

ASSEMBLY RESOLUTION NO. 3—COMMITTEE OF THE WHOLE

JUNE 7, 2005

Read and Adopted

SUMMARY—Adopts Rules of Assembly for 22nd Special Session of Legislature. (BDR R-3)

~

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

ASSEMBLY RESOLUTION—Adopting the Rules of the Assembly for the 22nd Special Session of the Nevada Legislature.

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

I. APPLICABILITY

Rule No. 1. Generally.

The Rules of the Assembly for the 22nd Special Session of the Legislature are applicable only during the 22nd 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, 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.

All meetings of the Assembly and its committees must be open to the public.

Rule No. 12. Reserved.

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 40.



VI. LEGISLATIVE BODIES

Rule No. 40. Standing Committee.

The standing committee of the Assembly is the Select Committee on State Revenue and Education Funding.

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. Committee introduction of legislative measures requires concurrence of a majority of the members of the entire committee and requires a commitment from each such concurring member to support final passage. A decision by a committee to request the drafting of an amendment for a bill requires concurrence of a majority of the members of the entire committee and requires a commitment from each such concurring member to support the amendment when it is considered on the floor of the Assembly.

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

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

8. 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 Select Committee on State Revenue and Education Funding, a Conference Committee or the Governor. The Speaker may request the drafting of one bill for the 22nd Special Session without seeking the approval of the Select Committee.

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.

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.

Rule No. 49. Committee Hearings.

1. The presence of a quorum of the committee is desirable but not required to conduct a public hearing. At the discretion of the chairman, members of the committee may attend, participate in and, if applicable, vote during the hearing via simultaneous telephone or video conference.

2. Public hearings are opened by the chairman, who announces the subject under consideration and provides for those wishing to address the committee to be heard. These persons shall



1 *rise in an order determined by the chairman, address the chair*
2 *and furnish their names, addresses and firms or other*
3 *organizations represented. Committee members may address the*
4 *chairman for permission to question the witness.*

5
6 *Rule No. 50. Reserved.*

7
8 *Rule No. 51. Reserved.*

9
10 *Rule No. 52. Reserved.*

11
12 *The next rule is 60.*

13
14 **VII. RULES GOVERNING MOTIONS**

15
16 **A. PROCEDURE**

17
18 *Rule No. 60. Entertaining.*

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

25
26 *Rule No. 61. Reserved.*

27
28 *Rule No. 62. Reserved.*

29
30 **B. PARTICULAR MOTIONS**

31
32 *Rule No. 63. Reserved.*

33
34 *Rule No. 64. Reserved.*

35
36 *Rule No. 65. Indefinite Postponement.*

37 *When a question is postponed indefinitely, the same question*
38 *must not be considered again during the 22nd Special Session of*
39 *the Legislature and the question is not subject to a motion for*
40 *reconsideration.*

41
42 *Rule No. 66. To Strike Enacting Clause.*

43 *A motion to strike out the enacting clause of a bill or resolution*
44 *does not take precedence over any other subsidiary motion. If the*



1 *motion is carried, it shall be considered equivalent to the rejection*
2 *of such bill or resolution.*

3
4 ***Rule No. 67. Division of Question.***

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

12
13 ***Rule No. 68. To Reconsider.***

14 *No motion to reconsider a vote is in order.*

15
16 *The next rule is 80.*

17
18 ***VIII. DEBATE***

19
20 ***Rule No. 80. Speaking on Question.***

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

26
27 ***Rule No. 81. Previous Question.***

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

31
32 ***Rule No. 82. Privilege of Closing Debate.***

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

36
37 *The next rule is 90.*

38
39 ***IX. CONDUCT OF BUSINESS***

40
41 ***A. RULES AND PROCEDURE***

42
43 ***Rule No. 90. Mason's Manual.***

44 *The rules of parliamentary practice contained in Mason's*
45 *Manual of Legislative Procedure shall govern the Assembly in all*



1 *cases in which they are applicable and in which they are not*
2 *inconsistent with the Rules and orders of the Assembly for the*
3 *22nd Special Session of the Legislature, and the Joint Rules of the*
4 *Senate and Assembly for the 22nd Special Session of the*
5 *Legislature.*

6
7 ***Rule No. 91. Rescission, Change or Suspension of Rule.***

8 *No rule or order of the Assembly for the 22nd Special Session*
9 *of the Legislature may be rescinded or changed without a vote of*
10 *two-thirds of the members elected, and one day's notice being*
11 *given of the motion therefor; but a rule or order may be suspended*
12 *temporarily by a vote of two-thirds of the members present.*

13
14 ***Rule No. 92. Notices of Bills, Topics and Public Hearings.***

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

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

29 *3. Subsection 1 does not apply to:*

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

32 *(b) Conference committee meetings.*

33
34 ***Rule No. 93. Reserved.***

35
36 ***Rule No. 94. Privilege of the Floor and Lobbying.***

37 *No person, except Senators, former Assemblymen and state*
38 *officers, may be admitted at the bar of the Assembly, except by*
39 *special invitation on the part of some member; but a majority may*
40 *authorize the Speaker to have the Assembly cleared of all such*
41 *persons. No person may do any lobbying upon the floor of the*
42 *Assembly at any time, and it is the duty of the Sergeant at Arms to*
43 *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 Statutes of the State of Nevada.*



1 3. *The Rules of the Assembly for the 22nd Special Session of*
2 *the Legislature and the Joint Rules of the Senate and Assembly*
3 *for the 22nd Special Session of the Legislature.*

4 4. *Mason's Manual of Legislative Procedure.*

5
6 *Rule No. 101. Reserved.*

7
8 *Rule No. 102. Privileged Questions.*

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

11 1. *Motions to fix the time to which the Assembly shall*
12 *adjourn.*

13 2. *Motions to adjourn.*

14 3. *Questions relating to the rights and privileges of the*
15 *Assembly or any of its members.*

