

ASSEMBLY CONCURRENT RESOLUTION NO. 1—
COMMITTEE OF THE WHOLE

JUNE 7, 2005

Read and Adopted

SUMMARY—Adopts Joint Rules of Senate and Assembly for 22nd
Special Session of Legislature. (BDR R-1)

~

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

ASSEMBLY CONCURRENT RESOLUTION—Adopting the Joint
Rules of the Senate and Assembly for the 22nd Special
Session of the Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE
SENATE CONCURRING, That the following Joint Rules of the Senate
and Assembly for the 22nd Special Session of the Legislature are
hereby adopted:

APPLICABILITY OF JOINT RULES

RULE NO. 1. GENERALLY.

*The Joint Rules for the 22nd Special Session of the Legislature
are applicable only during the 22nd Special Session of the
Legislature.*

CONFERENCE COMMITTEES

Rule No. 2. Procedure Concerning.

*1. In every case of an amendment of a bill, or joint or
concurrent resolution, agreed to in one House, dissented from in
the other, and not receded from by the one making the
amendment, each House shall appoint a committee to confer with
a like committee to be appointed by the other; and the committee
so appointed shall meet publicly at a convenient hour to be agreed
upon by their respective chairmen 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*



1 *other and report as early as convenient the result of their*
2 *conference to their respective Houses. The report shall be made*
3 *available to all members of both Houses. The whole subject matter*
4 *embraced in the bill or resolution shall be considered by the*
5 *committee, and it may recommend recession by either House, new*
6 *amendments, new bills or resolutions, or other changes as it sees*
7 *fit. New bills or resolutions so reported shall be treated as*
8 *amendments unless the bills or resolutions are composed entirely*
9 *of original matter, in which case they shall receive the treatment*
10 *required in the respective Houses for original bills, or resolutions,*
11 *as the case may be.*

12 2. *The report of a conference committee may be adopted by*
13 *acclamation, and such action may be considered equivalent to the*
14 *adoption of amendments embodied therein. The report is not*
15 *subject to amendment. If either House refuses to adopt the report,*
16 *or if the first conference committee has so recommended, a second*
17 *conference committee may be appointed. No member who served*
18 *on the first committee may be appointed to the second.*

19 3. *There shall be but two conference committees on any bill*
20 *or resolution. A majority of the members of a conference*
21 *committee from each House must be members who voted for the*
22 *passage of the bill or resolution.*

23 MESSAGES

24 Rule No. 3. Procedure Concerning.

25
26 1. *Proclamations by the Governor convening the Legislature*
27 *in extra session shall, by direction of the presiding officer of each*
28 *House, be read immediately after the convening thereof, filed and*
29 *entered in full in the Journal of proceedings.*

30 2. *Whenever a message from the Governor is received, the*
31 *Sergeant at Arms will announce: "Mr. President, or Mr. Speaker,*
32 *the Secretary of the Governor is at the bar." The secretary will,*
33 *upon being recognized by the presiding officer, announce: "Mr.*
34 *President, or Mr. Speaker, a message from His Excellency, the*
35 *Governor of Nevada, to the Honorable, the Senate or Assembly,"*
36 *and hand same to the Sergeant at Arms for delivery to the*
37 *Secretary of the Senate or Chief Clerk of the Assembly. The*
38 *presiding officer will direct any message from the Governor to be*
39 *received, read and entered in full in the Journal of proceedings.*

40 3. *Messages from the Senate to the Assembly shall be*
41 *delivered by the Secretary or Assistant Secretary, and messages*
42 *from the Assembly to the Senate shall be delivered by the Chief*
43 *Clerk or Assistant Chief Clerk.*
44



NOTICE OF FINAL ACTION

Rule No. 4. Communications.

Each House shall communicate its final action on any bill or resolution, or matter in which the other may be interested, by written notice. Each such notice sent by the Senate must be signed by the Secretary of the Senate, or a person designated by the Secretary. Each such notice sent by the Assembly must be signed by the Chief Clerk of the Assembly, or a person designated by the Chief Clerk.

BILLS AND JOINT RESOLUTIONS

Rule No. 5. Signature.

