



Office of the Governor

JIM GIBBONS
GOVERNOR

May 29, 2009

The Honorable Barbara Buckley
Speaker of the Assembly
Legislative Building
401 South Carson Street
Carson City, NV 89701

RE: Assembly Bill 463 of the 75th Legislative Session

Dear Speaker Buckley,

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Assembly Bill 463, which is entitled:

AN ACT relating to governmental administration; restricting a department, division or other agency of this State from employing a person as a consultant; providing certain exceptions; requiring certain entities to submit to the Interim Finance Committee a report concerning each consultant employed by the entity; requiring that contracts with temporary employment services be awarded by open competitive bidding; requiring that information concerning the use of consultants and temporary employment services be included and explained in the budget process by a state agency; requiring the Legislative Auditor to conduct an audit concerning the use of contracts with consultants by state agencies; and providing other matters properly relating thereto.

Assembly Bill 463 would restrict state government's ability to hire consultants, including former state employees who now work in the private sector. While it is important to ensure there are strong protections against double dipping by state employees, this bill has two major problems.

First, granting the Legislative Branch of government, through the Interim Finance Committee, the right to oversee, approve or reject employment in the Executive Branch of government is an

101 N. CARSON STREET • CARSON CITY, NEVADA 89701 • TELEPHONE: (775) 684-5670 • FAX: (775) 684-5683
555 E. WASHINGTON AVENUE, SUITE 5100 • LAS VEGAS, NEVADA 89101 • TELEPHONE: (702) 486-2500 • FAX: (702) 486-2505

The Honorable Barbara Buckley

May 29, 2009

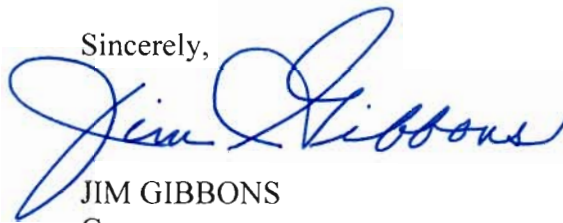
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unwarranted encroachment on the autonomy of the Executive Branch and flies in the face of the separation of powers doctrine within the Nevada Constitution.

In addition, this bill appears to only impose these employment restrictions only on the Executive Branch of government. If there is something improper about hiring consultants or former state employees serving as consultants, this policy should apply to all areas of government, including the Legislature and the Nevada System of Higher Education.

For these reasons, I hereby exercise my constitutional grant of authority and veto Assembly Bill 463.

Sincerely,

A handwritten signature in blue ink that reads "Jim Gibbons". The signature is fluid and cursive, with the first name "Jim" and last name "Gibbons" clearly legible.

JIM GIBBONS
Governor

Enclosure

Cc: The Honorable Steven Horsford, Senate Majority Leader (without enclosure)
The Honorable Ross Miller, Secretary of State (without enclosure)
Susan Furlong Reil, Chief Clerk of the Assembly (without enclosure)
Claire J. Clift, Secretary of the Senate (without enclosure)
Brenda Erdoes, Esq., Legislative Counsel (without enclosure)