

Assembly Resolution No. 1—Assemblymen Perkins,
Buckley and Hettrick

FILE NUMBER.....

ASSEMBLY RESOLUTION—Adopting the Rules of the Assembly
for the 21st Special Session of the Nevada Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That
the following Rules of the Assembly for the 21st Special Session of
the Legislature are hereby adopted:

I. APPLICABILITY

Rule No. 1. Generally.

*The Rules of the Assembly for the 21st Special Session of the
Legislature are applicable only during the 21st Special Session of
the Legislature.*

II. OFFICERS AND EMPLOYEES

Rule No. 2. Speaker of the Assembly.

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

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

*(a) Take the chair at the hour to which the Assembly will be
meeting, call the members to order and, upon the appearance of a
quorum, proceed to business.*

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

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

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

*(e) If the Assembly resolves itself into a Committee of the
Whole, preside as Chairman of the Committee or name a
Chairman to preside thereover and call him to the chair.*

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

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

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

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

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

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

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

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

Rule No. 3. Reserved.

Rule No. 4. Reserved.

Rule No. 5. Reserved.

Rule No. 6. Reserved.

The next rule is 10.

III. MEETINGS

Rule No. 10. Reserved.

Rule No. 11. Open Meetings.

1. *Except as otherwise provided in the Constitution of the State of Nevada and in subsection 2 of this rule, all meetings of the Assembly and the Committee of the Whole must be open to the public.*

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

Rule No. 12. Motion to Rise Committee of the Whole.

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

The next rule is 20.

IV. DECORUM AND DEBATE

Rule No. 20. Points of Order.

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

Rule No. 21. Portable electronic communication devices.

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

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

Rule No. 22. Reserved.

Rule No. 23. Reserved.

The next rule is 30.

V. QUORUM, VOTING, ELECTIONS

Rule No. 30. Manner of Voting.

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

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

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

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

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

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

7. Only a member who is physically present within the Assembly Chambers may cast a vote in the Assembly.

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

Rule No. 31. Reserved.

Rule No. 32. Announcement of the Vote.

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

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

Rule No. 33. Voting by Division.

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

The next rule is 39.

VI. LEGISLATIVE BODIES

Rule No. 39. Committee of the Whole.

1. All bills and resolutions may be referred to the Committee of the Whole.

2. All amendments proposed by the Committee:

(a) Must first be approved by the Committee.

(b) Must be reported by the Chairman to the Assembly.

3. The minutes of the Committee's meeting must be entered in the final Journal.

Rule No. 40. Reserved.

Rule No. 41. Appointment of Committees.

All committees must be appointed by the Speaker, unless otherwise directed by the Assembly. The Speaker shall determine the appropriate number of members for each committee and shall designate the chairman and vice chairman of each committee.

Rule No. 42. Committee Action.

1. The committee shall have meetings in accordance with the direction of the Assembly leadership. A quorum of the committee is a majority of its appointed members and may transact business except as limited by this rule.

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

3. Definite action on a bill or resolution will require a majority of the entire committee.

4. A two-thirds majority of the entire committee is required to reconsider action on a bill or resolution.

5. The chairman shall vote on all final action regarding bills or resolutions.

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

7. A committee shall not take a vote on the question of whether to exercise its statutory authority to issue a legislative subpoena unless the chairman has informed the Speaker of the intention of the committee to consider such a question.

Rule No. 43. Subcommittees.

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

Rule No. 44. Reserved.

Rule No. 45. Request for Drafting of Bill, Resolution or Amendment.

Except as otherwise provided in this rule, the Legislative Counsel shall not honor a request for the drafting of a bill, resolution or amendment to be introduced in the Assembly, unless it is submitted by the Committee of the Whole, a conference committee or the Governor. The Speaker may request the drafting of one bill for the 21st Special Session of the Legislature without seeking additional approval.

Rule No. 46. Committee Action on Reports.

Committee reports must be adopted at a committee session actually assembled and meeting as a committee with a quorum

present. Every committee vote on a matter pertaining to a bill or resolution must be recorded. The vote may be taken by roll call at the discretion of the chairman.

Rule No. 47. Committee Records.

The chairman of each committee shall keep, or cause to be kept, a complete record of the committee proceedings in which there must be entered:

- 1. The time and place of each meeting;*
- 2. The attendance and absence of members;*
- 3. The names of all persons appearing before the committee, with the names of persons, firms, corporations or associations in whose behalf such appearance is made; and*
- 4. The subjects or measures considered and action taken.*

Rule No. 48. Disposition of Committee Records.

1. All minutes, records and documents in the possession of committees and their chairmen must be filed in the offices of the Legislative Counsel Bureau upon adjournment sine die.