Each enrolled bill or joint resolution shall be presented to the presiding officers of both Houses for signature. 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. 6. Joint Sponsorship.

1. A bill or resolution introduced by a committee of the Senate or Assembly may, at the direction of the chairman of the committee, set forth the name of a committee of the other House as a joint sponsor, if a majority of all members appointed to the committee of the other House votes in favor of becoming a joint sponsor of the bill or resolution. The name of the committee joint sponsor must be set forth on the face of the bill or resolution immediately below the date on which the bill or resolution is introduced.

2. The Legislative Counsel shall not cause to be printed the name of a committee as a joint sponsor on the face of a bill or resolution unless the chairman of the committee has signed his name next to the name of the committee on the colored back of the introductory copy of the bill or resolution that was submitted to the front desk of the House of origin or the statement required by subsection 4.

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

4. Once a bill or resolution has been introduced, a primary joint sponsor or nonprimary joint sponsor may only be added or removed by amendment of the bill or resolution. An amendment



1 *which proposes to add or remove a primary joint sponsor must not*
2 *be considered by the House of origin of the amendment unless a*
3 *statement requesting the addition or removal is attached to the*
4 *copy of the amendment submitted to the front desk of the House of*
5 *origin of the amendment. If the amendment proposes to add or*
6 *remove a committee as a primary joint sponsor, the statement must*
7 *be signed by the chairman of the committee. A copy of the*
8 *statement must be transmitted to the Legislative Counsel if the*
9 *amendment is adopted.*

10 5. *An amendment that proposes to add or remove a primary*
11 *joint sponsor may include additional proposals to change the*
12 *substantive provisions of the bill or resolution or may be limited*
13 *only to the proposal to add or remove a primary joint sponsor.*

14 PRINTING

15 Rule No. 7. Ordering and Distribution.

16
17 *Each House may order the printing of bills introduced, reports*
18 *of its own committees, and other matter pertaining to that House*
19 *only; but no other printing may be ordered except by a concurrent*
20 *resolution passed by both Houses. Each Senator is entitled to the*
21 *free distribution of four copies of each bill introduced in each*
22 *House, and each Assemblyman to such a distribution of two*
23 *copies. Additional copies of such bills may be distributed at a*
24 *charge to the person to whom they are addressed. The amount*
25 *charged for distribution of the additional copies must be*
26 *determined by the Director of the Legislative Counsel Bureau to*
27 *approximate the cost of handling and postage for the entire*
28 *session.*

29 RESOLUTIONS

30 Rule No. 8. Types, Usage and Approval.

31 1. *A joint resolution must be used to:*

32 (a) *Propose an amendment to the Nevada Constitution.*

33 (b) *Ratify a proposed amendment to the United States*
34 *Constitution.*

35 (c) *Address the President of the United States, Congress, either*
36 *House or any committee or member of Congress, any department*
37 *or agency of the Federal Government, or any other state of the*
38 *Union.*

39 2. *A concurrent resolution must be used to:*

40 (a) *Amend these joint rules.*

41 (b) *Request the return from the Governor of an enrolled bill*
42 *for further consideration.*



(c) *Resolve that the return of a bill from one House to the other House is necessary and appropriate.*

(d) *Express facts, principles, opinion and purposes of the Senate and Assembly.*

(e) *Establish a joint committee of the two Houses.*

(f) *Direct the Legislative Commission to conduct an interim study.*

3. *A concurrent resolution or a resolution of one House may be used to:*

(a) *Memorialize a former member of the Legislature or other notable or distinguished person upon his death.*

(b) *Congratulate or commend any person or organization for a significant and meritorious accomplishment.*

VETOES

Rule No. 9. Special Order.

Bills which have passed a previous Legislature, and which are transmitted to the Legislature next sitting, accompanied by a message or statement of the Governor's disapproval, or veto of the same, shall become the subject of a special order; and when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disposed or vetoed; and the message and bill shall be read in the Senate by the Secretary of the Senate and in the Assembly by the Chief Clerk of the Assembly, 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 law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such vetoed bill without the same shall have first been read, from the first word of its title to and including the last word of its final section; and no motion shall be entertained after the Chair has stated the question save a motion for "The previous question," but the merits of the bill itself may be debated.

