

ASSEMBLY BILL NO. 406—ASSEMBLYMAN HANSEN

MARCH 21, 2011

Referred to Committee on Government Affairs

SUMMARY—Creates the Evaluation and Sunset Advisory Commission. (BDR 18-584)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to commissions; creating the Evaluation and Sunset Advisory Commission; providing for its membership; requiring the Commission to evaluate the necessity and efficacy of all agencies, boards and commissions and statutory tax exemptions, abatements and earmarks in this State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 3** of this bill creates the Evaluation and Sunset Advisory Commission
2 and sets forth the details regarding the members of the Commission, who are
3 appointed by the Governor and the Majority and Minority Leaders of each House of
4 the Legislature. **Section 5** of this bill sets forth the duties of the Commission which
5 include, without limitation, reviewing and evaluating all agencies, boards and
6 commissions and statutory tax exemptions, abatements and earmarks in this State
7 for necessity and efficacy and for duplication by other agencies, boards and
8 commissions of the Federal Government, this State or local governments in this
9 State. **Section 4** of this bill requires the Commission to meet at least bimonthly and
10 to annually report its findings and recommendations to the Governor and the
11 Legislature. **Section 6** of this bill authorizes the Commission to apply for and
12 receive gifts, grants, contributions or other money to carry out its duties.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Title 18 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. *As used in this chapter, unless the context otherwise requires, "Commission" means the Evaluation and Sunset Advisory Commission created by section 3 of this act.*

Sec. 3. 1. *The Evaluation and Sunset Advisory Commission is hereby created.*

2. *The Commission consists of:*

(a) One member who is a member of the administrative staff of the Governor, appointed by the Governor;

(b) Two members who are representatives of the general public, appointed by the Governor;

(c) Four members of the Senate, two of whom are appointed by the Majority Leader of the Senate and two of whom are appointed by the Minority Leader of the Senate; and

(d) Four members of the Assembly, two of whom are appointed by the Speaker of the Assembly and two of whom are appointed by the Minority Leader of the Assembly.

3. *At the first regular meeting of each odd-numbered year, the members of the Commission shall elect a Chair by majority vote who shall serve until the next Chair is elected.*

4. *Each member of the Commission serves at the pleasure of the appointing authority who appointed the member.*

5. *After the initial terms, each member of the Commission serves for a term of 3 years. Each member of the Commission continues in office until the member's successor is appointed. Any member of the Commission may be reappointed.*

6. *A vacancy in the membership of the Commission must be filled in the same manner as the original appointment for the remainder of the unexpired term.*

7. *The members of the Commission serve without compensation. If sufficient money is available, the members of the Commission are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally while engaged in the business of the Commission.*

Sec. 4. 1. *The Commission shall meet at the call of the Chair as frequently as required to perform its duties, but not less often than every other month.*

2. *A majority of the members of the Commission constitutes a quorum for the transaction of business, and a majority of those*



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1 *present at any meeting is sufficient for any official action taken by*
2 *the Commission.*

3 *3. The Commission shall, on or before January 1 of each*
4 *year, submit a report to the Governor and the Legislature, or if the*
5 *Legislature is not in session, to the Legislative Commission,*
6 *summarizing the Commission's findings and activities for the*
7 *previous year. In each report submitted on or before January 1 of*
8 *each odd-numbered year, the Commission shall include any*
9 *recommendations for legislation based on its review of*
10 *governmental agencies, boards and commissions and statutory tax*
11 *exemptions, abatements and earmarks for the previous biennium.*

12 *Sec. 5. 1. The Commission shall continuously review all*
13 *governmental agencies, boards and commissions and statutory tax*
14 *exemptions, abatements and earmarks in this State. Such a review*
15 *must include, without limitation:*

16 *(a) An evaluation of whether the agency, board or commission*
17 *or tax exemption, abatement or earmark is effectively serving the*
18 *purpose for which it was created;*

19 *(b) An evaluation of the necessity of the agency, board or*
20 *commission or tax exemption, abatement or earmark, including,*
21 *without limitation, a consideration of any change in state or*
22 *federal law since the time the agency, board or commission or tax*
23 *exemption, abatement or earmark was created; and*

24 *(c) An examination of other agencies, boards and commissions*
25 *of the Federal Government, this State and local governments in*
26 *this State to determine if any other agencies, boards and*
27 *commissions duplicate the services provided by the agency, board*
28 *or commission.*

29 *2. The Commission shall hold public hearings to seek input*
30 *regarding the agencies, boards and commissions and tax*
31 *exemptions, abatements and earmarks under review.*

32 *3. A review for each agency, board and commission and tax*
33 *exemption, abatement and earmark must be conducted not less*
34 *frequently than once every 10 years.*

35 *Sec. 6. The Commission may apply for and receive gifts,*
36 *grants, contributions or other money from governmental and*
37 *private agencies, affiliated associations and other persons for the*
38 *purposes of carrying out the provisions of this chapter and for*
39 *defraying expenses incurred by the Commission in the discharge*
40 *of its duties.*

41 *Sec. 7. As soon as practicable after July 1, 2011:*

42 *1. The Governor shall appoint three members of the Evaluation*
43 *and Sunset Advisory Commission created by section 3 of this act to*
44 *a term that expires on July 1, 2013;*



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1 2. The Majority Leader of the Senate and the Minority Leader
2 of the Senate shall each appoint two members of the Evaluation and
3 Sunset Advisory Commission created by section 3 of this act to a
4 term that expires on July 1, 2013; and

5 3. The Speaker of the Assembly and the Minority Leader of the
6 Assembly shall each appoint two members of the Evaluation and
7 Sunset Advisory Commission created by section 3 of this act to a
8 term that expires on July 1, 2014.

9 **Sec. 8.** This act becomes effective on July 1, 2011.

