

1 (e) [~~one judge~~] two judges of a trial court of record, to be selected by the nonjudicial
2 members of the Judicial Conduct Commission for a four-year term.

3 (2) The terms of the members shall be staggered so that approximately half of the
4 commission expires every two years.

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.

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

Office of Legislative Research and General Counsel