

(2) At the end of a term, a commissioner continues to serve until a successor is appointed and qualifies.

(3) A commissioner who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(e) (1) With the approval of the Governor, the Secretary may remove a commissioner for disability, neglect of duty, or misconduct in office.

(2) Before removing a commissioner, the Secretary shall:

(i) give the commissioner written notice of the charges against the commissioner; and

(ii) hold a public hearing on the charges.

(f) (1) If a commissioner is unable to perform the commissioner's duties because of sickness, incapacity, or disqualification, the Secretary may appoint a hearing examiner to the Commission to perform those duties until that commissioner is able to resume those duties or until a new commissioner is appointed and qualifies.

(2) A hearing examiner appointed under this subsection is entitled to the same compensation as a commissioner.

(3) A hearing examiner appointed under this subsection may not participate in a proceeding before the Commission in which the hearing examiner participated as a hearing examiner.

(g) With the approval of the Governor, the Secretary shall designate a chairperson of the Commission from among its members.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.