

SENATE RESOLUTION NO. 7—SENATOR ROBERSON

MAY 11, 2015

Read and Adopted

SUMMARY—Adopts new Standing Rules of the Senate for the remainder of the 78th Session of the Legislature. (BDR R-1275)

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

SENATE RESOLUTION—Adopting new Standing Rules of the Senate for the remainder of the 78th Session of the Legislature.

WHEREAS, Section 2 of Article 4 of the Nevada Constitution requires that each regular session of the Legislature adjourn sine die not later than midnight Pacific time at the end of the 120th consecutive calendar day of that session; and

WHEREAS, Given this constitutional mandate, the Standing Rules of the Senate must ensure that the Senate conducts its business as expeditiously and efficiently as possible; and

WHEREAS, The creation of a Senate Parliamentary Rules and Procedures Committee, similar to those in other legislative bodies, and the removal of procedural barriers to expeditious action will help to ensure the Senate completes its business within the constitutionally mandated time; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the following Senate Standing Rules are hereby adopted for the remainder of the 78th 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***



1 read. The President shall preserve order and decorum, and in  
2 case of any disturbance or disorderly conduct within the  
3 Senate Chamber, shall order the Sergeant at Arms to suppress  
4 it, and may order the arrest of any person creating any  
5 disturbance within the Senate Chamber. The President may speak  
6 to points of order in preference to members, rising from the  
7 President's seat for that purpose, and shall decide questions of  
8 order without debate, subject to an appeal to the Senate by two  
9 members, on which appeal no member may speak more than once  
10 without leave of the Senate. The President shall sign all acts,  
11 addresses and joint resolutions, and all writs, warrants and  
12 subpoenas issued by order of the Senate; all of which must be  
13 attested by the Secretary. The President has general direction of  
14 the Senate Chamber.

15  
16 **Rule No. 2. President Pro Tempore and Other Presiding**  
17 **Officers.**

18 **1. Except as otherwise provided in subsection 2:**

19 (a) The President Pro Tempore has all the power and shall  
20 discharge all the duties of the President during his or her absence  
21 or inability to discharge the duties of his or her office.

22 (b) If the President is unwilling to discharge the duties of his  
23 or her office, the Senate may, by majority vote of the Senate, call  
24 upon the President Pro Tempore to serve as the President. Upon  
25 such call, the President Pro Tempore has all the power and shall  
26 discharge all the duties of the President during his or her  
27 unwillingness to discharge the duties of his or her office.

28 (c) In the absence or inability of the President Pro Tempore to  
29 discharge the duties of the President's office, the Chair of the  
30 Standing Committee on Legislative Operations and Elections shall  
31 serve as the presiding officer. In the absence or inability of the  
32 Chair, the Vice Chair of the Standing Committee on Legislative  
33 Operations and Elections shall serve as the presiding officer. In  
34 the absence or inability of the Vice Chair of the Standing  
35 Committee on Legislative Operations and Elections, the Senate  
36 shall elect one of its members to serve as the presiding officer. A  
37 member who is serving as the presiding officer has all the power  
38 and shall discharge all the duties of the President until the  
39 absence or inability which resulted in the member serving as the  
40 presiding officer has ended.

41 **2. When the President Pro Tempore or another member is**  
42 **serving as the presiding officer, the President Pro Tempore or**  
43 **other member may vote on any question for which he or she is**  
44 **otherwise qualified to vote as a member. If the Senate is equally**  
45 **divided on the question, the President Pro Tempore or other**



1 *member may not give an additional deciding vote or casting vote*  
2 *pursuant to Senate Standing Rule No. 31 or Section 17 of Article 5*  
3 *of the Nevada Constitution.*

4  
5 *Rule No. 3. Secretary.*

6 *1. The Secretary of the Senate is elected by the Senate, and*  
7 *shall:*

8 *(a) Recruit, interview, select, train and supervise all staff*  
9 *employed to assist with the work of the Senate.*

10 *(b) See that these employees perform their respective duties.*

11 *(c) Administer the daily business of the Senate, including the*  
12 *provision of staff to its committees.*

13 *(d) Adopt such administrative policies as the Secretary deems*  
14 *necessary to carry out the business of the Senate.*

15 *(e) Unless otherwise ordered by the Senate, transmit at the end*  
16 *of each working day those bills and resolutions upon which the*  
17 *next action is to be taken by the Assembly.*

18 *2. The Secretary is responsible to the Majority Leader.*

19 *3. The President and the Secretary are authorized to make*  
20 *any necessary corrections and additions to the final Journal, Daily*  
21 *History and committee minutes of the Senate.*

