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Office of the Governor

June 13, 2011

The Honorable Ross Miller
Secretary of State
Capitol Building
101 South Carson Street
Carson City, NV 89701

RE: Assembly Bill 152 of the 76th Legislative Session

Dear Secretary Miller:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Assembly Bill 152, which is entitled:

AN ACT relating to transportation; creating an advisory committee to develop recommendations relating to the funding of the construction and maintenance of highways in this State; providing for the membership and duties of the advisory committee; authorizing the advisory committee to place advisory questions regarding the recommendations of the committee on the ballot for the general election to be held in 2012; requiring the Secretary of State to appoint committees to prepare arguments for and against approval of the recommendation proposed in any such advisory question placed on the ballot; and providing other matters properly relating thereto.

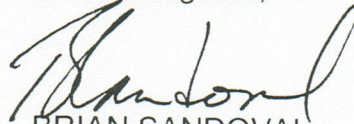
Assembly Bill 152 creates an advisory committee to develop recommendations for increasing the funding of highways in the state. The committee is comprised of eight members, each of which is appointed by the leadership of the Legislature. The bill further provides that the committee may place advisory questions on the ballot relating to the recommendations developed by the committee.

This bill unnecessarily expands government and circumvents the legislative process. The purpose of the advisory committee is to develop recommendations for increasing the funding of highways in the state. The funding of highways,

however, falls squarely within the jurisdiction of the Nevada Department of Transportation, which is overseen by the Board of Transportation. There is no indication that the Department is performing its planning function insufficiently. Therefore, I must conclude that the advisory committee is unnecessary and redundant. This unnecessary expansion of government would serve to make the government apparatus associated with the funding of our highways unwieldy, frustrating the efficient administration of that funding. Such a result is not in the interest of the people of the state.

Moreover, the proposed committee is comprised solely of members appointed by the legislative branch, and the bill provides the committee with access to the ballot. A similar bill was processed in the 75th Legislative Session. That bill, Assembly Bill 503, similarly proposed the establishment of an advisory committee on the funding of highways. The bill was vetoed by Governor Jim Gibbons, who observed in his veto message that the bill "effectively circumvents the legislative process by allowing a small group of non-elected officials to make recommendations that have major implications on taxpayers, and to then present those recommendations to the voters." He further noted that, "[i]f such recommendations are to be submitted to the voters, they should be recommendations from the Legislature as a whole." Ultimately, Governor Gibbons concluded that the bill represented "an abdication of legislative authority." I agree. Therefore, because the bill unnecessarily expands government and abdicates legislative authority, I veto it and return it to you without my signature and without my approval.

Sincere regards,


BRIAN SANDOVAL
Governor

Enclosure

cc: The Honorable John Ocegüera, Speaker of the Nevada State Assembly (without enclosure)
The Honorable Brian Krolicki, President of the Senate (without enclosure)
The Honorable Steven Horsford, Senate Majority Leader (without enclosure)
Susan Furlong, Chief Clerk of the Assembly (without enclosure)
David A. Byerman, Secretary of the Senate (without enclosure)
Brenda Erdoes, Esq., Legislative Counsel (without enclosure)