

Just when things started looking up in Boise

Marty Trillhaase/Lewiston Tribune

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If you've ever wondered what elected representatives and senators can do for their districts during the off-season months, take a look at a couple of examples of good legislative work that came up this week.

First, Rep. Judy Boyle, R-Midvale, heard from property owners in her district that gas and oil industry operators had been taking advantage of them. The 46-page bill she introduced in response last week was the result of months of work with Gov. C.L. "Butch" Otter, Department of Lands Director Tom Schultz, other legislators and, of course, her constituents. If it becomes law, oil and gas operators must gain approval from more royalty property owners in a "spacing unit" and open up more of the citing process to the public.

Next, Rep. Wendy Horman, R-Idaho Falls, prevailed in her proposal to give districts the freedom to use leftover funding after health care expenses at their own discretion. A competing bill would have kept health care expenses as a separate line item. Horman told Clark Corbin of Idaho Education News that "Given there was such a strong opposition to new line items and, in fact, a call to consolidate line items, we decided to find a hybrid way to both identify costs for this year and identify projections as we move forward." Horman's thorough understanding of the myriad ways school districts could use un-earmarked funding and of the state's complicated and overworked system of budgeting - and her goals for fixing it - have paid off again.

Finally, civil asset forfeiture. This one was a rare animal, indeed. Written by Idaho Freedom Foundation-approved conservative Rep. Steven Harris, R-Meridian, and Democratic Rep. Ilana Rubel, Boise, this civil asset forfeiture bill is a much-needed bipartisan "Kumbaya" moment for our state. The bill, which passed the House last week, limits the practice of police confiscating property they suspect may be linked to drug crimes and keeping it without any clear due process for the owner to get it back if they're not charged.

Given that excellent example, it feels like kind of a freefall when you look at the real stinkers from the same period.

Rep. Heather Scott, R-Blanchard, and Rep. Christy Zito, R-Hammett, attempted to kill a bill that would update Idaho's notary law, last updated in the 1980s - before electronic signatures and e-documents were invented. Scott and Zito took issue with the idea that the 1980s version of the notary law would be replaced with "Revised Uniform Law on Notarial Acts," from the Uniform Law Commission.

Scott thought the commission, which proposes model legislation that puts Idaho in compliance with other states, was too new-fangled. According to a report by Betsy Z. Russell in the *Spokesman-Review*, Scott said she thought Idaho had been adopting uniform law for only a couple of years. Sen. Bart Davis, R-Idaho Falls, a member of the Uniform Law Commission since around 2001, was quick to point out the commission had been in place since the late 19th century.

Not one to back down, Scott moved to hold the bill in committee since laws like the notary update were "globalized planning for Idaho law." She lost because her argument made little sense. Legislators should never become speed bumps when they're arguing on behalf of their constituencies, but doesn't Scott ever tire of being wrong, then looking foolish for refusing to quit when it becomes apparent she has no idea what she's talking about?

But the worst and wackiest of the week goes to Vito Barbieri, R-Dalton Gardens, who introduced a bill to exempt communications, including emails, between Idaho legislators from public disclosure. Why? So they can more "freely" discuss legislation.

That's right. The legislation they're writing because they are elected to represent the public is apparently too full of secrets for public view.

Makes no sense to us either.

House Speaker Scott Bedke told reporters, "Don't panic." He felt the bill was "borne out of frustration" from those lawmakers who can't afford to pay staff and must process public records requests themselves. But the part that makes us a little panicky, frankly, is that the bill passed out of the House State Affairs committee without a hearing, without debate and without discussion.

What could a bill like this do in a state where it turns out businessmen casually suggest in emails to their political allies that Fish and Game commissioners shouldn't be reappointed because they refuse to consider something the public doesn't want, but the businessman does? It's not like that's ever happened.

These depths of darkness are where democracy goes to die.