

SENATE BILL NO. 251—SENATOR KIECKHEFER

MARCH 17, 2011

Referred to Committee on Government Affairs

SUMMARY—Creates the Nevada Sunset Commission to evaluate certain governmental programs and services. (BDR 18-745)

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 Nevada Sunset Commission; providing for its membership; requiring the Commission to evaluate the necessity and efficacy of all governmental programs and services provided in this State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 3** of this bill creates the Nevada Sunset Commission and sets forth the
2 details regarding the members of the Commission, who are appointed by seven
3 different appointing authorities. **Section 5** of this bill sets forth the duties of the
4 Commission which include, without limitation, reviewing and evaluating all
5 governmental programs and services in this State for necessity and efficacy and for
6 duplication by other programs and services offered by the Federal Government, this
7 State or local governments in this State. **Section 4** of this bill requires the
8 Commission to meet at least bimonthly and to annually report its findings and
9 recommendations to the Governor and the Legislature. **Section 6** of this bill
10 authorizes the Commission, with limited exception, to apply for and receive gifts,
11 grants, contributions or other money to carry out its duties.



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 Nevada Sunset Commission created by section 3 of this act.*

Sec. 3. 1. *The Nevada Sunset Commission is hereby created.*

2. *The Commission consists of seven members of the general public:*

(a) One member appointed by the Governor;

(b) One member appointed by the Majority Leader of the Senate;

(c) One member appointed by the Minority Leader of the Senate;

(d) One member appointed by the Speaker of the Assembly;

(e) One member appointed by the Minority Leader of the Assembly;

(f) One member appointed by the Nevada League of Cities and Municipalities; and

(g) One member appointed by the Nevada Association of Counties.

3. *All members appointed pursuant to subsection 2 must:*

(a) Be versed in the operation or management of state or local governments; and

(b) Demonstrate the knowledge, judgment and experience to perform the duties of the Commission.

4. *An elected officer may not be appointed or serve as a member of the Commission.*

5. *The member of the Commission appointed by the Governor serves, ex officio, as the Chair of the Commission.*

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

7. *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.*

8. *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.*

9. *The members of the Commission serve without compensation. If sufficient money is available, the members of the*



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1 *Commission are entitled to receive the per diem allowance and*
2 *travel expenses provided for state officers and employees generally*
3 *while engaged in the business of the Commission.*

4 **Sec. 4.** 1. *The Commission shall meet at the call of the*
5 *Chair as frequently as required to perform its duties, but no less*
6 *often than every other month.*

7 2. *A majority of the members of the Commission constitutes a*
8 *quorum for the transaction of business, and a majority of those*
9 *present at any meeting is sufficient for any official action taken by*
10 *the Commission.*

11 3. *The Commission shall, on or before January 1 of each*
12 *year, submit a report to the Governor and the Legislature, or if the*
13 *Legislature is not in session, to the Legislative Commission,*
14 *summarizing the Commission's findings and activities for the*
15 *previous year. In each report submitted on or before January 1 of*
16 *each odd-numbered year, the Commission shall include any*
17 *recommendations for legislation based on its review of*
18 *governmental programs and services for the previous biennium.*

19 **Sec. 5.** *The Commission shall continuously review all*
20 *governmental programs and services provided in this State. Such*
21 *review must include, without limitation:*

22 1. *An evaluation of whether the program or service is*
23 *effectively serving the purpose for which it was created;*

24 2. *An evaluation of the necessity of the program or service,*
25 *including, without limitation, a consideration of any change in*
26 *state or federal law since the time the program or service was*
27 *created; and*

28 3. *An examination of other programs and services provided*
29 *by the Federal Government, this State and local governments in*
30 *this State to determine if any other provided programs or services*
31 *duplicate those provided by the program or service.*

32 **Sec. 6.** 1. *Except as otherwise provided in subsection 2, the*
33 *Commission may apply for and receive gifts, grants, contributions*
34 *or other money from governmental and private agencies, affiliated*
35 *associations and other persons for the purposes of carrying out the*
36 *provisions of this chapter and for defraying expenses incurred by*
37 *the Commission in the discharge of its duties.*

38 2. *The Commission may not receive any gift, grant,*
39 *contribution or other money from a governmental agency that the*
40 *Commission is reviewing, examining or evaluating.*

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

42 1. *The Governor, the Majority Leader of the Senate and the*
43 *Minority Leader of the Senate shall each appoint one member of the*
44 *Nevada Sunset Commission created by section 3 of this act to a term*
45 *that expires on July 1, 2013; and*



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1 2. The Speaker of the Assembly, the Minority Leader of the
2 Assembly, the Nevada League of Cities and Municipalities and the
3 Nevada Association of Counties shall each appoint one member of
4 the Nevada Sunset Commission created by section 3 of this act to a
5 term that expires on July 1, 2014.

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

