State of Nevada

Executive Department

A PROCLAMATION BY GOVERNOR STEVE SISOLAK
TO CONVENE A SPECIAL SESSION OF THE NEVADA STATE LEGISLATURE (REVISED)

WHEREAS, Section 9 of Article V of the Constitution of the State of Nevada provides that, "[T]he Governor may, on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses, when organized, the business for which they have been specially convened;" and

WHEREAS, an extraordinary occasion exists, resulting from the global COVID-19 pandemic and its associated economic consequences, requiring immediate action by the Nevada State Legislature; and

WHEREAS, the people's right to vote is among their most important rights in a representative democracy, requiring accommodation to election laws, processes, and procedures to accommodate social distancing, limited in-person gathering, and protecting individuals who are most susceptible to contracting COVID-19 and suffering the most acute effects of the illness; and

WHEREAS, as a result of historical inequities and disparate treatment of socially and economically disadvantaged groups within the United States and within the State of Nevada by some of those entrusted by citizenry with police powers, which are, paradoxically, limited by the same citizenry according to the dictate that such extraordinary powers be used to protect and defend the country's and the State of Nevada's residents; and

WHEREAS, recent events have made clear the need for Nevada leaders to better ensure that police powers are wielded by peace officers entrusted with them with greater responsibility and accountability to the people who granted such peace officers access to these extraordinary powers and that they are used only for the public good, while protecting and holding sacrosanct all rights, privileges and immunities secured or protected by the Constitution or laws of the United States or of the State of Nevada; and

WHEREAS, the current COVID-19-caused economic crisis, experienced around the world and in the State of Nevada, has caused an unprecedented number of residents to file for unemployment benefits, under various programs, creating a backlog of unprocessed claims and the need for flexibility to be granted to the Department of Employment, Training, and Rehabilitation, Employment Security Division, which is tasked with processing and adjudicating unemployment claims in order to meet this emergent and monumental demand for State processing of claims; and

WHEREAS, the current COVID-19 pandemic has created significant potential liability for the spread of COVID-19, which, in the case of businesses; not for profits; schools, both K-12 and institutions of higher education; and state and local governments that make good faith attempts to follow Controlling Health Standards, should be provided reasonable liability relief for their adherence to these health standards and in order that Nevada may emerge from the pandemic with both the health and safety of its people and their jobs protected to the degree possible; and

WHEREAS, the current COVID-19 pandemic has created a health and safety threat to Nevada's hotel, motel, casino resort, and lodging employees, among many others, who, in order to maintain the continuity of Nevada's tourism-driven economic engine, have returned to work in these public-facing positions at potential risk to themselves and to their families. Consequently, to protect many hundreds of thousands of Nevada residents, Nevada government should take action to mandate health, safety, and sanitation standards to safeguard both these employees, guests and to protect and promote the good reputation of Nevada's

tourism industry, which is a proxy for many other industries within the State and, as the most public of the State's economic segments, for the State's general reputation in the minds of many; and

WHEREAS, the COVID-19 recession has and will continue to result in eviction actions against the most vulnerable Nevadans, who require the Judicial Branch to possess the flexibility in their use of methods of alternative dispute resolution in cases of eviction to prevent those enduring eviction actions from the trauma and cost associated with court proceedings; and

WHEREAS, the Nevada Legislature, to ensure participation from members who are predisposed to acute illness resulting from the existing COVID-19 pandemic and in order to encourage and foster participation in committee meetings, is obligated to enable individuals to attend, participate, vote or take action using secure remote technologies; and

WHEREAS, the Nevada Legislature has a duty to ensure that potential amendments to the Nevada Constitution are processed and published during sessions of the Nevada Legislature in a timely and orderly manner to allow the people of the State to decide whether and how to amend their State Constitution - the fundamental State document that governs them - by voting during a general election; and

