

ASSEMBLY BILL NO. 440—ASSEMBLYMEN GOEDHART,
HICKEY; HAMBRICK, HANSEN AND SHERWOOD

MARCH 21, 2011

JOINT SPONSORS: SENATORS CEGAVSKE,
GUSTAVSON AND ROBERSON

Referred to Committee on Legislative Operations and Elections

SUMMARY—Creates the Legislative Committee on Reduction of
Nonessential State Expenditures. (BDR 17-1046)

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 legislative affairs; creating the Legislative
Committee on Reduction of Nonessential State
Expenditures; prescribing the powers and duties of the
Committee; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

1 **Section 3** of this bill creates the Legislative Committee on Reduction of
2 Nonessential State Expenditures and provides for the appointment of its
3 membership by the Legislative Commission. **Section 4** of this bill prescribes the
4 manner in which meetings must be conducted by the Committee and provides for
5 the compensation of its members. **Section 5** of this bill prescribes the powers and
6 duties of the Committee, including the evaluation, hearing, investigation, research,
7 review and study of issues relating to the reduction of nonessential state
8 expenditures. **Sections 6 and 7** of this bill authorize the Committee to conduct
9 investigations and hold hearings and provide for the administration of oaths, the
10 deposition of witnesses and the issuance of subpoenas in connection with those
11 investigations and hearings.



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

Section 1. Chapter 218E of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

Sec. 2. *As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, "Committee" means the Legislative Committee on Reduction of Nonessential State Expenditures created by section 3 of this act.*

Sec. 3. 1. *The Legislative Committee on Reduction of Nonessential State Expenditures is hereby created. The membership of the Committee consists of 5 members of the Senate and 10 members of the Assembly, appointed by the Legislative Commission.*

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.

3. The Legislative Commission shall select the Chair and Vice Chair of the Committee from among the members of the Committee. After the initial selection of those officers, each of those officers holds the position for a term of 2 years commencing on July 1 of each odd-numbered year. The position of Chair of the Committee must alternate each biennium between the Houses of the Legislature. If a vacancy occurs in the position of Chair or Vice Chair, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

4. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session of the Legislature convenes.

5. A vacancy on the Committee must be filled in the same manner as the original appointment.

Sec. 4. 1. *Except as otherwise ordered by the Legislative Commission, the members of the Committee shall meet not earlier than November 1 of each odd-numbered year and not later than August 31 of the following even-numbered year at the times and places specified by a call of the Chair or a majority of the Committee.*

2. The Director of the Legislative Counsel Bureau or his or her designee shall act as the nonvoting recording Secretary of the Committee.

3. Except as otherwise provided in subsection 4, a majority of the members of the Committee constitutes a quorum, and a



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1 *quorum may exercise all the power and authority conferred on the*
2 *Committee.*

3 4. *Any recommended legislation proposed by the Committee*
4 *must be approved by a majority of the members of the Senate and*
5 *by a majority of the members of the Assembly appointed to the*
6 *Committee.*

7 5. *Except during a regular or special session of the*
8 *Legislature, for each day or portion of a day during which a*
9 *member of the Committee attends a meeting of the Committee or is*
10 *otherwise engaged in the work of the Committee, the member is*
11 *entitled to receive the:*

12 (a) *Compensation provided for a majority of the members of*
13 *the Legislature during the first 60 days of the preceding regular*
14 *session;*

15 (b) *Per diem allowance provided for state officers and*
16 *employees generally; and*

17 (c) *Travel expenses provided pursuant to NRS 218A.655.*

18 ➔ *The compensation, per diem allowances and travel expenses of*
19 *the members of the Committee must be paid from the Legislative*
20 *Fund.*

21 **Sec. 5.** *The Committee shall exercise such powers and*
22 *perform such duties as it determines to be necessary to reduce*
23 *nonessential state expenditures, including, without limitation:*

24 1. *Evaluating, reviewing and studying the operations of*
25 *agencies of this State and programs paid for by this State to*
26 *determine whether such operations and programs are necessary to*
27 *the functioning of the government of this State.*