ADJOURNMENT

Rule No. 10. Limitations and Calculation of Duration.

1. *In calculating the permissible duration of an adjournment for 3 days or less, the day of adjournment must not be counted but*



1 *the day of the next meeting must be counted, and Sunday must not*
2 *be counted.*

3 2. *The Legislature may adjourn for more than 3 days by*
4 *motion based on mutual consent of the houses or by concurrent*
5 *resolution. One or more such adjournments may be taken to*
6 *permit a committee or the Legislative Counsel Bureau to prepare*
7 *the matters respectively entrusted to them for the consideration of*
8 *the Legislature as a whole.*

9
10 **EXPENDITURES FROM THE LEGISLATIVE FUND**
11

12 ***Rule No. 11. Manner of authorization.***

13 *Except for routine salary, travel, equipment and operating*
14 *expenses, no expenditures shall be made from the Legislative*
15 *Fund without the authority of a concurrent resolution regularly*
16 *adopted by the Senate and Assembly.*

17
18 **RECORDS OF COMMITTEE PROCEEDINGS**
19

20 ***Rule No. 12. Duties of Secretary of Committees and Director.***

21 1. *Each committee shall cause a record to be made of the*
22 *proceedings of its meetings.*

23 2. *The secretary of a committee shall:*

24 (a) *Label each record with the date, time and place of the*
25 *meeting and also indicate on the label the numerical sequence in*
26 *which the record was made;*

27 (b) *Keep the records in chronological order; and*

28 (c) *Deposit the records immediately following the final*
29 *adjournment of the special session of the Legislature with the*
30 *Director of the Legislative Counsel Bureau.*

31 3. *The Director of the Legislative Counsel Bureau shall:*

32 (a) *Index the records;*

33 (b) *Make the records available for accessing by any person*
34 *during office hours under such reasonable conditions as he may*
35 *deem necessary;*

36 (c) *Maintain a log as a public record containing the date, time,*
37 *name and address of any person accessing any of the records and*
38 *identifying the records accessed; and*

39 (d) *Retain the records for two bienniums and at the end of that*
40 *period keep some form or copy of the record in any manner he*
41 *deems reasonable to ensure access to the record in the foreseeable*
42 *future.*



**LIMITATIONS ON REQUESTS FOR
DRAFTING OF LEGISLATIVE MEASURES**

Rule No. 13. Germaneness Required for 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.

**CONTINUATION OF LEADERSHIP OF THE
SENATE AND ASSEMBLY DURING THE
INTERIM BETWEEN SESSIONS**

Rule No. 14. Tenure and Performance of Statutory Duties.

1. Except as otherwise provided in subsections 2 and 3, the tenure of the President Pro Tem, Majority Leader and Minority Leader of the Senate and the Speaker, Speaker Pro Tem, Majority Floor Leader and Minority Floor Leader of the Assembly extends during the interim between regular sessions of the Legislature.

2. The Senators designated to be the President Pro Tem, Majority Leader and Minority Leader for the next succeeding regular session shall perform any statutory duty required in the period between the time of their designation after the general election and the organization of the next succeeding regular session of the Legislature if the Senator formerly holding the respective position is no longer a Legislator.

3. The Assemblymen designated to be the Speaker, Speaker Pro Tem, Majority Floor Leader and Minority Floor Leader for the next succeeding regular session shall perform any statutory duty required in the period between the time of their designation after the general election and the organization of the next succeeding regular session.



**POLICY AND PROCEDURES REGARDING
SEXUAL HARASSMENT**

***Rule No. 15. Maintenance of Working Environment;
Procedure for Filing, Investigating and Taking Remedial Action
on Complaints.***

1. The Legislature hereby declares its intention to maintain a working environment which is free from sexual harassment. This policy applies to all Legislators and lobbyists. Each member and lobbyist 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, for the purposes of this Rule, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;

(b) Submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person; or

(c) Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.

