

MINUTES  
**HOUSE WAYS & MEANS COMMITTEE**

**DATE:** Wednesday, March 16, 2022

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Amador, Representatives Moyle, Monks, Blanksma, Rubel, Necochea, Toone

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained in the Committee Secretary's office; following the end of the session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Amador** called the meeting to order at 1:38 p.m.

**RS 29849:** **Rep. Chaney** introduced **RS 29849** and noted that this legislation would be given a full hearing in the Judiciary and Rules committee the following day. Rep. Chaney reviewed important sections including changes to the way the members of the Judicial Council are chosen. The judicial members would be selected by the Supreme Court, the non-judicial attorney members would be appointed by the Governor from a list of three from the Idaho State Bar, and there would be no change to the manner of approving public members. It changes the membership from seven members to eleven members to add a magistrate judge as a member of the Council, changes the number of non-judicial attorney members to four with requirements for diversity and parity among practice areas, and increases the number of non-attorney members to four. This legislation also allows the Governor to reject a slate of nominees provided by the Judicial Council to fill a judicial vacancy. Rep. Chaney stated that this was a compromise; the Idaho State Bar would select the candidates and the Governor would weigh-in. The rationale behind this was attributed to having some accountability to the public. The number of attorneys going from two to four in different disciplines is an attempt to bring balance to the council.

Other significant sections include a five year requirement of practicing law and a good faith effort to solicit feedback. It allows applicants to see survey comments which are solicited from Idaho State Bar members and the public, which previously were withheld from applicants, but provides that comments are not public. This legislation assures that those who are selected from a designated practice area are truly of that practice area; the goal is to appoint a neutral judiciary. It also allows for more transparency but in a way that does not fully expose any unsubstantiated comment. Comments and ranking will be confidential but a summary for the three chosen candidates will be available to the public. Applicants can request their feedback ahead of time and be prepared to answer to comments.

**MOTION:** **Rep. Monks** made a motion to introduce **RS 29849**.

**Rep. Rubel** questioned the sponsor on what appears to be a major move of power to the Governor, while there is an interim committee in process to do this work. She questioned the sweeping nature and rushed time line of the legislation. **Rep. Chaney** suggested this is only an option. Rep. Rubel expressed concern for the past deadline, and said she would like input from the interim committee before introducing this.

**Rep. Blanksma** noted a typo in the SOP regarding the number eight be changed to eleven.

**VOTE ON  
MOTION:**

**Motion carried by voice vote. Reps. Toone, Rubel and Necochea** requested to be recorded as voting **NAY**.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 1:48 p.m.

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Representative Amador  
Chair

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Beth Norton  
Secretary