

# Much soul-searching over 'guns on campus'

## *Lawmakers describe inner turmoil over passage of new law*

**William L. Spence/Lewiston Tribune**

BOISE - The ink is barely dry on the "guns on campus" bill, but resentment over the legislation may last considerably longer.

Gov. C.L. (Butch) Otter signed the measure Wednesday afternoon, a week after it passed the House on a 50-19 vote.

Given that almost no one was advocating for a change in campus firearm policies, even strong Second Amendment supporters question why it was brought forward. It dropped a politically difficult vote on relatively few legislators, putting those with college and university campuses in their districts in no-win situations. Many of their rural colleagues were handed an ideologically safe opportunity to burnish their conservative chops.

"We were really mad about it," said Rep. Thyra Stevenson, R-Lewiston. "Not a lot of lawmakers have districts with universities. It seems like (those that don't) were tone deaf to some of the concerns I felt it was a very divisive bill. It focused on something we really didn't need to focus on."

The measure was pushed by the National Rifle Association, which described it as an effort to improve campus safety. It exempts retired law enforcement officers and people who have enhanced concealed carry permits from regulations prohibiting firearms from college and university campuses. Even permit holders, though, can be banned from bringing firearms into dorm rooms, residence halls or venues that seat more than 1,000 people.

Moscow Rep. Cindy Agidius, who represents Latah and Benewah counties, was incensed that the Legislature had to deal with the bill.

"When Idaho is the most gun-friendly state in the nation, why is the NRA sticking this in our faces as a litmus test? It wasn't necessary," she said.

Agidius was at a funeral last week and missed the bill vote. She's the only legislator who didn't go on record regarding her position.

When asked, Agidius said she "probably should" issue a statement clarifying how she would have voted. The problem is she still isn't sure.

"You have no idea how conflicted I was," she said. "One part of the district (Benewah County) was very much in favor of it, and philosophically I support the Second Amendment, but there are places where guns aren't appropriate."

Like Stevenson, Agidius felt the bill was poorly written. For example, it arbitrarily prohibits firearms from venues that seat 1,000 or more people, but fails to address tailgate parties or other outdoor events. It also isn't clear if the residence hall restriction applies to all sororities and fraternities.

"I spent a lot of time with the bill sponsors, trying to close some loopholes," she said. "I knew it would pass if it ever got to the House."

When someone knows they're going to miss a vote, they have the option to "pair" their vote with another lawmaker, so their votes offset. It's a way to have their position recorded, but a pair has to be filled out in writing ahead of time.

"You pair when you think a vote might be close, when it's important to you and when you know it's going to come up (while you're gone)," Agidius said. "Had I known the bill was going to come up, I would have made myself sit in a room and decide how to vote."

Senate Education Committee Chairman John Goedde, R-Coeur d'Alene, one of three Senate Republicans to oppose the measure (along with six House Republicans), was just as conflicted as Agidius.

"I had language to explain my vote either way," Goedde said. "I didn't decide until during the floor debate. In the end, I saw no way putting more firearms on campus made them safer."

Stevenson said she was "waffling until the last minute." She ultimately voted for the measure because people have to be 21 or older to get an enhanced concealed carry permit.

"It's not like we're arming a bunch of 18- and 19-year-olds," she said. "Judging by the information we have, I don't think many people will start carrying."

Her Lewiston colleague, House Minority Leader John Rusche, said he first considered whether prohibiting firearms on college campuses was constitutional. Based on Supreme Court rulings, he decided it was.

"So then it was a policy issue - should it be done," he said. "I listened to the people most intimately involved - the university presidents and students and local police - who all said this was bad policy."

Lewiston Sen. Dan Johnson, another rare Republican to oppose the bill, came to a different constitutional conclusion.

"I studied the issue pretty hard and don't believe the legislation was written to protect Second Amendment rights," he said. "Either we're discussing Second Amendment rights or we aren't. The exclusion (prohibiting firearms in dorm rooms and larger venues) neuters those rights. What's to prevent someone next year from asking for an exclusion for the school library or coffee shop? You gave up your right to object to that when you agreed to the first exclusion."

Sen. Dan Schmidt, D-Moscow, said his no vote will likely hurt him politically in Benewah County, but he felt this was an issue of local control, best handled by the individual colleges and universities.

"I felt comfortable with my vote, and I felt comfortable that there was nothing I could do (to prevent the bill's passage)," he said. "I thought it was political theater, and I don't like that."

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