

FEB 7 1996  
STATE GOVERNMENT

HOUSE FILE 2172  
BY VANDE HOEF

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to eligible voters on a judicial nominating  
2 commission.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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HF 2172

1 Section 1. Section 46.14, Code 1995, is amended to read as  
2 follows:

3 46.14 NOMINATION.

4 Each judicial nominating commission shall carefully  
5 consider the individuals available for judge, and within sixty  
6 days after receiving notice of a vacancy shall certify to the  
7 governor and the chief justice the proper number of nominees,  
8 in alphabetical order. Such nominees shall be chosen by the  
9 affirmative vote of a majority of the full statutory number of  
10 commissioners upon the basis of their qualifications and  
11 without regard to political affiliation. However, the  
12 chairperson of a judicial nominating commission shall not be  
13 allowed to vote. Nominees shall be members of the bar of  
14 Iowa, shall be residents of the state or district of the court  
15 to which they are nominated, and shall be of such age that  
16 they will be able to serve an initial and one regular term of  
17 office to which they are nominated before reaching the age of  
18 seventy-two years. Nominees for district judge shall file a  
19 certified application form, to be provided by the supreme  
20 court, with the chairperson of the district judicial  
21 nominating commission. No person shall be eligible for  
22 nomination by a commission as judge during the term for which  
23 the person was elected or appointed to that commission.  
24 Absence of a commissioner or vacancy upon the commission shall  
25 not invalidate a nomination. The chairperson of the  
26 commission shall promptly certify the names of the nominees,  
27 in alphabetical order, to the governor and the chief justice.

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#### EXPLANATION

29 This bill provides that the chairperson of a judicial  
30 nominating commission is not allowed to vote on the  
31 nominations to fill a vacancy for a judge. Under current law,  
32 the chairperson of a judicial nominating commission for a  
33 district court judge is the judge of longest service within  
34 that district; for a supreme court judge, the judge of longest  
35 service on the supreme court.