

PETE SUAZO ATHLETIC COMMISSION

AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gregory H. Hughes

Senate Sponsor: _____

LONG TITLE

General Description:

This bill makes changes to the membership of the Pete Suazo Utah Athletic Commission.

Highlighted Provisions:

This bill:

- ▶ expands the membership of the Pete Suazo Utah Athletic Commission by two members;
- ▶ allows the speaker of the House of Representatives and the president of the Senate to appoint the additional members; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

13-33-201, as last amended by Chapter 9, Laws of Utah 2001, Second Special Session

Be it enacted by the Legislature of the state of Utah:



Section 1. Section **13-33-201** is amended to read:

13-33-201. Commission -- Creation -- Appointments -- Terms -- Expenses --

Quorum.

(1) There is created within the Department of Commerce the Pete Suazo Utah Athletic Commission consisting of ~~[five]~~ seven members~~[-]~~ as follows:

~~[(2)]~~ (a) ~~[The]~~ five commission members shall be appointed by the executive director~~[-]~~;

(b) one commission member, who may not be a legislator, shall be appointed by the speaker of the House of Representatives; and

(c) one commission member, who may not be a legislator, shall be appointed by the president of the Senate.

~~[(b)]~~ (2) (a) The commission members may not be licensees under this chapter.

~~[(c)]~~ (b) The names of all persons appointed to the commission shall be submitted to the governor for confirmation or rejection.

(3) (a) Except as required by Subsection (3)(b), as terms of current members expire, the executive director, speaker of the House of Representatives, or president of the Senate, respectively, shall appoint each new member or reappointed member to a four-year term.

(b) Notwithstanding the requirements of Subsection (3)(a), the executive director, speaker of the House of Representatives, and president of the Senate shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of members are staggered so that approximately half of the commission is appointed every two years.

(c) A member may not serve more than two consecutive terms, and a member who ceases to serve on the commission may not serve again on the commission until after the expiration of a two-year period beginning from that cessation of service.

(d) (i) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(ii) After filling that term, the replacement member may be appointed for only one additional full term.

(e) If a commission member fails or refuses to fulfill the responsibilities and duties of a commission member, including the attendance at commission meetings, the executive director, with the approval of the commission, may remove the commission member and the executive

59 director, speaker of the House of Representatives, or president of the Senate, respectively, shall
60 replace the member in accordance with this section.

61 (4) A majority of the commission members constitutes a quorum. A quorum is
62 sufficient authority for the commission to act.

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

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

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

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

74 (6) The commission shall annually designate one of its members to serve as chair for a
75 one-year period.

Legislative Review Note

as of 2-6-06 3:22 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note**Pete Suazo Athletic Commission Amendments***13-Feb-06***Bill Number HB0460***5:40 PM*

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst