

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR HUGHES

TO: SB 14

1 Page 1, lines 1 - 2:

2 Delete "court of appeals and the district court"

3 Insert "supreme court, court of appeals, superior court, and district court,"

4

5 Page 1, line 3, following "council;":

6 Insert "and"

7

8 Page 1, lines 3 - 4:

9 Delete "; and relating to retention or rejection of a judicial officer"

10

11 Page 4, following line 10:

12 Insert a new bill section to read:

13 **\*\* Sec. 10.** AS 22.05.080(b) is amended to read:

14 (b) The office of a supreme court justice, including the office of chief justice,  
15 becomes vacant 90 days after the election at which the justice is rejected by a majority  
16 of those voting on the question or for which the justice fails to file a declaration of  
17 candidacy. Upon the occurrence of (1) an actual vacancy; (2) the certification of  
18 rejection following an election; or (3) the election following failure of a justice to file  
19 a declaration of candidacy, the judicial council shall, within 30 days, submit to the  
20 Commission on Judicial Conduct the names of applicants whom the judicial  
21 council will consider for nomination so that the Commission on Judicial Conduct  
22 may complete its review under AS 22.30.011(i) and, [MEET] within 90 days, meet  
23 and submit to the governor the names of two or more persons qualified for the judicial

1 office for whom the Commission on Judicial Conduct has completed its review  
 2 under AS 23.30.011(i); [EXCEPT THAT] this 90-day period may be extended by the  
 3 council with the concurrence of the supreme court. In the event of an impending  
 4 vacancy other than by reason of rejection or failure to file a declaration of candidacy,  
 5 the council may, at any time within the 90-day period immediately preceding the  
 6 effective date of the vacancy, submit to the Commission on Judicial Conduct the  
 7 names of applicants whom the judicial council will consider for nomination so  
 8 that the Commission on Judicial Conduct may complete its review under  
 9 AS 22.30.011(i), meet, [AT ANY TIME WITHIN THE 90-DAY PERIOD  
 10 IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THE VACANCY] and  
 11 submit to the governor the names of two or more persons qualified for the judicial  
 12 office for whom the Commission on Judicial Conduct has completed its review  
 13 under AS 23.30.011(i)."

14  
 15 Renumber the following bill sections accordingly.

16  
 17 Page 5, line 24:

18 Delete "meet within 90 days"

19 Insert "within 30 days, submit to the Commission on Judicial Conduct the names  
 20 of applicants whom the judicial council will consider for nomination so that the  
 21 Commission on Judicial Conduct may complete its review under AS 22.30.011(i) and,  
 22 [MEET] within 90 days, meet"

23  
 24 Page 5, line 25, following "office":

25 Insert "for whom the Commission on Judicial Conduct has completed its review  
 26 under AS 22.30.011(i)"

27  
 28 Page 5, line 28:

29 Delete "meet"

30 Insert ", [MEET]"

31

1 Page 5, line 29, following "vacancy":

2 Insert "submit to the Commission on Judicial Conduct the names of applicants  
3 the judicial council will consider for nomination so that the Commission on Judicial  
4 Conduct may complete its review under AS 22.30.011(i), meet,"

5

6 Page 5, line 30, following "office":

7 Insert "for whom the Commission on Judicial Conduct has completed its review  
8 under AS 23.30.011(i)."

9

10 Page 6, line 3:

11 Delete ":"

12 Insert "."

13

14 Page 6, following line 3:

15 Insert a new bill section to read:

16 "\*\* Sec. 14. AS 22.10.100(b) is amended to read:

17 (b) The office of a superior court judge becomes vacant 90 days after the  
18 election at which the judge is rejected by a majority of those voting on the question or  
19 for which the judge fails to file a declaration of candidacy. Upon the occurrence of (1)  
20 an actual vacancy; (2) the certification of rejection following an election; or (3) the  
21 election following failure of a judge to file a declaration of candidacy, the judicial  
22 council shall, within 30 days, submit to the Commission on Judicial Conduct the  
23 names of applicants whom the judicial council will consider for nomination so  
24 that the Commission on Judicial Conduct may complete its review under  
25 AS 22.30.011(i) and, [MEET] within 90 days, meet and submit to the governor the  
26 names of two or more persons qualified for the judicial office for whom the  
27 Commission on Judicial Conduct has completed its review under AS 23.30.011(i);  
28 [EXCEPT THAT] this 90-day period may be extended by the council with the  
29 concurrence of the supreme court. In the event of an impending vacancy other than by  
30 reason of rejection or failure to file a declaration of candidacy, the council may,  
31 [MEET] at any time within the 90-day period immediately preceding the effective date

1 of the vacancy, submit to the Commission on Judicial Conduct the names of  
 2 applicants the judicial council will consider for nomination so that the  
 3 Commission on Judicial Conduct may complete its review under AS 22.30.011(i),  
 4 meet, and submit to the governor the names of two or more persons qualified for the  
 5 judicial office for whom the Commission on Judicial Conduct has completed its  
 6 review under AS 23.30.011(i)."

7  
 8 Renumber the following bill sections accordingly.

9  
 10 Page 7, line 6:

11 Delete "meet"

12 Insert "within 30 days, submit to the Commission on Judicial Conduct the names  
 13 of applicants whom the judicial council will consider for nomination so that the  
 14 Commission on Judicial Conduct may complete its review under AS 22.30.011(i) and,  
 15 [MEET]"

16  
 17 Page 7, line 7, following "days":

18 Insert "meet"

19  
 20 Page 7, line 8:

21 Delete "; except that"

22 Insert "for whom the Commission on Judicial Conduct has completed its review  
 23 under AS 22.30.011(i); [EXCEPT THAT]"

24  
 25 Page 7, line 11:

26 Delete "meet"

27 Insert ", [MEET]"

28  
 29 Page 7, line 12, following "vacancy":

30 Insert "submit to the Commission on Judicial Conduct the names of applicants  
 31 whom the judicial council will consider for nomination so that the Commission on

1 **Judicial Conduct may complete its review under AS 22.30.011(i), meet, and"**

2

3 Page 7, line 13, following "**position**":

4 Insert "**for whom the Commission on Judicial Conduct has completed its review**  
5 **under AS 23.30.011(i)**"

6

7 Page 9, following line 21:

8 Insert a new section to read:

9 "**Sec. 25.** AS 22.30.011 is amended by adding a new subsection to read:

10 (i) The commission shall conduct an ethics review of each applicant for  
11 judicial office or magistrate's office submitted to the commission by the judicial  
12 council under AS 22.05.080, AS 22.07.070, AS 22.10.100, and AS 22.15.170 and,  
13 within 30 days after receiving the names of applicants, submit the results of the  
14 commission's review under this subsection to the judicial council."

15

16 Renumber the following bill sections accordingly.