
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.



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

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

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

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

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

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

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

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

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

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

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



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.*



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

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

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

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

13 **Sec. 6. 1. The Committee may:**

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

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

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

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

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

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

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

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

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

42 (a) *Due notice has been given of the time and place of*
43 *attendance of the witness or the production of the books and*
44 *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 the***
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.***



