to unemployment compensation; revising provisions relating to unemployment contribution rates; revising the base period for determining entitlement to unemployment benefits; revising requirements relating to the confidentiality of information concerning unemployment compensation; revising provisions governing the electronic transmission of certain communications related to unemployment compensation; revising provisions relating to eligibility for unemployment

benefits under certain circumstances; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Education:

Senate Bill No. 76—AN ACT relating to education; revising provisions relating to submission and reporting requirements; revising provisions relating to certain advisory councils and committees; renaming the Teachers and Leaders Council of Nevada; abolishing the Nevada Commission on Mentoring; abolishing the State Financial Literacy Advisory Council; abolishing the Commission on Educational Technology; abolishing the Competency-Based Education Network; abolishing the Council to Establish Academic Standards for Public Schools; abolishing the Statewide Council for the Coordination of the Regional Training Programs; abolishing the governing bodies of the regional training programs; transferring the duties of such abolished commissions, councils, networks and governing bodies of training programs to the Department of Education; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 77—AN ACT relating to public bodies; exempting certain predecisional and deliberative meetings of public bodies from the requirements of the Open Meeting Law; making certain information related to such meetings confidential; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senator Goicoechea:

Senate Bill No. 78—AN ACT relating to wildlife; revising the membership of the Board of Wildlife Commissioners; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By Senator Hardy:

Senate Bill No. 79—AN ACT providing a charter for the City of Laughlin; requiring an election to be held on the question of incorporation of the City; making the incorporation of the City by charter contingent upon approval of the incorporation by the qualified electors of the area to be included in the City;

setting forth a city charter and certain powers and duties of the City Council and the Board of County Commissioners of Clark County if incorporation is approved by the qualified electors; providing penalties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senator Hardy:

Senate Bill No. 80—AN ACT relating to protective orders; requiring a court to ascertain whether a defendant is an adverse party in a protective order before authorizing the retrieval of personal property under certain circumstances; requiring the court to take certain actions if the defendant requesting such authorization to retrieve personal property is an adverse party in a protective order and the court grants the request; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Senator Hardy:

Senate Bill No. 81—AN ACT relating to state employees; increasing the maximum salary of certain state employees; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Senator Ratti:

Senate Bill No. 82—AN ACT relating to the Charter of the City of Sparks; revising provisions relating to when the name of a candidate must appear on the ballot at a primary or general election; clarifying the date on which an elected officer enters office; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Education:

Senate Bill No. 83—AN ACT relating to education; authorizing the Department of Education to temporarily waive or pause certain requirements related to certain examinations or assessments if the United States Department of Education has waived or paused similar requirements of federal law; providing certain exceptions to provisions that require the use of the results of an examination or assessment; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Education.
Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 84—AN ACT relating to election precincts; changing the maximum number of active registered voters that may be included within an election precinct; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. President pro Tempore announced that the following Standing Committees have been appointed, the first-named Senator being the Chair and the second-named Senator being the Vice Chair.

COMMERCE AND LABOR—

Spearman, Neal, Scheible, Lange, Hardy, Settlemeyer, Pickard.

EDUCATION—

Denis, Dondero Loop, Lange, (Vacant), Hardy, Hammond, Buck.

FINANCE—

Brooks, Denis, Ratti, Cannizzaro, Dondero Loop, Kieckhefer, Goicoechea, Hammond, Seevers Gansert.

GOVERNMENT AFFAIRS—

Dondero Loop, Ohrenschall, Neal, Goicoechea, Hansen.

GROWTH AND INFRASTRUCTURE—

Harris, Brooks, Spearman, Hammond, Pickard.

HEALTH AND HUMAN SERVICES—

Ratti, Spearman, Harris, Hardy, Kieckhefer.

JUDICIARY—

Scheible, Cannizzaro, Ohrenschall, Harris, Settlemeyer, Hansen, Pickard.

LEGISLATIVE OPERATIONS AND ELECTIONS—

Ohrenschall, Lange, Cannizzaro, Seevers Gansert, Buck.

NATURAL RESOURCES—

(Vacant), Scheible, Brooks, Goicoechea, Hansen.

REVENUE AND ECONOMIC DEVELOPMENT—

Neal, Ratti, Denis, Kieckhefer, Seevers Gansert.

REMARKS FROM THE FLOOR

Remarks by Senator Cannizzaro.

As in past Legislative Sessions, all memorial resolutions will list all Senators' names. If you have an objection to having your name on a memorial resolution, please notify the Front Desk staff at least one day before the resolution is introduced. Memorial resolutions are listed on the Events Calendar and will be available to you daily at your Chamber desk.

Also, per Standing Rule No. 10, the Senate will convene promptly at 11:00 a.m. each Legislative Day. The bell will ring 10 minutes prior to our daily start.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro gave notice, per Senate Standing Rule No. 91, that on the next legislative day, the Senate would dispense with reading the Senate Journal on a daily basis and dispense with the reading of bill and resolution histories for the remainder of the 81st Legislative Session.

Senator Cannizzaro moved that the Senate adjourn until Wednesday, February 3, 2021, in memory of former Senator Joseph M. Neal Jr., at 11:00 a.m.

Motion carried.

Senate adjourned at 7:08 p.m.

Approved:

MOISES DENIS
President pro Tempore of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate