

Who's in charge?

Marty Trillhaase/Lewiston Tribune

JEERS ... to Idaho Gov. C.L. "Butch" Otter and Secretary of State Lawrence "Boss" Denney. If they won't defend their constitutional authority, who will?

Idaho's executive branch has been abdicating its prerogatives to 105 state lawmakers who are showing less respect toward the courts, cities and counties and even voters.

Case in point: The Legislature's ability to nullify rules and regulations drafted by executive agencies - regardless of what any other governor thinks about it.

The Idaho Supreme Court has given its consent. But nothing stops Otter or future governors from returning to court and asking for another review. Unless lawmakers can imbed their rule-making power within Idaho's constitution.

They attempted doing just that two years ago. But for the first time since 1984, Idaho voters rejected a proposed constitutional amendment.

This year, lawmakers arrogantly put the amendment back on the November ballot.

So what did Otter and Denney say?

Otter urged his fellow constitutional officers on the State Land Board to endorse it.

Added Denney: "I think it's a great idea to put it in the Constitution."

Once again, Otter has passively decided to go along with the Legislature. along. And Denney acts as if he's still sitting in the House speaker's chair.

CHEERS ... to Idaho Attorney General Lawrence Wasden. As the Spokesman-Review's Betsy Russell reported, Wasden spoke up when Otter mentioned endorsing the Legislature's self-serving constitutional amendment at the Land Board meeting.

"I think it's an overreach by the Legislature," he said. "Our state is unique ... in that the Legislature has this power.

"The Legislature presented this matter two years ago for a constitutional amendment, and it failed. And two years later, we're back asking the voters to approve it now?" he said. "I think we should have listened to what the voters said two years ago. It has been provided to the voters, and the voters have rejected this notion that it be embodied in our Constitution."

Wasden's fellow Land Board members followed his advice.

Too bad that doesn't happen more often.

JEERS ... to U.S. Sen. Jim Risch, R-Idaho. It's one thing for the GOP Senate majority to play politics by denying a confirmation hearing and vote to President Barack Obama's Supreme Court nominee, Merrick Garland.

But why does Risch have to pour gasoline on the fire?

Speaking to reporters for McClatchy, Risch said he would refuse to even meet with Garland until the Judiciary Committee votes - which won't happen if the GOP follows its present course.

"The U.S. Supreme Court is very, very political, just like Congress is, just like the president of the United States," Risch said. "People wring their hand and say, 'Oh, that's terrible, you shouldn't bring politics into it.' How do you not bring politics into it?"

That gave White House Press Secretary Josh Earnest the opening he required.

"Just yesterday, we saw Idaho Sen. Jim Risch come out and say that the Supreme Court is very, very political, just like Congress," Earnest said. "Well, the truth is our founding fathers intended a justice system that insulated the Supreme Court and the federal judiciary from day-to-day politics. That's part of why they envisioned lifetime appointments for judges, so that they wouldn't have to run for re-election and they wouldn't face political pressure so intensely, that would allow them to focus on their job of interpreting the law."

All of which would be just another round of political sniping but for this: Risch and fellow Idaho Republican Sen. Mike Crapo are trying to fill Idaho's vacancy on the U.S District Court bench.

Whatever you think of the secretive way they went about nominating 6th District Court Judge David Nye to succeed retired U.S. District Judge Edward Lodge, the fact remains Idaho's federal court is woefully understaffed.

Why go out of your way to pick a public fight with the White House over the Supreme Court when you need Obama's help on the Idaho nomination? Whose interests does that serve?

CHEERS ... to Washington Gov. Jay Inslee. One of the smartest ideas to come out of Washington was giving the state auditor the means to root out waste throughout state government. But it's never been popular with lawmakers, who have periodically tried to raid the auditor's budget.

Then came along Troy Kelley. After he was elected auditor in 2012, federal prosecutors indicted Kelley on money laundering, tax evasion and other financial irregularities involving a real estate business he once operated.

What followed was open season on the auditor's budget. Last year, lawmakers cut \$12.6 million from the funds the auditor's office spends on performance audits.

This year, they tried to take another \$10 million. The cumulative effect was a 74 percent loss in that account - which Deputy Auditor Jan Jutte said would require staff layoffs and short-circuit a review of information technology across state and local government.

Monday, Inslee vetoed that budget cut.

"We think these performance audits have value for the state," Inslee said. "They help us perfect operations. We thought it was important to keep this significant investment in this service."

JEERS ... to Bryan Fischer. The one-time Idaho Senate chaplain who has since used his forum on the American Family Radio network to issue diatribes against gays ("Hitler recruited around him homosexuals to make up his storm troopers.") and Muslims ("There is no spirit of God in Islam. It is the spirit of Satan.") just accused Idaho Gov. Otter of doing the devil's work.

Otter distinguished himself by vetoing Cottonwood Sen. Sheryl Nuxoll's bill to cram the Bible down the throats of Idaho public school students. Said Otter: The measure so clearly violated Idaho's Constitution that he had no other choice.

Last Friday, Fischer lumped Otter with Tennessee Gov. Bill Haslam - who vetoed a measure making the Bible his state's official book - and accused them of cooperating "with the agenda of Satan, who hates the Bible, (who) hates the word of God."

No, Rev. Fischer. The devil did not make Otter do it.

He answered to the rule of law. - M.T.