22  
23 *Rule No. 4. Sergeant at Arms.*

24 *1. The Sergeant at Arms shall:*

25 *(a) Attend the Senate during its sittings, and execute its*  
26 *commands and all process issued by its authority.*

27 *(b) Keep the secrets of the Senate.*

28 *(c) Superintend the upkeep of the Senate's Chamber, private*  
29 *lounge and meeting rooms for committees.*

30 *2. The Sergeant at Arms is responsible to the Majority*  
31 *Leader.*

32  
33 *Rule No. 5. Deputy Sergeant at Arms and Assistant Sergeants*  
34 *at Arms.*

35 *The Deputy Sergeant at Arms and Assistant Sergeants at Arms*  
36 *shall serve as doorkeepers and shall preserve order in the Senate*  
37 *Chamber and shall assist the Sergeant at Arms. The Deputy*  
38 *Sergeant at Arms and Assistant Sergeants at Arms shall keep the*  
39 *secrets of the Senate. In the event that the Sergeant at Arms is*  
40 *incapacitated or absent for any reason, the Deputy Sergeant at*  
41 *Arms shall serve as the Sergeant at Arms until the incapacity or*  
42 *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 Select 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 question under consideration and avoid personality.*

*2. Every decision of 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 decision 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. Senate Parliamentary Rules and Procedures Committee.**

1. The Senate Parliamentary Rules and Procedures Committee consists of three members of the Senate appointed by the Majority Leader.

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 matter before the Committee.

3. The Committee shall meet and:

(a) Consider and recommend changes to the Senate Standing Rules; and

(b) Consider and approve or disapprove proposed amendments to legislative measures as provided in subsection 4.

4. Any Senator who desires to move to amend a legislative measure pursuant to subsection 2 of Senate Standing Rule No. 113 must first submit a copy of the proposed amendment to the Chair of the Committee not later than 10 a.m. on the legislative day on which the motion is to be made. The motion is in order only if the proposed amendment has been approved by the Committee.

5. The Chair may waive the deadline set forth in subsection 4 for the submission of amendments for consideration by the Committee upon good cause shown.

6. The Committee shall meet at the call of the Chair.

**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



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

6 ➡ Not more than four members of the Committee may be  
7 members of the same political party.

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

12 3. The Majority Leader shall appoint an alternate member  
13 with the qualifications set forth in paragraph (a) of subsection 1  
14 and an alternate member with the qualifications set forth in  
15 paragraph (c) of subsection 1. The Minority Leader shall appoint  
16 an alternate member with the qualifications set forth in paragraph  
17 (b) of subsection 1 and an alternate member with the  
18 qualifications set forth in paragraph (c) of subsection 1. The  
19 members of the Committee shall appoint an alternate member with  
20 the qualifications set forth in paragraph (c) of subsection 1. If a  
21 member of the Committee is unable to serve for any reason during  
22 the consideration of a specific question, the alternate appointed  
23 with the qualifications from the same paragraph in subsection 1  
24 by the same appointing authority shall serve as a member of the  
25 Committee during the consideration of the specific question.

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

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

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

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

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

41 7. The Committee:

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



1       (b) Shall hear complaints brought by Senators and others on  
2 specific questions of alleged breaches of ethics and conflicts of  
3 interest.

4       8. All proceedings held to consider the character, alleged  
5 misconduct, professional competence or physical or mental health  
6 of any person by the Committee on matters of ethics or conflicts of  
7 interest are confidential unless a Legislator:

8       (a) Against whom a complaint is brought requests a public  
9 hearing;

10       (b) Discloses the content of an opinion of the Committee at  
11 any time after his or her hearing; or

12       (c) Discloses the content of an advisory opinion issued to him  
13 or her by the Committee.

14       9. A complaint which alleges a breach of ethics or a conflict  
15 of interest must be:

16       (a) Made in writing on a form provided by the Secretary of the  
17 Senate;

18       (b) Signed and verified under penalty of perjury by the person  
19 making the allegation; and

20       (c) Filed with the Chair of the Committee or, if the Chair is the  
21 subject of the complaint, with the Vice Chair. The Chair or Vice  
22 Chair, as appropriate, shall send a copy of the complaint, within  
23 24 hours after receiving it, to the Legislator against whom the  
24 complaint is brought.

