

See Judicial 3/21
Amend per 5/4/91 Do. Case 5/28 (p. 1125)

FILED MAR 2 1988

SENATE FILE 2257
BY COMMITTEE ON JUDICIARY
Approved (p. 537)
(formerly SSB 2104)

Passed Senate, Date 3-18-88 (p 901) Passed House, Date 3/30/88 (p. 1241)
Vote: Ayes 44 Nays 3 Vote: Ayes 90 Nays 0

Approved April 26, 1988
Repassed Senat. 4/7/88 (p. 1315)
42-3

A BILL FOR

- 1 An Act relating to expenses and compensation for the state
- 2 judicial nominating commission.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

FILED MAR 8 1988

STATE OF IOWA

FISCAL NOTE

LSB No. 7426S
Staff ID. BAL

REQ. BY SENATOR DOYLE

SENATE FILE 2257

In compliance with a written request received March 4, 1988, a fiscal note for **SENATE FILE 2257** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2257 provides that members of the State Judicial Nominating Commission and the District Judicial Nominating Commissions are entitled to receive reimbursement for expenses incurred and \$40 per diem when in the performance of their duties.

Assumption

There will be one meeting per vacancy.

Fiscal Effect

Using a three year average, the cost of this proposed legislation would range between a minimum of \$7,639 and a maximum of \$15,278 per year. Using a five year average, the cost would range between \$5,397 and \$10,974 per year. Costs are a function of how many vacancies occur in a given year.

Source: Judicial Department

(LSB 7426S, BAL)

Dennis A. Prouty
Fiscal Director
Legislative Fiscal Bureau
Date: 3/7/88

LSB 7426S 12

mj/sc/14

1 Section 1. NEW SECTION. 46.26 JUDICIAL NOMINATING
2 COMMISSION EXPENSES AND COMPENSATION.

59493 Members of the state judicial nominating commission and the
4 district judicial nominating commissions are entitled to be
5 reimbursed for actual and necessary expenses incurred in the
6 performance of their duties as commissioners and are entitled
7 to forty dollars per diem for each day spent attending
8 commission meetings or training sessions called by the
9 chairperson. Expenses and compensation shall be paid from
10 funds appropriated to the judicial department for this
11 purpose.

12 EXPLANATION

13 This bill provides that members of the state judicial
14 nominating commission and the district judicial nominating
15 commissions are entitled to receive reimbursement for expenses
16 incurred and forty dollars per diem when in the performance of
17 their duties.

18 SUCCESSOR TO SSB 2104 (LSB 7426DS)

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SSB 2104

JUDICIARY: Carr, Chair; Varn and Fuhrman

Carr, Ch.
Varn
Fuhrman

SSB 2104
JUDICIARY

None

SENATE FILE 2257
BY (PROPOSED JUDICIAL
DEPARTMENT BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to expenses and compensation for the state
2 judicial nominating commission.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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4 district judicial nominating commissions are entitled to be
5 reimbursed for actual and necessary expenses incurred in the
6 performance of their duties as commissioners and are entitled
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8 commission meetings or training sessions called by the
9 chairperson. Expenses and compensation shall be paid from
10 funds appropriated to the judicial department for this
11 purpose.

12 EXPLANATION

13 This bill provides that members of the state judicial
14 nominating commission and the district judicial nominating
15 commissions are entitled to receive reimbursement for expenses
16 incurred and forty dollars per diem when in the performance of
17 their duties.

18 BACKGROUND STATEMENT

19 SUBMITTED BY THE AGENCY

20 Judicial nominating commissioners perform their duties
21 without compensation, at their own expense. Each commissioner
22 dedicates his or her spare time to researching the applicable
23 law, policies, guidelines, current literature as to commission
24 operation and allocating additional time for interviewing,
25 reviewing applications, checking references and attending
26 commission meetings where policies are discussed, applicants
27 are interviewed and nominees are selected. While there has
28 been every indication that most commissioners are dedicated to
29 these tasks, the judicial selection process is large enough
30 and significant enough to merit regular funding by the state.

31 A per diem would allow persons who could not otherwise
32 afford it, to serve as commissioners and would encourage
33 commissioners to spend more time in the deliberation process.

34 . COMPANION TO LSB 7425DH

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LSB 7426DS 72

HOUSE AMENDMENT TO
SENATE FILE 2257

S-5734

- 1 Amend Senate File 2257 as passed, by the Senate as
2 follows:
3 1. Page 1, lines 6 and 7 by striking the words
4 "and are entitled to forty dollars per diem".
5 2. Page 1, line 9, by striking the words "and
6 compensation".
7 3. Title page, line 1, by striking the words "and
8 compensation".

S-5734

Filed April 4, 1988

Senate concurred 4/7 (p. 1215)

RECEIVED FROM THE HOUSE

SENATE FILE 2257

H-5949

- 1 Amend Senate File 2257 as passed, by the Senate as
 2 follows:
 3 1. Page 1, lines 6 and 7 by striking the words
 4 "and are entitled to forty dollars per diem".
 5 2. Page 1, line 9, by striking the words "and
 6 compensation".
 7 3. Title page, line 1, by striking the words "and
 8 compensation".

By COMMITTEE ON JUDICIARY AND
 LAW ENFORCEMENT
 JAY of Appanoose, Chairperson

H-5949 FILED MARCH 28, 1988

Adopted 3/30 (p. 1241)

SENATE FILE 2257
 AMENDMENT H-5949
 FISCAL NOTE

In compliance with a written request received March 30, 1988, a fiscal note for AMENDMENT H-5949 TO SENATE FILE 2257 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2257 provides that members of the State Judicial Nominating Commission and the District Judicial Nominating Commissions are entitled to receive reimbursement for expenses incurred and \$40 per diem when in the performance of their duties.

Amendment H-5949 strikes the \$40 per diem.

Assumption

There will be one meeting per vacancy.

Fiscal Effect

Using a three year average, Amendment H-5949 reduces expenses by \$4,272 to \$8,544. Total cost, using a three year average, would range between \$3,367 to \$6,734. Using a five year average, Amendment H-5949 reduces expenses by \$2,944 to \$5,888. Total cost, using a five year average, would range between \$2,453 to \$5,086. Costs are a function of how many vacancies occur in a given year.

Source: Judicial Department

(LSB 7426~~s~~, 2, BAL)

FILED MARCH 30, 1988

BY DENNIS PROUTY, FISCAL DIRECTOR

called by the chairperson. Expenses shall be paid from funds appropriated to the judicial department for this purpose.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

SENATE FILE 2257

AN ACT

RELATING TO EXPENSES FOR THE STATE JUDICIAL NOMINATING
COMMISSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 46.26 JUDICIAL NOMINATING
COMMISSION EXPENSES AND COMPENSATION.

Members of the state judicial nominating commission and the district judicial nominating commissions are entitled to be reimbursed for actual and necessary expenses incurred in the performance of their duties as commissioners for each day spent attending commission meetings or training sessions

I hereby certify that this bill originated in the Senate and is known as Senate File 2257, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved  1988

TERRY E. BRANSTAD
Governor

SF 2257