

# For Otter, IEN becomes a vote of no confidence

**Marty Trillhaase/Lewiston Tribune**

Idaho Gov. C.L. (Butch) Otter had plenty of warning his signature achievement in office, the Idaho Education Network, was in jeopardy.

There was Syringa Network LLC complaining - and then filing a lawsuit - about how Otter's best bud and former Administration Director Mike Gwartney changed the rules in the middle of the bidding process in 2009, steering the contract toward Qwest (now CenturyLink).

Can you imagine former Gov. Cecil Andrus standing pat and at least not looking into Syringa's complaints?

Then there was the Idaho Supreme Court ruling in 2013 that Syringa had a legitimate case and that "Gwartney appears to have been the architect of the state's effort to bend the contracting rules to Qwest's advantage."

Is there any way that former Gov. Phil Batt would not have responded to news like that by picking up the phone and asking for Attorney General Lawrence Wasden's advice - rather than relying on his own private attorneys?

How about a short time later when the Federal Communications Commission followed up on the Supreme Court decision by withholding the payment of e-Rate dollars - which had been covering 75 percent of the \$60 million IEN contract?

Can you envision any scenario where former Gov. Dirk Kempthorne would have allowed Gwartney's successor, Administration Director Teresa Luna, to keep key legislative budget writers in the dark for almost another year - while extending the troubled contract with CenturyLink and Education Services of America until 2019?

There there's last year, when lawmakers were asked to replace the lost federal funds.

How long do you think it would have taken former Gov. Jim Risch to assemble a task force of knowledgeable people both within state government and private industry to map out a strategy?

And finally in November, 4th District Judge Patrick Owen ruled Syringa was right. Gwartney had violated Idaho's procurement rules and thereby voided the IEN contract.

In rapid order, any of Otter's predecessors would have appointed an IEN czar and task force to deal with the mess swirling around him.

Not Otter.

This governor waited another two months - until Owen's second ruling was imminent and unpaid contractors CenturyLink and ENA were about to pull the plug - before he appointed former Sen.

John Goedde, R-Coeur d'Alene, and a task force dominated by Republican lawmakers and his own appointees.

By then, it was too late.

Stung one too many times by bad news, lawmakers turned to Wasden, who told them there is no way to breathe new life into a dead contract.

So in the course of two weeks, key lawmakers essentially closed the books on the old regime and began crafting a contingency to help schools maintain broadband services while the state launches a new IEN contract a year or more down the road.

First they leveled with the schools.

"This is terrible," Senate President Pro Tem Brent Hill, R-Rexburg, told nearly 200 Idaho school board members earlier this week. "We apologize."

Then they transferred the remaining \$3.6 million local schools will need to cover whatever broadband arrangements they can secure for the remainder of the school year from Otter's administration to State Superintendent of Public Instruction Sherri Ybarra.

"It was a matter of confidence. ... The decision really settled on who could best help school districts," said legislative budget committee co-Chairman Dean Cameron, R-Rupert.

That's putting it mildly.

Otter is entering his third term. He's been in public life for more than four decades. He knows everyone in state government, industry and politics.

Lawmakers just handed his pet project over to a political neophyte who has been in office less than two months.

That's more than a simple vote of no confidence.

It's a slap in the face.

By now, don't you think Otter is getting used to it? - M.T.