



OPINION OF THE OFFICE OF ATTORNEY GENERAL

Mathew Neben
Chief of Staff
Associated Students of the University of Nevada

Dear Mr. Neben,

In response to your request, I offer the following opinion:

The question posed is in regards to the point of time at which the sunset clauses implemented in Public Law 78-16, Senate Bill 78-25, go into effect.

As per the audio minutes from the December 1, 2010, meeting of the 78th Session of Senate, Senator Bottoset moved to amend S.B. 78-25 by adding a Section 5 to the Bill to be titled "Sunset Clause" and which section's content shall entail that "Section 93 be added to SAS 208.04." As per the same audio minute record, Senator Bottoset made a secondary amendment that a Section 6 be added to the Bill titled "Sunset Clause for Wages" which section's content shall entail that "Section 93 be added to Chapter 210.02.f.04 and Chapter 210.02.f.05." This secondary motion was caused to be a friendly amendment to the first amendment motion. Thus concluded Senator Bottoset's motions regarding sunset clauses. The 78th Session passed Senator Bottoset's amendment to the bill.

While SAS 001.06 defines that Section 93 shall be preset and have the specific and consistent purpose of a Sunset Clause, it does not specify wording or formatting of content to be included in Section 93. Sunset clauses are further not defined in wording or formatting in the Constitution of the Associated Students of the University of Nevada, the Statutes of the Associated Students, or the Rules of the Senate.

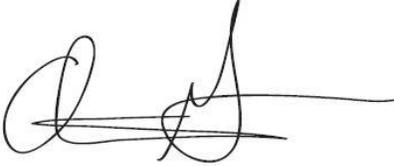
As per the Merriam-Webster Dictionary of Law, a sunset is defined as "having or being a provision stipulating the termination or repeal of something (as a law, grant, or insurance coverage) on a specified date."

Neither of Senator Bottoset's motions contained content to be listed within the Section 93 that was to be applied to SAS 208.04, SAS 210.02.f.04, or SAS 210.02.f.05, nor was a date specified for the termination of the aforementioned sections.

In Conclusion

The motions made by Senator Bottoset solely apply the "Section 93" heading to each of the previously mentioned sections. With no section content and no date of termination, the applied Section 93 to SAS 208.04, SAS 210.02.f.04, and SAS 210.02.f.05 is therefore invalid. A sunset shall not go into effect for SAS 208.04, SAS 210.02.f.04, or SAS 210.02.f.05 and the positions and wages shall remain intact for the Department of Legislative Affairs.

Respectfully,

A handwritten signature in black ink, appearing to be 'Christina Gunn', with a long horizontal line extending to the right.

Christina Gunn
Attorney General
Associated Students of the University of Nevada