16 4. *A call of the House.*

17 5. *Motions for special orders.*

18
19 *Rule No. 103. Reserved.*

20
21 *B. BILLS*

22
23 *Rule No. 104. Reserved.*

24
25 *Rule No. 105. Substitute Bills.*

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

30
31 *Rule No. 106. Skeleton Bills.*

32 *The introduction of skeleton bills is not authorized.*

33
34 *Rule No. 107. Reserved.*

35
36 *Rule No. 108. Reserved.*

37
38 *Rule No. 109. Reading of Bills.*

39 *The presiding officer shall announce at each reading of a bill*
40 *whether it be the first, second or third reading. The first reading of*
41 *a bill shall be for information. If there is objection, the question*
42 *shall be, "Shall the bill be rejected?" If the question to reject fails*
43 *to receive a majority vote by the members present, or if there is no*
44 *objection, the bill shall take the proper course. No bill shall be*



1 *referred to a committee until after the first reading, nor amended*
2 *until after the second reading.*

3
4 ***Rule No. 110. Second Reading and Amendment of Bills.***

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

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

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

28
29 ***Rule No. 111. Consent Calendar.***

30 *1. A committee may by unanimous vote of the members*
31 *present report a bill with the recommendation that it be placed on*
32 *the consent calendar. The question of recommending a bill for the*
33 *consent calendar may be voted upon in committee only after the*
34 *bill has been recommended for passage and only if no amendment*
35 *is recommended.*

36 *2. The Chief Clerk shall maintain a list of bills recommended*
37 *for the consent calendar. The list must be printed in the daily*
38 *history and must include the summary of each bill and the date the*
39 *bill is scheduled for consideration on final passage.*

40 *3. At any time before the presiding officer calls for a vote on*
41 *the passage of the consent calendar, a member may give written*
42 *notice to the Chief Clerk or state orally from the floor of the*
43 *Assembly in session that he requests the removal of a particular*
44 *bill from the consent calendar. If a member so requests, the Chief*
45 *Clerk shall remove the bill from the consent calendar and transfer*



1 *it to the second reading file. A bill removed from the consent*
2 *calendar may not be restored to that calendar.*

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

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

10
11 *Rule No. 112. Reserved.*

12
13 *Rule No. 113. General File.*

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

25
26 *Rule No. 114. Reserved.*

27
28 *Rule No. 115. Reserved.*

29
30 *Rule No. 116. Vetoed Bills.*

31 *Bills that have passed both Houses of the Legislature and are*
32 *transmitted to the Assembly accompanied by a message or*
33 *statement of the Governor's disapproval or veto of the same must*
34 *be taken up and considered immediately upon the coming in of the*
35 *message transmitting the same, or become the subject of a special*
36 *order. When the message is received, or (if made a special order)*
37 *when the special order is called, the said message or statement*
38 *must be read together with the bill or bills so disapproved or*
39 *vetoed. The message and bill must be read by the Chief Clerk*
40 *without interruption, consecutively, one following the other, and*
41 *not upon separate occasions. No such bill or message may be*
42 *referred to any committee, or otherwise acted upon save as*
43 *provided by law and custom; that is to say, that immediately*
44 *following such reading the only question (except as hereinafter*
45 *stated) which may be put by the Speaker is, "Shall the bill pass,*



1 *notwithstanding the objections of the Governor?” It shall not be in*
2 *order, at any time, to vote upon such a vetoed bill unless the same*
3 *shall first have been read, from the first word of its title to and*
4 *including the last word of its final section. No motion may be*
5 *entertained after the Speaker has stated the question, save a*
6 *motion to adjourn or a motion for the previous question, but the*
7 *merits of the bill itself may be debated. The message or statement*
8 *containing the objections of the Governor to the bill must be*
9 *entered in the Journal of the Assembly. The consideration of a*
10 *vetoed bill, and the objections of the Governor thereto, shall be a*
11 *privileged question, and shall take precedence over all others.*

12
13 *Rule No. 117. Reserved.*

14
15 **C. RESOLUTIONS**

16
17 *Rule No. 118. Treated as Bills—Joint Resolutions.*

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

22
23 *Rule No. 119. Reserved.*

24
25 **D. ORDER OF BUSINESS**

26
27 *Rule No. 120. Order of Business.*

28 *The Order of Business must be as follows:*

- 29 *1. Call to Order.*
- 30 *2. Reading and Approval of Journal.*
- 31 *3. Presentation of Petitions.*
- 32 *4. Reports of the Standing Committees.*
- 33 *5. Reports of Select Committees.*
- 34 *6. Communications.*
- 35 *7. Messages from the Senate.*
- 36 *8. Motions, Resolutions and Notices.*
- 37 *9. Introduction, First Reading and Reference.*
- 38 *10. Consent Calendar.*
- 39 *11. Second Reading and Amendment.*
- 40 *12. General File and Third Reading.*
- 41 *13. Unfinished Business of Preceding Day.*
- 42 *14. Special Orders of the Day.*
- 43 *15. Remarks from the Floor, limited to 10 minutes.*

44
45 *Rule No. 121. Reserved.*



1 *Rule No. 122. Reserved.*

2

3 *Rule No. 123. Reserved.*

4

5 *Rule No. 124. Reserved.*

6

7 *Rule No. 125. Reserved.*

8

9 *Rule No. 126. Reserved.*

10

11 *Rule No. 127. Reserved.*

12

13 *Rule No. 128. Reserved.*

14

15

The next rule is 140.

16

17

X. MISCELLANEOUS

18

19 *Rule No. 140. Reserved.*

20

21 *Rule No. 141. Use of the Assembly Chamber.*

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



