

ASSEMBLY CONCURRENT RESOLUTION NO. 8—ASSEMBLY
COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS

APRIL 25, 2011

JOINT SPONSOR: SENATE COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

Read and Adopted

SUMMARY—Makes a formal request for the Governor to establish
an open, fair and public process to fill the vacancy in
the Office of United States Senator. (BDR R-1283)

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

ASSEMBLY CONCURRENT RESOLUTION—Making a formal
request for the Governor to establish an open, fair and
public process to fill the vacancy in the Office of United
States Senator.

- 1 WHEREAS, The upcoming vacancy in one of Nevada's seats in
- 2 the United States Senate and the appointment of a temporary
- 3 replacement is a matter of critical importance requiring careful
- 4 deliberation and full transparency with the public; and
- 5 WHEREAS, The circumstances leading to the upcoming vacancy
- 6 compel the need for public confidence in the process and knowledge
- 7 that public, not political, interests are the sole factor in any decision
- 8 regarding the selection of a replacement; and
- 9 WHEREAS, The effective date of resignation and vacancy lends
- 10 time to establish a public process that ensures accountability while
- 11 still providing the State of Nevada with the representation it needs in
- 12 a timely manner; and
- 13 WHEREAS, When State Senator William J. Raggio resigned, the
- 14 Board of County Commissioners of Washoe County, empowered to
- 15 fill the vacancy, presented and conducted an open, fair and public
- 16 process that ensured public confidence in the selection of his
- 17 replacement; and



1 WHEREAS, Several factors in making any appointment need to
2 be weighed in full, and fair public scrutiny, including whether the
3 appointment of an honorable caretaker with no political motivations
4 or electoral ambitions, may be in the best interests of all Nevadans;
5 and

6 WHEREAS, Any appointment that creates a vacancy in another
7 office which necessitates a subsequent special election will cost
8 Nevadans hundreds of thousands of dollars of taxpayer money at a
9 time when severe cuts to education and essential services are under
10 consideration; and

11 WHEREAS, The United States Senate seat belongs to the people
12 of Nevada, who are best served by a process in which they have as
13 much knowledge and input as possible into the choice of the person
14 who will represent them in the Senate; now, therefore, be it

15 RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE
16 SENATE CONCURRING, That the Governor is hereby formally
17 requested by the Legislature to develop and release an open, fair and
18 public process for the purpose of making an appointment to fill the
19 upcoming vacancy in the United States Senate; and be it further

20 RESOLVED, That the Governor should propose a timeline of not
21 less than 1 week for any qualified Nevadans to apply and formally
22 submit their names for consideration for appointment as a temporary
23 replacement, and that any such appointment should be made only
24 from those making such requests; and be it further

25 RESOLVED, That the information for those who have formally
26 requested consideration for appointment be made available to the
27 public for a period of not less than 1 week for public comment to be
28 received before any appointment is made; and be it further

29 RESOLVED, That the official position of the State Legislature
30 is that the people of Nevada deserve an open, fair and public process
31 that is free from political calculations and partisan ambitions, and
32 that the Governor should refrain from making any appointment until
33 such a process is presented and conducted; and be it further

34 RESOLVED, That the Chief Clerk of the Assembly prepare and
35 transmit a copy of this resolution to Governor Brian Sandoval as
36 soon as practicable.

