Goofy law suggests Idaho is hiding something

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We are contemplating the phrase "ripe for review" in U.S. District Judge B. Lynn Winmill's ruling this week allowing a lawsuit to continue that challenges the Idaho Legislature's goofy ag-gag law.

Fortunately, we are not bound by Winmill's comely and judicious vocabulary. We have maintained that the law is misguided, overripe with spoiled-milk special interest meddling and influence that offer a nuclear solution to a conventional trespassing problem.

The Idaho Legislature passed SB 1337 in February. It is now a crime to "interfere with agricultural production" - which carries a stiff penalty. We understand the Legislature was goaded into sending a message to people who might attempt to film actual or staged incidences of abuse. We warned that the activists, civil rights groups and media organizations who filed the lawsuit in March were tenacious and weren't going to go away. The sloppy, unnecessary legislation has the potential to trample over freedom of speech and protected whistleblower actions.

Our interpretation of the Winmill ruling Thursday - he did not dismiss the suit - simply means that our worst fears might yet be realized. Well-funded, media-savvy groups are going to give Idaho free advertising - not the kind leaders want - that ironically will "interfere with agricultural production" in a way that hurts the state's dairy industry reputation.

Since it is an election year, we hope voters will take note of the short-sightedness and overbearing nature of this law and ask the candidates about it.

We did during debate over the bill and during campaigning for the May 20 primary. Sen. Russ Fulcher, who was defeated by Gov. Butch Otter in the Republican primary, grew up in a dairy barn. He voted against the ag-gag law, as did Senate colleagues Bayer, Bock, Rohn, Buckner-Webb, Keough,

McKenzie, Schmidt, Stennett, Ward-Engelking and Werk - a mix of Republicans and Democrats with common sense.

When we asked Rep. Lynn Luker, R-Boise, about his "no" vote in the Idaho House, the Boise attorney said SB 1337 "was unnecessary and counter to our efforts at public defender and criminal justice reform. I believe the issue of concern in 1337 is already covered under our current criminal trespass, malicious injury to property and other laws. I did not think that adding yet another criminal law for a specific group was consistent with the efforts to simplify and consolidate overlapping criminal laws."

There's a chance that the law will be ruled unconstitutional and, thus, moot.

If not, we hope the 23 senators and 56 representatives in Idaho who voted for it will be willing to revisit it and make some tweaks in the 2015 session.

Because right now Idaho is in full ripeness as a state that looks like it has something to hide. And that is not a good place to be.