

There are rules - then there's Mike Moyle

Marty Trillhaase/Lewiston TribuneThe No. 2 man in the Idaho House and his wife stand accused of fleecing the Idaho taxpayer.

This is no mere blemish on the reputations of House Majority Leader Mike Moyle, R-Star, and Rep. Janet Trujillo, R-Idaho Falls. How it's resolved will reveal the integrity of the people running your Legislature.

As the Idaho Falls Post Register's Bryan Clark reported Tuesday, Trujillo accepted the per diem payment of \$129 a day intended to cover the costs of setting up a second home in Boise for the 80-day session.

As far as anyone can tell, Trujillo didn't have a second home. She married Moyle in December and the couple apparently resided at his Star ranch, about 20 miles from the capital city. The three-term Idaho Falls Republican refused to tell Clark where she lived during the session, but she posted on Facebook that the view from the Moyle's residence was "my little piece of heaven."

If Trujillo was domiciled at the marital home, she was entitled to only \$49 per day to cover expenses. Given that Idaho is a community property state, it means this pair of "public servants" pocketed the difference - a cool \$6,400.

Peculiar how conservative Republicans act with your tax money when it's flowing in their direction, isn't it? Back in 2011, the same issue tripped up two former Canyon County lawmakers. The Associated Press reported that Sens. John McGee, R-Caldwell, and Curt McKenzie, R-Nampa, were taking the full per diem payment despite the fact they weren't incurring housing costs in Boise. McGee was staying with his parents; McKenzie was sprawling out on the couch of his Boise law office.

But McGee and McKenzie seemed to be just inside a rather lenient line because they technically were sleeping in second homes in Ada County.

If Trujillo can make the same claim, let's hear it.

As Tribune readers know, former state Rep. Susan Fagan, R-Pullman, was forced out of office after a Washington Legislative Ethics Board concluded she padded her travel account by \$1,754 during a nine-month period.

But Washington takes a dimmer view of unethical behavior. The state has an independent ethics board that can either act on its own or accept complaints from anybody. In Fagan's case, the complaining party was the clerk of the House.

The Moyle-Trujillo case would seem to qualify for an ethics review under Idaho House rules that condemn "conduct unbecoming a representative, which is detrimental to the integrity of the House as a legislative body," or a violation that "brings discredit to the House of Representatives or that constitutes a breach of public trust."

In Idaho, however, the politicians police themselves. The five-member House Ethics Committee can't act unless a fellow lawmaker brings a charge.

You'd hope someone would file a complaint. Otherwise, the House ethics rules are mere words on paper. But let's be frank. That's just what they are.

As a practical matter, can you imagine the Republican House member who is willing to gamble with reprisals from his majority leader? Or how about one of the 11 House Democrats? Why would any one of them want to risk being further marginalized by the Republican majority?

There is, however, another precedent. Last summer, a right-wing blogger from southeast Idaho exposed a romantic affair between Sen. Jim Guthrie, R-Inkom, and Rep. Christy Perry, R-Nampa. Insinuated throughout was an accusation that they had bilked the taxpayers in the process.

In response, the presiding officers in each chamber - Senate President Pro Tem Brent Hill, R-Rexburg, and House Speaker Scott Bedke, R-Oakley - summoned legislative auditors to pore over travel records. In an official report issued on Aug. 26, Perry emerged vindicated; Guthrie had one questionable travel voucher.

By seeking the same type of inquiry about these legislative self-dealings, Bedke could either exonerate Moyle and Trujillo or establish the foundation for a full ethics review.

For that matter, Moyle and Trujillo could voluntarily submit their actions to the scrutiny of the ethics panel. No less than former House Speaker Bruce Newcomb, R-Burley, took that step in 2003 and was exonerated.

It's not as if Moyle doesn't get it. After all, the 10-term House leader had this to say about the way McGee and McKenzie manipulated their per diem payouts:

"I don't think it smells good; I don't think it looks good; and if it were one of my members, I would highly advise

against it." - M.T.