

MINUTES
HOUSE LOCAL GOVERNMENT COMMITTEE

DATE: Wednesday, February 08, 2023

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Ehardt, Vice Chairman Kingsley, Representatives Clow, Erickson, Skaug, Weber, Alfieri, Cheatum, Cornilles, Dixon(24), Hawkins, Healey (Galloway), Price, Wroten, Berch, Green, Galaviz

**ABSENT/
EXCUSED:** Rep. Skaug

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

Chairman Ehardt called the meeting into order at 1:32 PM.

RS 30209: **Rep. Dixon (1)** presented **RS 30209**, and discussed what led to the creation of this proposed legislation. Following the state of Oregon's legislation prohibitions on utility connections, he explained this legislation is a preemptive measure.

MOTION: **Rep. Weber** made a motion to introduce **RS 30209**.

When answering questions, **Rep. Dixon (1)** clarified he would provide detailed answers to committee members's questions at the hearing for the bill.

VOTE ON MOTION: **Chairman Ehardt** called for a vote on the motion to introduce **RS 30209**. **Motion carried by voice vote.**

H 89: **Rep. Cheatum** presented **H 89**, and said this legislation will help fill vacant seats on city councils when there is not a quorum, as well as provide more local control of the process for filling vacant city council seats. For city governments that operate differently from the traditional mayor system, this legislation would not negatively affect them.

Chairman Ehardt put the Committee at ease at 1:40 PM due to technical difficulties.

The Committee reconvened at 1:43 PM.

When answering questions, **Rep. Cheatum** clarified how the terms "appointment" and "nomination" were used in **H 89** and the current nomination process. Currently Idaho Code, Section 50-704 defines the process for replacing city council members if there is a quorum. If the number of vacant seats prevent a quorum, Section 50-912, an obscure part of Idaho Code, allows the Governor of Idaho to resolve the matter of appointing individuals to the vacant seats. In a situation a city council can not have a quorum due to vacant seats, this bill aims to keep the process as local as possible. If the process in the legislation fails to resolve the situation, the governor will still have the authority stated in Section 50-912.

Chairman Ehardt and **Rep. Cheatum** discussed the situation involving the city council of Pocatello that led to the creation of **H 89**. The legislation would allow the governor to appoint individuals to fill vacant seats until there are enough council members to have a quorum, which would allow the city council to begin the process of filling the remaining vacant seats.

MOTION: **Rep. Berch** made a motion to send **H 89** to the floor with a **DO PASS** recommendation.

Chairman Ehardt asked if there was any testimony from the audience for **H 89**, which there was none.

**VOTE ON
MOTION:**

Chairman Ehardt called for a vote on the motion to send **H 89** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.**

ADJOURN:

There being no further business to come before the Committee, the meeting adjourned at 1:51 PM.

Representative Ehardt
Chair

Elijah Phipps
Secretary