3. Each person subject to these Rules must exercise his 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 sex;

(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; and

(e) Retaliation for opposing, reporting or threatening to report sexual harassment, or for participating in an investigation, proceeding or hearing conducted by the Legislature or the Nevada Equal Rights Commission or the federal Equal Employment Opportunity Commission,



1 ↪ when submission to such conduct is made either explicitly or
2 implicitly a term or condition of a person's employment or
3 submission to or rejection of such conduct by a person is used as
4 the basis for employment decisions affecting the person or such
5 conduct has the purpose or effect of unreasonably interfering with
6 a person's work performance or creating an intimidating, hostile
7 or offensive working environment.

8 4. A person may have a claim of sexual harassment even if he
9 has not lost a job or some other economic benefit. Conduct that
10 impairs a person's ability to work or his emotional well-being at
11 work constitutes sexual harassment.

12 5. If a Legislator believes he is being sexually harassed on the
13 job, he may file a written complaint with:

14 (a) The Speaker of the Assembly;

15 (b) The Majority Leader of the Senate; or

16 (c) The Director of the Legislative Counsel Bureau, if the
17 complaint involves the conduct of the Speaker of the Assembly or
18 the Majority Leader of the Senate.

19 ↪ The complaint must include the details of the incident or
20 incidents, the names of the persons involved and the names of any
21 witnesses.

22 6. Except as otherwise provided in subsection 7, the Speaker
23 of the Assembly or the Majority Leader of the Senate, as
24 appropriate, shall refer a complaint received pursuant to
25 subsection 5 to a committee consisting of Legislators of the same
26 House. A complaint against a lobbyist may be referred to a
27 committee in either House.

28 7. If the complaint involves the conduct of the Speaker of the
29 Assembly or the Majority Leader of the Senate, the Director of
30 the Legislative Counsel Bureau shall refer the complaint to the
31 Committee on Elections, Procedures, Ethics, and Constitutional
32 Amendments of the Assembly or the Committee on Legislative
33 Operations and Elections of the Senate, as appropriate. If the
34 Speaker of the Assembly or the Majority Leader of the Senate is a
35 member of one of these committees, the Speaker or the Majority
36 Leader, as the case may be, shall not participate in the
37 investigation and resolution of the complaint.

38 8. The committee to which the complaint is referred shall
39 immediately conduct a confidential and discreet investigation of
40 the complaint. As a part of the investigation, the committee shall
41 notify the accused of the allegations. The committee shall facilitate
42 a meeting between the complainant and the accused to allow a
43 discussion of the matter, if both agree. If the parties do not agree
44 to such a meeting, the committee shall request statements
45 regarding the complaint from each of the parties. Either party may



1 *request a hearing before the committee. The committee shall make*
2 *its determination and inform the complainant and the accused of*
3 *its determination as soon as practicable after it has completed its*
4 *investigation.*

5 *9. If the investigation reveals that sexual harassment has*
6 *occurred, the Legislature will take appropriate disciplinary or*
7 *remedial action, or both. The committee shall inform the*
8 *complainant of any action taken. The Legislature will also take*
9 *any action necessary to deter any future harassment.*

10 *10. The Legislature will not retaliate against a person who*
11 *files a complaint and will not knowingly permit any retaliation by*
12 *the person's supervisors or coworkers.*

13 *11. The Legislature encourages a person to report any*
14 *incident of sexual harassment immediately so that the complaint*
15 *can be quickly and fairly resolved.*

16 *12. Action taken by a complainant pursuant to this Rule does*
17 *not prohibit the complainant from also filing a complaint of*
18 *sexual harassment with the Nevada Equal Rights Commission or*
19 *the federal Equal Employment Opportunity Commission.*

20 *13. All Legislators and lobbyists are responsible for adhering*
21 *to the provisions of this policy. The prohibitions against engaging*
22 *in sexual harassment and the protections against becoming a*
23 *victim of sexual harassment set forth in this policy apply to*
24 *employees, Legislators, lobbyists, vendors, contractors, customers*
25 *and visitors to the Legislature.*

26 *14. This policy does not create any enforceable legal rights in*
27 *any person.*