WHEREAS, pursuant to the Separation of Powers doctrine, the Legislature must also organize its internal staff, the Legislative Counsel Bureau, in a manner ensuring the people's business is accomplished in and out of sessions of the Nevada Legislature, including special sessions, in a manner the Legislative Branch of government determines best; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;" and

WHEREAS, under such an extraordinary set of circumstances, the Nevada Constitution provides authority for the Governor to convene the Legislature by Proclamation; and

NOW, THEREFORE, I, STEVE SISOLAK, GOVERNOR OF THE STATE OF NEVADA, by the authority vested in me by the Constitution and laws of the State of Nevada, do hereby convene the Nevada State Legislature into a special session to begin at 10:00 a.m. on Friday, July 31, 2020, to consider the following initiatives:

1. Legislation, as requested by the Legislative Counsel Bureau of the Nevada Legislature, to correct clerical, typographical, and other related errors in S.B. 151, A.B. 431, and S.B. 161 passed during the 80th Session of the Nevada Legislature.

2. Legislation to revise Chapter 612 and other appropriate chapters of Nevada Revised Statutes governing unemployment insurance and related matters to allow the Employment Security Division to contact applicants and unemployment benefit recipients by electronic mail and to expedite payment of benefits with good cause, among other potential flexibility enhancing mechanisms.

3. Social just reform legislation, including revisions to Senate Bill 242 (2019) at the request of the bill's primary sponsor, amending peace officer conduct standards regarding the use of force; liability for misuse of force; protecting the public right to film and otherwise record police activity as a means of ensuring accountability of peace officers; and other items related thereto.

4. Legislation to revise Chapter 293 and other appropriate chapters of the Nevada Revised Statutes governing elections to ensure Nevadans can exercise their fundamental right to vote during a state of emergency and in a way that does not dangerously expose them to increased risk of COVID-19 infection by guaranteeing every active registered voter receive a mail ballot while ensuring a sufficient number of in-person polling locations to vote in person for the 2020 General Election.

5. Legislation, as requested herein by the Governor, to effectuate liability protections to certain persons, not-for-profit entities, state government and its subdivisions, schools, including elementary, middle, and high schools and institutions of higher education, and businesses substantially complying with Controlling Health and Safety Standards from claims and liabilities related to COVID-19 and to amend Title 40 and, potentially, Title 41 of Nevada Revised Statutes to ensure the protection of the health and safety of hotel, motel, casino-resort, and other employees during the current COVID-19 pandemic.

6. Legislation, as requested by the Nevada Legislative Counsel Bureau, to ensure participation from members who predisposed to acute illness resulting from the existing COVID-19 pandemic and in

order to encourage and foster participation in committee meetings by enabling individuals to attend, participate, vote or take action using secure remote technologies.

The legislation should also provide that if the Legislature passes any proposed or constitutional amendments for a first time during a special session, the Director of the Legislative Counsel Bureau shall immediately cause the full text of the proposed amendment in the form approved to be published in a separate printed volume of statutes.

Finally, this Legislation shall provide the Nevada Legislature with authority necessary to effectuate any restructuring of the Legislative Counsel Bureau the Nevada Legislature deems necessary to the effective and efficient conduct of its duties.

7. Legislation to provide authority for the Judicial Branch to implement alternative dispute resolution measures for evictions actions to mitigate the harm resulting from the COVID-19 recession and the dramatic unemployment resulting from it.

The Legislature may introduce, consider, and pass bills related to the business for which it has been convened in this Special Session, outlined above, and it may provide for necessary expenses of the Special Session. The Special Session shall begin by 10:00 a.m. on Friday, July 31, 2020 and should not end later than 11:59 p.m. on Friday, August 7, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 31st day of July, in the year two thousand twenty.

Governor Steve Sisolak

Barbara K. Cegavske

Secretary of State

Deputy Secretary of State

Executive

Governor

Lt. Governor

Secretary of State

Attorney General

State Treasurer

State Controller

Legislature

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