2. Minutes, records and documents of any meeting which was closed to the public do not become public unless the committee which held the closed meeting determines that the matters discussed no longer require confidentiality.

Rule No. 49. Reserved.

Rule No. 50. Reserved.

Rule No. 51. Reserved.

Rule No. 52. Reserved.

The next rule is 60.

VII. RULES GOVERNING MOTIONS

A. PROCEDURE

Rule No. 60. Entertaining.

No motion may be debated until it is distinctly announced by the presiding officer. If desired by the presiding officer or any member, the motion must be reduced to writing and be read by the Chief Clerk before the motion is debated. A motion may be withdrawn by the maker at any time before amendment or before the motion is put to vote.

Rule No. 61. Reserved.

Rule No. 62. Reserved.

B. PARTICULAR MOTIONS

Rule No. 63. Reserved.

Rule No. 64. Reserved.

Rule No. 65. Indefinite Postponement.

When a question is postponed indefinitely, the same question must not be considered again during the 21st Special Session of the Legislature and the question is not subject to a motion for reconsideration.

Rule No. 66. To Strike Enacting Clause.

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

Rule No. 67. Division of Question.

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

Rule No. 68. To Reconsider.

No motion to reconsider a vote is in order.

The next rule is 80.

VIII. DEBATE

Rule No. 80. Speaking on Question.

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

Rule No. 81. Previous Question.

The previous question shall be put only when demanded by three members. The previous question shall not be moved by the member last speaking on the question.

Rule No. 82. Privilege of Closing Debate.

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

The next rule is 90.

IX. CONDUCT OF BUSINESS

A. RULES AND PROCEDURE

Rule No. 90. Mason's Manual.

The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Assembly and its committees in all cases in which they are applicable and in which they are not inconsistent with the rules and orders of the Assembly for the 21st Special Session of the Legislature, and the Joint Rules of the Senate and Assembly for the 21st Special Session of the Legislature.

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

No rule or order of the Assembly for the 21st Special Session of the Legislature may be rescinded or changed without a vote of two-thirds of the members elected, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members present.

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

1. Except as otherwise provided in subsection 3, all committees shall provide adequate notice of public hearings on bills, resolutions or other topics which are to come before the committees. The notice must include the date, time, place and agenda to be covered. To the extent practicable, the notice must be posted conspicuously in the legislative building, appear in the daily history and be made available to the news media. The daily history must include the most current version of the notice that is available at the time the daily history is created and an informational statement informing the public where more current information, if any, regarding such notices may be found.

2. The noticing requirements of this rule may be suspended for emergency situations but only after approval by a two-thirds vote of a committee.

3. Subsection 1 does not apply to:

(a) Committee meetings held on the floor of the Assembly during a recess; or

(b) Conference committee meetings.

Rule No. 93. Reserved.

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

No person, except Senators, former Assemblymen and state officers, may be admitted at the bar of the Assembly, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the Assembly cleared of all such persons. No person may do any lobbying upon the floor of the Assembly at any time, and it is the duty of the Sergeant at Arms to remove any person violating any of the provisions of this rule.

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

All papers, letters, notes, pamphlets and other written material placed upon an Assemblyman's desk shall contain the signature of the Legislator requesting the placement of such material on the desk or shall contain a designation of the origin of such material. This rule does not apply to books containing the legislative bills and resolutions, the legislative daily histories, the legislative daily journals or Legislative Counsel Bureau material.

Rule No. 96. Peddling, Begging and Soliciting.

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

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

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

Rule No. 97. Petitions and Memorials.

Petitions, memorials and other papers addressed to the Assembly shall be presented by the Speaker, or by a member in the Speaker's place. A brief statement of the contents thereof shall be made by the introducer. They shall not be debated on the day of

their being presented, but shall be on the table, or be referred, as the Assembly shall determine.

Rule No. 98. Request of Purpose.

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

Rule No. 99. Remarks.

It shall be in order for members to make remarks and to have such remarks entered in the Journal.

Rule No. 100. Precedence of Parliamentary Authority.

The precedence of parliamentary authority in the Assembly is:

- 1. The Constitution of the State of Nevada.*
- 2. The Rules of the Assembly for the 21st Special Session of the Legislature and the Joint Rules of the Senate and Assembly for the 21st Special Session of the Legislature.*
- 3. The Statutes of the State of Nevada.*
- 4. Mason's Manual of Legislative Procedure.*

Rule No. 101. Reserved.

Rule No. 102. Privileged Questions.

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

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

Rule No. 103. Reserved.

B. BILLS

Rule No. 104. Reserved.

