

## **Idaho legislators ethical, but ...**

*Randy Stapilus/Ridenbaugh Press*

As Idaho legislators come into session with, for the first time, a review on the table of how legislative ethics are managed, they needn't re-invent the wheel: They could grab one lying on the ground nearby, and modify to Gem State purposes.

Most of the 50 states have gone much further than Idaho is setting up some form of standard approach for overseeing legislator ethics, and they've tended not to be as controversial as you might think.

Among Idaho legislators, the whole subject often is taken personally: Of course I can be trusted. Arguments for ethical oversight usually are taken as personally insulting. They shouldn't be. Taken as a whole, and over time, Idaho's legislature has been generally clean, serious ethical breaches usually ranking low among its various faults.

But no group of people is perfect, which is why Idaho has, for example, a process for reviewing performance and possible ethical problems on the part of judges, a group that mostly holds itself to strong standards but now and again will find a less-than-worthy member in its ranks.

The National Conference of State Legislatures, the professional organization that tracks legislative activities around the country, notes that all state legislatures have some means for internally reviewing legislator problems (or, problem legislators?), but that 41 states also have ethics commissions. Idaho is one of the few without one. Wyoming is the only other state in the region that has none.

Washington state has the State Legislative Ethics Board, which meets monthly and hears concerns about legislators. Oregon has the Government Ethics Commission, which reviews the legislature among other agencies. Nevada has two agencies that oversee the legislature from different angles, the Commission on Ethics and the Nevada Legislative Counsel Bureau. Utah has the Independent Legislative Ethics Commission. In Montana, there's the Commissioner of Political Practices.

Much of what they do isn't in the realm of specifically passing judgment on cases. The Washington board, for example, regularly considers not only "complaint opinions," when someone has a problem with a legislator, but also "advisory opinions," in which legislators (or sometimes others) can inquire about whether doing a particular thing is unethical or not. Call it a reality check.

In none of them is the amount of traffic massively high, and only occasionally do they pop up into news reports; many of the issues they deal with are handled quietly – not under the table, but in negotiation. Sometimes it happens that a legislator wasn't aware of what the rules are. (Idaho recently made a good move in correcting that, for the first time ever during this cycle, by holding an ethics seminar in advance of the session.) Sometimes a stubborn legislator just needed a little persuading. Sometimes a legislator has moved, maybe unawares, into a gray area, and needs a

little nudging. These agencies probably do a lot of good turns for legislators who might have headed off a legal cliff, but were stopped, or at least slowed, before they got there.

To Idaho legislators who take some offense at the idea of needing some kind of external ethics oversight, the simplest response might be: We can all use some good counsel now and then.

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