

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: Quote again the language that you say will come out again in the legislative recommendation.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: It will provide that the General Assembly shall provide by law for a conflict of interest statute, a code of ethics under regulation of conflict of interest but just for all elected officials of the state, to which, I assume, this would not apply.

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: I agree, it would not.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: Therefore, my question is, do you contemplate some conflict of interest covering the activities of these commissions?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: It has not occurred to us, other than their possible interest in department as members of the judiciary. We have attempted to provide against that for the reasons recommended.

THE CHAIRMAN: Delegate Gleason, if the Chair understands your inquiry, would that not be a question for the legislature as to whether it wished to extend the conflict of interest statute to commissions such as this? Delegate Gleason.

DELEGATE GLEASON: As the Chairman knows, the prerogatives of the legislature are pretty well restricted under this provision and I am not sure whether that general legislative power could cover such a commission.

THE CHAIRMAN: I understand.

Are there any further questions? Are there any further amendments to section 5.20? The Chair hears none.

There is an amendment to Section—Delegate Carson.

DELEGATE CARSON: Mr. Chairman, I apologize for the lateness but I do intend to offer an amendment to 5.20, which will have the effect of forbidding any person who is in paid public service of any type, whether public office or not, from serving on one of these commissions. I will draft it now and put it in. I do not have the exact language.

THE CHAIRMAN: We will pass on and come back to it then.

DELEGATE CARSON: That is agreeable.

THE CHAIRMAN: There is an amendment to section 5.21 in the process of being printed. We will have to come back to it when it is received.

Delegate Johnson, did you propose to offer your amendment U to section 5.21?

DELEGATE JOHNSON: No, Mr. Chairman. If we can straighten out the retitling of amendment CY, so that it will conform to the wishes of the minority.

THE CHAIRMAN: We will pass that and come back to it.

Delegate Byrnes, do you propose to offer your amendment HA?

DELEGATE BYRNES: Mr. Chairman, that has been withdrawn.

THE CHAIRMAN: Delegate Schloeder, you had exactly the same amendment, BQ. Is yours also withdrawn?

DELEGATE SCHLOEDER: Mr. Chairman, I would just like a clarification. I would be very happy to withdraw it, if it has been made very clear in the record, as I understood it from Chairman Mudd, that this amendment would simply add the words "concerning any judge who has decided to seek election." Only those judges who would decide to seek reelection would have to have a public poll taken.

THE CHAIRMAN: Delegate Mudd, the proposed amendment would have added in line 50, after the word "thereof" the words "concerning any judge who has decided to seek election".

In other words, the secret poll would be conducted and the results published only as to a judge who had decided to seek election. Delegate Schloeder would like assurance from you that without the amendment that is the effect of the section anyhow.

DELEGATE MUDD: I would like to confirm that that is my interpretation of the section. Any judge deciding not to seek reelection could very easily prevent the poll from being taken, if that were his choice.

THE CHAIRMAN: Delegate Schloeder.

DELEGATE SCHLOEDER: With that understanding, I will withdraw the amendment.

THE CHAIRMAN: Thank you.