

Fiscal tightwad Hoffman should write a check

By Marty Trillhaase of the Tribune

Funny, isn't it, how some of the biggest fiscal tightwads have no difficulty spending your tax dollars when it's something they want.

This time, it's Wayne Hoffman, executive director of the Idaho Freedom Foundation.

Last year, Hoffman bemoaned the Democratic Congress back-filling almost half of the \$128 million Idaho lawmakers cut from public schools.

"Ultimately, taxpayers lose when schools start putting back into their budget expenditures that they reasonably concluded they could live without," he wrote. "... Now, schools have once again been relieved of the pressure to make sensible changes."

It was Hoffman who said Idaho Public Television is nice enough, but it's not within the "proper role of government," and ought to be cut. "The more important question is, in the case of Idaho Public Television, do we feel comfortable taking money away from the people who earned it in order to give it to the government so that the government can bring us all 'Sesame Street'?"

And Hoffman championed depriving Idaho's retired public employees of a meager 1 percent cost-of-living increase because it cost too much.

"Forcing taxpayers to subsidize employee retirement programs to the tune of 10.4 percent of public payrolls is unsustainable," he wrote.

Yet it is Hoffman above all others who wanted the state to burn through potentially hundreds of thousands of dollars in legal fees to defend his quixotic notion of nullification.

Hoffman is the lead cheerleader for the otherwise discredited concept that Idaho can declare an act of Congress unconstitutional. Until the Senate State Affairs Committee nixed it Friday, Idaho was on track to nullify a federal requirement that people buy health insurance.

Never mind that the U.S. Supreme Court, dating all the way back to Chief Justice John Marshall, has rejected the idea that the states are autonomous. There is one law of the land. It is the Constitution and it gives supreme authority to the federal government.

Never mind that a string of constitutional scholars, including David Adler, director of the James A. and Louise McClure Center for Public Policy Research at the University of Idaho, maintain nullification and its offspring, secession, was settled by the union's victory in the Civil War.

Never mind that Idaho Attorney General Lawrence Wasden and his assistant Chief Deputy Brian Kane found the nullification argument so riddled with holes that they suggested a state legislator who supported it would be violating his oath of office to "support" the Constitution.

Hoffman and nullification guru, author Thomas E. Woods Jr., insist the lawyers, scholars and historians are wrong.

Presumably, they won't stop. They might try nullifying wolf recovery or the Endangered Species Act. It might pass.

Then who will stand up in court?

Maybe Wasden. Maybe not. The attorney general doesn't defend laws he deems illegitimate and Wasden's office already has raised two challenges to the measure. Besides, he just told the legislative budget-writing committee that his complement of 207 staffers is still 26 people short, due to budget problems.

If Wasden farms this job out to a private attorney, the state is on the hook for at least \$250 an hour. Idaho can't maintain its programs and won't raise taxes. That kind of money must come from somewhere.

How about the next time Hoffman pushes a nullification bill, he first offers to put up a bond to cover any legal fees Idaho incurs defending it?

Certainly someone so devoted to keeping government spending within limits wouldn't mind. - M.T.