Rule No. 105. Substitute Bills.

A substitute bill shall be deemed and held to be an amendment, and treated in all respects as such. However, a substitute bill may be amended after its adoption, in the same manner as if it were an original bill.

Rule No. 106. Skeleton Bills.

The introduction of skeleton bills is not authorized.

Rule No. 107. Reserved.

Rule No. 108. Reserved.

Rule No. 109. Reading of Bills.

The presiding officer shall announce at each reading of a bill whether it be the first, second or third reading. The first reading of a bill shall be for information. If there is objection, the question shall be, "Shall the bill be rejected?" If the question to reject fails to receive a majority vote by the members present, or if there is no objection, the bill shall take the proper course. No bill shall be referred to a committee until after the first reading, nor amended until after the second reading.

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

1. All bills must be read the second time after which they are reported by committee. Upon second reading, Assembly bills reported without amendments shall be placed on the General File and Senate bills reported without amendments shall be placed on the General File. Committee amendments reported with bills shall be considered upon their second reading, and such amendments may be adopted by a majority vote of the members present. Any amendment which is numbered, copied and made available to all members must be moved and voted upon by number unless any member moves that it be read in full. Assembly bills so amended must be reprinted, engrossed and placed on the General File. Senate bills so amended must be reprinted, then engrossed or reengrossed, as applicable, and placed on the General File.

2. Only amendments proposed by the Committee of the Whole or a conference committee may be considered on the floor of the Assembly. Such a motion to amend may be adopted on the floor of the Assembly by a majority vote of the members present. Bills so amended on second reading must be treated the same as bills with amendments proposed by a committee. Any bill so amended upon the General File must be reprinted and then engrossed or reengrossed, as applicable.

3. The reprinting of amended bills may be dispensed with only in accordance with the provisions of law.

Rule No. 111. Consent Calendar.

1. A committee may by unanimous vote of the members present report a bill with the recommendation that it be placed on the Consent Calendar. The question of recommending a bill

for the Consent Calendar may be voted upon in committee only after the bill has been recommended for passage and only if no amendment is recommended.

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

3. At any time before the presiding officer calls for a vote on the passage of the consent calendar, a member may give written notice to the Chief Clerk or state orally from the floor of the Assembly in session that he requests the removal of a particular bill from the consent calendar. If a member so requests, the Chief Clerk shall remove the bill from the consent calendar and transfer it to the second reading file. A bill removed from the consent calendar may not be restored to that calendar.

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

5. When the consent calendar is brought to a vote, the bills remaining on the consent calendar must be read by number and summary and the vote must be taken on their final passage as a group.

Rule No. 112. Reserved.

Rule No. 113. General File.

All bills reported to the Assembly, after receiving their second readings must be placed upon a General File, to be kept by the Chief Clerk. Bills must be taken from the General File and acted upon in the order in which they were reported, unless otherwise specially ordered by the Assembly. But engrossed bills shall be placed at the head of the file, in the order in which they are received. The Chief Clerk shall post a daily statement of the bills on the General File, setting forth the order in which they are filed and specifying the alterations arising from the disposal of business each day. The Chief Clerk shall likewise post notices of special orders as made.

Rule No. 114. Reserved.

Rule No. 115. Reserved.

Rule No. 116. Reserved.

Rule No. 117. Reserved.

C. RESOLUTIONS

Rule No. 118. Treated as Bills—Joint Resolutions.

The procedure of enacting joint resolutions must be identical to that of enacting bills. However, joint resolutions proposing amendments to the Constitution must be entered in the Journal in their entirety.

Rule No. 119. Reserved.

D. ORDER OF BUSINESS

Rule No. 120. Order of Business.

The Order of Business must be as follows:

- 1. Call to Order.*
- 2. Reading and Approval of Journal.*
- 3. Presentation of Petitions.*
- 4. Reports of the Standing Committees.*
- 5. Reports of the Committee of the Whole.*
- 6. Communications.*
- 7. Messages from the Senate.*
- 8. Motions, Resolutions and Notices.*
- 9. Introduction, First Reading and Reference.*
- 10. Consent Calendar.*
- 11. Second Reading and Amendment.*
- 12. General File and Third Reading.*
- 13. Unfinished Business of Preceding Day.*
- 14. Special Orders of the Day.*
- 15. Remarks from the Floor, limited to 10 minutes.*

Rule No. 121. Reserved.

Rule No. 122. Reserved.

Rule No. 123. Reserved.

Rule No. 124. Reserved.

Rule No. 125. Reserved.

Rule No. 126. Reserved.

Rule No. 127. Reserved.

