
ASSEMBLY RESOLUTION NO. 9—ASSEMBLYMAN YEAGER

MAY 31, 2021

Read and Adopted

SUMMARY—Accepts and adopts the report and recommendation of the Assembly Committee on Election Contests regarding the contest of the 2020 General Election for Assembly District 21. (BDR R-1189)

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

ASSEMBLY RESOLUTION—Accepting and adopting the report and recommendation of the Assembly Committee on Election Contests regarding the contest of the 2020 General Election for Assembly District 21; declaring that the contestant shall be deemed to have abandoned or withdrawn the contest; declaring that the Assembly shall not take further action on the contest and that the Assembly dismisses the contest with prejudice.

1 WHEREAS, Section 6 of Article 4 of the Nevada Constitution
2 states that “[e]ach House shall judge of the qualifications, elections
3 and returns of its own members”; and

4 WHEREAS, Section 6 of Article 4 of the Nevada Constitution
5 “expressly reserves to the Senate and Assembly the rights to extend,
6 withhold and withdraw membership status” (*Heller v. Legislature*,
7 120 Nev. 456, 466 (2004); *Laxalt v. Cannon*, 80 Nev. 588, 590-91
8 (1964)); and

9 WHEREAS, Section 6 of Article 4 of the Nevada Constitution
10 ensures that “[e]ach house of a state legislature is the sole judge of
11 the elections of its members” (*Mason’s Manual of Legislative
12 Procedure* § 560(5) (2020)); and

13 WHEREAS, Under Section 6 of Article 4 of the Nevada
14 Constitution, the Assembly adopted Rule No. 46 of the Standing
15 Rules of the Assembly to govern the review of any contest of the
16 2020 General Election for any seat in the Assembly; and

17 WHEREAS, Under Rule No. 46, the Committee on Election
18 Contests was appointed to review the contest of the 2020 General



1 Election for Assembly District 21 delivered to the Assembly
2 pursuant to NRS 293.427; and

3 WHEREAS, Under Rule No. 46, at its meeting on May 20, 2021,
4 the Committee on Election Contests voted to approve its report and
5 recommendation regarding the contest of the 2020 General Election
6 for Assembly District 21; and

7 WHEREAS, Under Rule No. 46, it is the report and
8 recommendation of the Committee on Election Contests that the
9 contestant shall be deemed to have abandoned or withdrawn
10 the contest and that the Assembly shall not take further action on the
11 contest and that the Assembly shall dismiss the contest with
12 prejudice; now, therefore, be it

13 RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That
14 the Assembly accepts and adopts the report and recommendation of
15 the Committee on Election Contests; and be it further

16 RESOLVED, That the Assembly declares that the contestant shall
17 be deemed to have abandoned or withdrawn the contest; and be it
18 further

19 RESOLVED, That the Assembly declares that the Assembly shall
20 not take further action on the contest and that the Assembly
21 dismisses the contest with prejudice; and be it further

22 RESOLVED, That the Chief Clerk of the Assembly prepare and
23 transmit a copy of this resolution and the report and
24 recommendation of the Committee on Election Contests to the
25 Governor, the Secretary of State and the Board of County
26 Commissioners of Clark County; and be it further

27 RESOLVED, That this resolution becomes effective upon
28 adoption.

