



1 (e) § [f] one judge § [~~two judges~~], AND ONE ALTERNATE JUDGE, of a trial court of  
 1a record, to be selected by the nonjudicial  
 2 members of the Judicial Conduct Commission for § [a] four-year § [term] TERMS § . § [~~THE~~  
 2a JUDGES SHALL COORDINATE ATTENDANCE FOR MEETINGS SO THAT, IF POSSIBLE, AT LEAST ONE  
 2b IS IN ATTENDANCE AT EACH MEETING. IF BOTH JUDGES ARE IN ATTENDANCE AT A MEETING,  
 2c ONLY ONE MAY BE COUNTED FOR QUORUM PURPOSES AND VOTE ON EACH ISSUE BEFORE THE  
 2d COMMISSION.—] THE JUDGE AND THE ALTERNATE JUDGE SHALL COORDINATE ATTENDANCE  
 2e FOR MEETINGS SO THAT, IF POSSIBLE, AT LEAST ONE IS IN ATTENDANCE AT EACH MEETING. IF  
 2f BOTH JUDGES ARE IN ATTENDANCE AT A MEETING, THE ALTERNATE JUDGE SHALL NOT BE  
 2g COUNTED FOR QUORUM PURPOSES NOR VOTE ON ANY ISSUE BEFORE THE COMMISSION.

3 (2) The terms of the members shall be staggered so that approximately half of the  
 4 commission expires every two years. § THE JUDGES SHALL BE APPOINTED SO THAT THE TERMS  
 4a EXPIRE IN STAGGERED TWO YEAR INCREMENTS.

5 (3) If [the] a judge serving on the commission is disqualified from participating in any  
 6 proceeding, the Judicial Conduct Commission shall select a substitute judge of a trial court of  
 7 record.

8 (4) The Judicial Conduct Commission shall establish guidelines and procedures for the  
 9 disqualification of any member from consideration of any matter.

10 (5) (a) When a vacancy occurs in the membership for any reason, the replacement shall  
 11 be appointed by the appointing authority for the unexpired term.

12 (b) If the appointing authority fails to appoint a replacement, the commissioners who have  
 13 been appointed may act as a commission under all the provisions of this section.

14 (6) Six members of the commission shall constitute a quorum. Any action of a majority  
 15 of the quorum constitutes the action of the commission.

16 (7) (a) (i) Members who are not government employees shall receive no compensation or  
 17 benefits for their services, but may receive per diem and expenses incurred in the performance of  
 18 the member’s official duties at the rates established by the Division of Finance under Sections  
 19 63A-3-106 and 63A-3-107.

20 (ii) Members may decline to receive per diem and expenses for their service.

21 (b) (i) State government officer and employee members who do not receive salary, per  
 22 diem, or expenses from their agency for their service may receive per diem and expenses incurred  
 23 in the performance of their official duties from the commission at the rates established by the  
 24 Division of Finance under Sections 63A-3-106 and 63A-3-107.

25 (ii) State government officer and employee members may decline to receive per diem and  
 26 expenses for their service.

27           (c) Legislators on the committee shall receive compensation and expenses as provided by  
28 law and legislative rule.

29           (d) The chair shall be allowed the actual expenses of secretarial services, the expenses of  
30 services for either a court reporter or a transcriber of electronic tape recordings, and other  
31 necessary administrative expenses incurred in the performance of the duties of the commission.

- 1           (8) Upon a majority vote of the quorum, the commission may:
- 2           (a) employ a director, legal counsel, investigators, and other staff to assist the commission;
- 3   and
- 4           (b) incur other reasonable and necessary expenses within the authorized budget of the
- 5   commission and consistent with the duties of the commission.

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**Legislative Review Note**  
**as of 12-22-97 12:31 PM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**