28 2. *Reporting as to whether the operations of agencies of this*
29 *State and programs paid for by this State are necessary to the*
30 *functioning of the government of this State.*

31 3. *Investigating whether the operations of agencies of this*
32 *State and programs paid for by this State may be eliminated,*
33 *reduced, made more efficient or provided in a more cost-effective*
34 *manner while still meeting the essential needs of the residents of*
35 *this State.*

36 4. *Determining whether the operations of agencies of this*
37 *State or programs paid for by this State are being conducted in a*
38 *manner that is duplicative, fraudulent, inefficient or wasteful.*

39 5. *Informing the Legislature, the Governor and the public*
40 *concerning instances in which the Committee determines that the*
41 *operations of agencies of this State or programs paid for by this*
42 *State are being conducted in a manner that is duplicative,*
43 *fraudulent, inefficient or wasteful.*



6. *Recommending actions that may be taken to reduce nonessential state expenditures within the operations of agencies of this State and programs paid for by this State.*

7. *Consulting with members of the public and representatives of business and industry who may be affected by actions recommended by the Committee.*

8. *Working in cooperation and consultation with the divisions of the Legislative Counsel Bureau to ensure that actions performed by the Committee do not duplicate functions or services already provided by the Legislative Counsel Bureau.*

9. *Performing such other acts as are necessary to promote the efficient use of the money and resources of this State.*

Sec. 6. 1. The Committee may:

(a) *Conduct investigations and hold hearings in connection with the powers that it exercises and the duties that it performs pursuant to section 5 of this act;*

(b) *Request that the Legislative Counsel Bureau assist in any evaluations, hearings, investigations, research, reviews and studies of the Committee; and*

(c) *Propose recommended legislation concerning the reduction of nonessential state expenditures to the Legislature.*

2. *The Committee shall, on or before January 15 of each odd-numbered year, submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the activities of the Committee carried out pursuant to section 5 of this act.*

Sec. 7. 1. If the Committee conducts investigations or holds hearings pursuant to section 6 of this act:

(a) *The Chair of the Committee or, in the Chair's absence, a member designated by the Committee may administer oaths;*

(b) *The Chair of the Committee may cause the deposition of witnesses, residing within or outside of this State, to be taken in the manner prescribed by rule of court for taking depositions in civil actions in the district courts; and*

(c) *The Chair of the Committee may issue subpoenas to compel the attendance of witnesses and the production of books and papers.*

2. *If any witness refuses to attend or testify or produce any books and papers as required by the subpoena, the Chair of the Committee may report to the district court by petition, setting forth that:*

(a) *Due notice has been given of the time and place of attendance of the witness or the production of the books and papers;*



1 (b) The witness has been subpoenaed by the Committee
2 pursuant to this section; and

3 (c) The witness has failed or refused to attend or produce the
4 books and papers required by the subpoena before the Committee
5 which is named in the subpoena, or has refused to answer
6 questions propounded to the witness,

7 ↳ and asking for an order of the court compelling the witness to
8 attend and testify or produce the books and papers before the
9 Committee.

10 3. Upon such petition, the court shall enter an order directing
11 the witness to appear before the court at a time and place to be
12 fixed by the court in its order, the time to be not more than 10 days
13 after the date of the order, and then and there show cause why the
14 witness has not attended or testified or produced the books or
15 papers before the Committee. A certified copy of the order must be
16 served upon the witness.

17 4. If it appears to the court that the subpoena was regularly
18 issued by the Committee, the court shall enter an order that the
19 witness appear before the Committee at the time and place fixed in
20 the order and testify or produce the required books or papers, and
21 upon failure to obey the order, the witness shall be dealt with as
22 for contempt of court.

23 Sec. 8. 1. Each witness who appears before the Committee
24 by its order, except a state officer or employee, is entitled to receive
25 for such attendance the fees and mileage provided for witnesses in
26 civil cases in the courts of record of this State.

27 2. The fees and mileage must be audited and paid upon the
28 presentation of proper claims sworn to by the witness and
29 approved by the Secretary and Chair of the Committee.

30 Sec. 9. This act becomes effective upon passage and approval.