25       10. In determining whether a Legislator has a conflict of  
26 interest, the Legislator should consider whether the independence  
27 of judgment of a reasonable person in his or her situation upon  
28 the matter in question would be materially affected by the  
29 Legislator's:

30       (a) Acceptance of a gift or loan;

31       (b) Private economic interest; or

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

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





1       11. Except as otherwise provided in subsection 12, if a  
2       Legislator knows he or she has a conflict of interest pursuant to  
3       subsection 10, the Legislator shall make a disclosure of the  
4       conflict of interest on the record in a meeting of a committee or on  
5       the floor of the Senate, as applicable. Such a disclosure must be  
6       entered:

7       (a) If the Legislator makes the disclosure in a meeting of a  
8       committee, in the minutes for that meeting.

9       (b) If the Legislator makes the disclosure on the floor of the  
10      Senate, in the Journal.

11      12. If, on one or more prior occasions during the current  
12      session of the Legislature, a Legislator has made a general  
13      disclosure of a conflict of interest on the record in a meeting of a  
14      committee or on the floor of the Senate, the Legislator is not  
15      required to make that general disclosure at length again regarding  
16      the same conflict of interest if, when the matter in question arises  
17      on subsequent occasions, the Legislator makes a reference on the  
18      record to the previous disclosure.

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

23      (a) The conflict impedes his or her independence of judgment;  
24      and

25      (b) His or her interest is greater than the interests of an entire  
26      class of persons similarly situated.

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

29      (a) Prohibit a Legislator from requesting or introducing a  
30      legislative measure; or

31      (b) Require a Legislator to take any particular action before or  
32      while requesting or introducing a legislative measure.

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

39      16. Except as otherwise provided in the Joint Standing Rules,  
40      the standards and procedures set forth in this Rule which govern  
41      whether and to what extent a Senator has a conflict of interest,  
42      should disclose a conflict of interest or should abstain from voting  
43      upon, advocating or opposing a matter concerning which the  
44      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.

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.

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, 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. The Majority Leader 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, Labor and Energy, seven members, with jurisdiction over measures affecting primarily titles 52-56 of NRS, and chapters 97-100, 118-119, 119B, 459A, 461, 461A, 489, 679A-693A, 694A-704B, 707, 711 and 712 of NRS, except measures affecting primarily state and local revenue.*

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

*(c) Finance, seven members, with jurisdiction over measures primarily affecting 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 20-22, 25, 27, 28, 30, 31, 36, 37 and 48 of NRS, and chapters 223-228, 232-237, 238-242, 286-289, 381, 384, 472-474, 477, 693B, 708-710 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) Health and Human Services, five members, with jurisdiction over measures primarily affecting titles 38 and 39 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.*



(f) *Judiciary, seven 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 and 721 of NRS, except measures affecting primarily state and local revenue.*

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

(h) *Natural Resources, five members, with jurisdiction over measures primarily affecting titles 26, 45-47, 49 and 50 of NRS, chapters 383 and 407 of NRS, NRS 444.435-444.650 and 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.*

(i) *Revenue and Economic Development, seven members, with jurisdiction over measures affecting primarily title 32 of NRS, and chapters 231, 231A and 237A of NRS, and state and local revenue.*

(j) *Transportation, five members, with jurisdiction over measures affecting primarily title 44 of NRS, and chapters 403-405, 408, 410, 476, 480-487, 490, 705 and 706 of NRS, except measures affecting primarily 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 Senate 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:*



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

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

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

7  
8 *Rule No. 51. Reserved.*

9  
10 *Rule No. 52. Reserved.*

11  
12 *Rule No. 53. Committee Rules.*

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

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

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

23       4. *In addition to regularly scheduled meetings of a committee*  
24 *or those called by the chair of the committee, meetings may be set*  
25 *by a written petition of a majority of the committee and filed with*  
26 *the chair of the committee.*

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

30       6. *Subcommittees may be appointed by the chair of a*  
31 *committee to consider subjects specified by the committee and*  
32 *shall report back to the committee. If a subcommittee is so*  
33 *appointed, the chair of the committee shall determine whether the*  
34 *subcommittee shall keep minutes of its meetings. Any minutes*  
35 *required to be kept pursuant to this subsection must comply with*  
36 *the provisions of subsection 12.*

37       7. *A committee shall act only when together, and all votes*  
38 *must be taken in the presence of the committee. A member shall*  
39 *not be recorded as voting unless the member was actually present*  
40 *in the committee at the time of the vote. The chair of the*  
41 *committee must be present when the committee votes to take any*  
42 *final actions on bills or resolutions, but the chair is not required to*  
43 *vote. Upon approval of the Chair, a committee may meet together*  
44 *by video conference. A member who is actually present in the*  
45 *committee at a posted video conference location is present and in*