Rule No. 128. Reserved.

The next rule is 140.

X. MISCELLANEOUS

Rule No. 140. Reserved.

Rule No. 141. Use of the Assembly Chamber.

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

XI. PROCEDURE FOR CONSIDERATION OF ARTICLES OF IMPEACHMENT

Rule No. 142. Organization.

1. The Committee of the Whole shall commence hearings at such time and place as determined by the Chairman of the Committee. Recesses and adjournments shall be determined by the Chairman.

2. The Committee shall study and investigate the alleged activities of the State Controller to determine whether to adopt Articles of Impeachment.

3. Upon conclusion of its investigation and at such other times as the Committee deems appropriate, the Committee shall report to the Assembly such resolutions, Articles of Impeachment or other recommendations that it deems proper.

Rule No. 143. Powers.

The Committee of the Whole has all powers granted to the Legislature to investigate and conduct hearings. Pursuant to those powers, the Committee may issue subpoenas for witnesses, documents, records and any other relevant evidence, may administer oaths, take and record testimony, and hold a person in contempt for disobeying a subpoena.

Rule No. 144. Eligibility of Members of the Assembly.

1. Notwithstanding the provisions of NRS 281.501, each member of the Assembly is, by virtue of his office, eligible to participate and vote in the impeachment proceedings, and no member of the Assembly is subject to disqualification.

2. Members of the Assembly must not be absent during a hearing of the Committee of the Whole concerning the Articles of Impeachment without permission of the Chairman.

Rule No. 145. Hearings.

The Chairman of the Committee of the Whole shall determine whether, and the extent and manner to which, cameras or other audio or visual recording devices and ancillary lighting and electrical equipment will be allowed during the hearings.

Rule No. 146. Evidence.

1. The Committee of the Whole may consider such evidence during its hearings as the Chairman of the Committee deems appropriate.

2. Formal rules of evidence do not apply to the hearings of the Committee.

3. The Chairman of the Committee shall rule on the admissibility of all evidence presented to the Committee.

4. If a member of the Committee wishes to receive additional relevant testimony or other evidence not presented, the member may submit a written request to the Chairman which describes the relevance of the other testimony or evidence. If additional testimony is requested, the request must also describe the nature and expectation of the testimony of the witness. The Chairman shall decide whether to grant the request.

Rule No. 147. Witnesses.

1. Witnesses will be allowed upon approval of the Chairman of the Committee of the Whole.

2. Only persons called as witnesses by the Committee may testify. Any other person who wishes to testify may petition the Committee for permission to testify by presenting a written statement of the substance of the proposed testimony. The Chairman shall determine whether to allow the person to testify.

3. Before any witness provides testimony or gives a statement, the Chairman, or a person designated by the Chairman, shall administer to the witness the following oath:

“Do you solemnly swear that the testimony and any evidence you shall give in this matter shall be the truth, the whole truth, and nothing but the truth?”

4. All questions posed to witnesses must be relevant to the investigation. The Chairman of the Committee shall rule on all questions of relevancy.

5. A witness, other than a party, who is called to testify before the Committee may have his attorney present only for the purposes of providing consultation and advice.

Rule No. 148. Other rules.

Rules 1 to 141, inclusive, of the Rules of the Assembly for the 21st Special Session of the Legislature shall apply to proceedings of the Committee of the Whole concerning the Articles of Impeachment, except to the extent they conflict with any procedural rules for the consideration of Articles of Impeachment set forth in Rules 142 to 151, inclusive, of the Rules of the Assembly for the 21st Special Session of the Legislature.

Rule No. 149. Report by the Committee of the Whole.

1. Upon completion of its duties with respect to consideration of the Articles of Impeachment, the Committee of the Whole shall rise and the Assembly shall reconvene to receive the report from the Committee.

2. The Chairman of the Committee, or members of the Committee designated by the Chairman, shall present the report of the Committee to the Assembly.

Rule No. 150. Voting on Articles of Impeachment.

The Assembly shall vote on any proposed Article of Impeachment separately. If the Assembly approves any Article of Impeachment by the affirmative vote of the majority of the members elected to the Assembly, the Articles of Impeachment must be delivered by the Chief Clerk of the Assembly to the President of the Senate. The Speaker shall appoint a committee consisting of three members of the Assembly to present the Articles of Impeachment to the Senate.

Rule No. 151. Additional rulings on procedure.

The Chairman of the Committee of the Whole may adopt such additional procedures as the Chairman deems necessary for the conduct of the Committee hearings so long as such additional procedures do not conflict with Rules 142 to 150, inclusive, of the Rules of the Assembly for the 21st Special Session of the Legislature.