

2nd Sub. S.J.R. 3

JOINT RESOLUTION ON ETHICS COMPLAINT PROCEDURES

HOUSE FLOOR AMENDMENTS

AMENDMENT 5

MARCH 3, 2010 11:27 AM

Representative **David Litvack** proposes the following amendments:

1. *Page 28, Lines 849 through 852:*

849 (2) (a) The chair of the commission shall conduct the deliberations.

850 (b) Upon a motion made **by** a commission member, the commission may exclude

851 commission staff from all or a portion of the deliberations by a majority vote of the

852 commission.

2. *Page 29, Lines 870 through 883:*

870 (1) If the commission determines that no allegations in the complaint were proved, the
871 commission shall:

872 (a) issue and enter into the record an order that the complaint is dismissed because no
873 allegations in the complaint were found to have been proved;

874 (b) classify all recordings, testimony, evidence, orders, findings, and other records
875 directly relating to the meetings authorized by this part as private records under Section
876 63G-2-302;

877 (c) provide notice of the determination, in a manner determined by a majority vote of
878 the commission, to:

879 (i) the respondent; ~~{and}~~

880 (ii) the first complainant named on the complaint; and _

(iii) the chair and vice chair of the Senate Ethics Committee, if the respondent is a Senator, or the chair and vice chair of the House Ethics Committee, if the respondent is a Representative; and

881 (d) provide notice to ~~{a}~~ **each** person named in Subsection (1)(c) that, under the provisions of
882 JR6-3-102 and other provisions of this title, a person who discloses the findings of the
883 commission **in violation of any provision of this chapter** is in contempt of the Legislature and is subject to
penalties for contempt.

3. *Page 37, Lines 1120 through 1121:*

1120 (C) if the allegation was not ~~{found not}~~ **found** to have been proven, orders that the allegation
1121 be dismissed; and