1 *attendance at the meeting for all purposes. The provisions of this*  
2 *subsection do not prohibit the prefiling of legislative bills and*  
3 *resolutions on behalf of a committee in the manner prescribed by*  
4 *the Legislative Commission.*

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

8 *9. Before reporting a bill or resolution to the Senate, a*  
9 *committee may reconsider its action. A motion to reconsider must*  
10 *be made by any member who voted on the action.*

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

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

19 *12. All committees shall keep minutes of meetings. The*  
20 *minutes must cover members present and absent, subjects under*  
21 *discussion, witnesses who appear, committee members' statements*  
22 *concerning legislative intent, action taken by the committee, as*  
23 *well as the vote of individual members on all matters on which a*  
24 *vote is taken. Any member may submit to the secretary additional*  
25 *remarks to be included in the minutes and records of committee*  
26 *meetings. At the conclusion of the legislative session, the Secretary*  
27 *of the Senate shall deliver all minutes and records of committee*  
28 *meetings in his or her possession to the Director of the Legislative*  
29 *Counsel Bureau.*

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

32 *(a) Date bill referred;*

33 *(b) Date bill received;*

34 *(c) Date set for hearing the bill;*

35 *(d) Date or dates bill heard and voted upon; and*

36 *(e) Date report prepared.*

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

40 *15. All committee minutes and any subcommittee minutes*  
41 *required to be kept pursuant to subsection 6 are open to public*  
42 *inspection upon request and during normal business hours.*



**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 question 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 refer to committee, to postpone to a day certain, or to postpone indefinitely has been decided, it must not be again entertained on the same day.*

*2. When a question 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 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. 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 Question.**

*1. Any Senator may call for a division of a question.*

*2. A question must be divided if it embraces subjects so distinct that if one subject is taken away, a substantive proposition 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.**

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

*2. If the motion to reconsider is for any other action, the motion has precedence over every other motion, except a motion to adjourn. When the Senate adjourns while a motion to reconsider is pending, or before passing the order of Motions and Resolutions, the right to move for reconsideration continues to the next day of sitting.*

**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 Question.**

*1. Every Senator who speaks shall, standing in his or her place, address “Mr. or Madam President,” in a courteous manner, and shall confine himself or herself to the question before the Senate. When the Senator has finished, he or she shall sit down.*

*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 questions arising during debate shall not be considered the same question.*

### **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 question or questions before it, and all incidental questions arising after the motion was made shall be decided without debate. A person who is speaking on a question 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. Guests of Senators must be seated in a section of the upper or lower gallery of the Senate Chamber to be specially designated by the Sergeant at Arms. The Majority Leader may specify special occasions when guests may be seated on the floor of the Senate with a Senator.*

*3. A majority of Senators may authorize the President to have the Senate Chamber cleared of all persons except Senators and officers of the Senate.*



1     4.   *The Senate Chamber may not be used for any business*  
2     *other than legislative business during a legislative session.*

3  
4   ***Rule No. 95.   Material Placed on Legislators' Desks.***

5     1.   *Only the Sergeant at Arms and officers and employees of*  
6     *the Senate may place papers, letters, notes, pamphlets and other*  
7     *written material upon a Senator's desk. Such material must*  
8     *contain the name of the Legislator requesting the placement of*  
9     *the material on the desk or a designation of the origin of the*  
10    *material.*

11    2.   *This Rule does not apply to books containing the legislative*  
12    *bills and resolutions, the daily histories and daily journals of the*  
13    *Senate or Assembly, or Legislative Counsel Bureau material.*

14  
15   ***Rule No. 96.   Reserved.***

16  
17   ***Rule No. 97.   Petitions.***

18     *The contents of any petition shall be briefly stated by the*  
19     *President or any Senator presenting it. It shall then lie on the table*  
20     *or be referred, as the President or Senate may direct.*

21  
22   ***Rule No. 98.   Reserved.***

23  
24   ***Rule No. 99.   Reserved.***

25  
26   ***Rule No. 100.   Reserved.***

27  
28   ***Rule No. 101.   Reserved.***

29  
30   ***Rule No. 102.   Objection to Reading of Paper.***

31     *Where the reading of any paper is called for, and is objected to*  
32     *by any Senator, it shall be determined by a vote of the Senate, and*  
33     *without debate.*

34  
35   ***Rule No. 103.   Questions Relating to Priority of Business.***

36     *All questions relating to the priority of business shall be*  
37     *decided without debate.*

38  
39                   ***B.   BILLS AND RESOLUTIONS***

40  
41   ***Rule No. 104.   Reserved.***

42  
43   ***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.*

*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 or joint resolutions 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 or joint resolution for placement on the Consent Calendar if:*

*(a) An amendment of the bill or joint resolution 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 or joint resolution 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 or joint resolution must be removed from the Consent Calendar at the request of any Senator, without question or debate. A bill or joint resolution 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 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.*



1     4. *A request for bill book service must be made to the*  
2 *Majority Leader of the Senate. If the Majority Leader determines*  
3 *that the Senator qualifies for the service, the Majority Leader shall*  
4 *direct the Legislative Counsel Bureau to provide the service.*  
5

6 ***Rule No. 112. Sponsorship.***

7     1. *A Senator may rise and request that his or her name be*  
8 *added as a sponsor of a bill or resolution that is introduced in the*  
9 *Senate if the Senator has submitted to the Secretary of the Senate*  
10 *a statement approving the request signed by the Senator who*  
11 *introduced the bill or resolution. A Senator may make a request to*  
12 *have his or her name added as a sponsor of:*

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

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

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

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

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

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

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

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

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

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

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



1 *resolution at the time of the request for removal, no further action*  
2 *on the bill or resolution is allowed for that legislative session.*

3  
4 ***Rule No. 113. Reading of Bills—General File.***

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

14 *2. If the proposed amendment has first been submitted to the*  
15 *Chair of the Senate Parliamentary Rules and Procedures*  
16 *Committee and approved by the Committee as provided in Senate*  
17 *Standing Rule No. 22, any member may move to amend a*  
18 *legislative measure during its reading on the Second Reading File*  
19 *or during its third reading and the motion to amend may be*  
20 *adopted by a majority vote of the members present. Measures so*  
21 *amended on second reading must be treated the same as measures*  
22 *with committee amendments. Any measure so amended upon the*  
23 *General File must be reprinted and engrossed or reengrossed.*

24 *3. An appropriate number of copies of all amended measures*  
25 *must be printed.*

26  
27 ***Rule No. 114. Referral of Bill With Special Instructions.***

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

30  
31 ***Rule No. 115. Reconsideration of Vote on Bill.***

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

33 *2. Motions to reconsider a vote upon amendments to any*  
34 *pending question and upon a final vote on a bill or resolution may*  
35 *be made and decided at once.*

36  
37 ***Rule No. 116. Reserved.***

38  
39 ***Rule No. 117. Different Subject Not Admitted as Amendment.***

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





***Rule No. 118. Certain Resolutions Treated as Bills.***

***1. Joint resolutions addressed to Congress, or to either House thereof, or to the President of the United States, or the heads of any of the national departments, or proposing amendments to the State Constitution are subject, in all respects, to the foregoing rules governing the course of bills.***

***2. A joint resolution proposing an amendment to the Constitution must be entered in the Journal in its entirety.***

***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.***



1     *16. Remarks from the Floor; Introduction of Guests. A*  
2     *Senator may speak under this order of business for a period of not*  
3     *more than 10 minutes.*

4  
5     *Rule No. 121. Privilege.*

6     *Any Senator may rise and explain a matter personal to himself*  
7     *or herself by leave of the President, but the Senator shall not*  
8     *discuss any pending question in such explanation.*

9  
10    *Rule No. 122. Reserved.*

11  
12    *Rule No. 123. Reserved.*

13  
14    *Rule No. 124. Preference to Speak.*

15     *When two or more Senators rise at the same time the President*  
16     *shall name the one who may first speak—giving preference, when*  
17     *practicable, to the mover or introducer of the subject under*  
18     *consideration.*

19  
20    *Rule No. 125. Special Order of Business.*

21     *The President shall call the Senate to order on the arrival of*  
22     *the time fixed for the consideration of a special order, and*  
23     *announce that the special order is before the Senate, which shall*  
24     *be considered, unless it be postponed by a majority vote of the*  
25     *Senate, and any business before the Senate at the time of the*  
26     *announcement of the special order shall go to Unfinished*  
27     *Business.*

28  
29    *Rule No. 126. Reserved.*

30  
31    *Rule No. 127. Reserved.*

32  
33    *Rule No. 128. Seniority Among Senators.*

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

36        *(a) Credit total continuous service in the Senate first;*

37        *(b) Credit total noncontinuous service in the Senate second;*

38        *(c) Credit total continuous service in the Assembly third;*  
39     *and*

40        *(d) Credit total noncontinuous service in the Assembly fourth.*

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

43  
44    *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.

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.***

