

SENATE JOINT RESOLUTION NO. 11—SENATOR HARDY

MARCH 21, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Proposes to amend the Nevada Constitution to authorize the Governor to reduce or veto appropriations or authorizations to expend money. (BDR C-838)

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

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

SENATE JOINT RESOLUTION—Proposing to amend the Nevada Constitution to authorize the Governor to reduce or veto appropriations or authorizations to expend money.

Legislative Counsel's Digest:

1 Under the Nevada Constitution, the Governor is authorized to veto only an
2 entire bill passed by the Legislature. (Nev. Const. Art. 4, § 35) This resolution
3 proposes to amend the Nevada Constitution to provide the Governor with line-item
4 veto power for bills containing appropriations or authorizations to expend money.

1 RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF
2 NEVADA, JOINTLY, That section 35 of article 4 of the Nevada
3 Constitution be amended to read as follows:

4 Sec: 35. ***1.*** Every bill which may have passed the
5 Legislature, shall, before it becomes a law be presented to the
6 Governor. If he approve it, he shall sign it, but if not he shall
7 return it with his objections, to the House in which it
8 originated, which House shall cause such objections to be
9 entered upon its journal, and proceed to reconsider it; If after
10 such reconsideration it again pass both Houses by yeas and
11 nays, by a vote of two thirds of the members elected to each
12 House it shall become a law notwithstanding the Governors
13 objections. ~~HH~~ ***Except as otherwise provided in subsections***
14 ***2 and 3, if*** any bill shall not be returned within five days after



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1 it shall have been presented to him (Sunday excepted)
2 exclusive of the day on which he received it, the same shall
3 be a law, in like manner as if he had signed it, unless the
4 Legislature by its final adjournment, prevent such return, in
5 which case it shall be a law, unless the Governor within ten
6 days next after the adjournment (Sundays excepted) shall file
7 such bill with his objections thereto, in the office of the
8 Secretary of State, who shall lay the same before the
9 Legislature at its next Session, in like manner as if it had been
10 returned by the Governor, and if the same shall receive the
11 vote of two-thirds of the members elected to each branch of
12 the Legislature, upon a vote taken by yeas and nays to be
13 entered upon the journals of each house, it shall become a
14 law.

15 *2. If any bill so presented to the Governor contains one*
16 *or more appropriations of money from the treasury or*
17 *authorizations to expend money drawn from another*
18 *source, the Governor may reduce or strike from the bill any*
19 *or all of these without objecting to the bill as a whole. If the*
20 *Governor so reduces or strikes out, the Governor shall:*

21 *(a) Append to the bill a statement of the items reduced*
22 *or stricken out and of the reasons for the reduction or*
23 *striking out; and*

24 *(b) Within 48 hours after the bill is presented to the*
25 *Governor and before the Legislature finally adjourns,*
26 *transmit a copy of the statement to the House in which the*
27 *bill originated.*

28 *↪ Each appropriation or authorization not reduced or*
29 *stricken out becomes law in the same manner as a bill to*
30 *which the Governor does not object. If the Governor fails to*
31 *transmit a copy of the statement to the House in which the*
32 *bill originated within the time allowed or before the*
33 *Legislature finally adjourns, each appropriation or*
34 *authorization reduced or stricken out likewise becomes law.*

35 *3. The Legislature may, by the same vote as for bills to*
36 *which the Governor objects:*

37 *(a) Cause any one or more of the individual*
38 *appropriations or authorizations to become law*
39 *notwithstanding the Governor striking it out; or*

40 *(b) Restore the original amount appropriated or*
41 *authorized, or insert any other amount not less than that*
42 *approved by the Governor or more than that originally*
43 *appropriated or authorized, notwithstanding the Governor*
44 *reducing it.*



1 ↪ *If the Legislature does not so act, any appropriation or*
2 *authorization stricken from the bill by the Governor shall be*
3 *deemed not appropriated or authorized and any amount to*
4 *which an appropriation or authorization was reduced by the*
5 *Governor shall be deemed so appropriated or authorized.*

