

## Hart apologized. Leave the poor man alone

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**By Marty Trillhaase of the Tribune**

Rep. Phil Hart, R-Athol, long ago ceased to be merely an embarrassment. Now he's a stain upon the honor of the Idaho House of Representatives.

Last week, the House Ethics Panel gave him a pass - so moved were its members by Hart's statements of contrition and his willingness to forfeit a vice chairmanship on the House Transportation Committee.

Really?

Here's a lawmaker who sat on the House tax-writing committee at the same time he was waging a 15-year battle with federal and state collectors. This tax scofflaw got more than \$500,000 behind in income taxes and still refuses to pay.

Even that wasn't enough for an initial Ethics Committee probe to take action, although it did agree having a tax protester on the tax committee was a bit much. For months, House Speaker Lawrence Denney, R-Midvale, dithered, but eventually yanked Hart from the panel - after Hart gave the speaker permission to do so.

Then came the revelation that Hart wasn't just a tax scofflaw. He was a timber thief. Without a permit, he took timber from state lands to build a home and then didn't pay. Because somebody at the Department of Lands missed a deadline, the state can't collect the \$22,827 Hart owes. He agreed to remit a pittance of the amount as a "donation."

For state Rep. Eric Anderson, R-Priest Lake, it was just too much to bear. He filed a second ethics complaint.

Take a look at how things turned out.

Hart issues a statement of contrition - without repentance. He doesn't offer to drop his tax fight and pay the bill. He doesn't pay the state timber fines rather than take shelter in a technicality. He just said he made some bad choices 15 years earlier.

And he agrees to give up a title. That's a sacrifice in name only. He's not a committee chairman. Hart doesn't hold a seat at the legislative leadership table. He's a stand-in for the chairman.

Anderson also had a vice chairmanship at the House State Affairs Committee. He wanted to keep it. But it melted away last winter - as punishment for daring to bring the ethics complaint against a fellow Republican.

Obviously even those Democratic ethics committee members who had pressed the Hart case in spite of Republican intransigence had grown weary of the exercise.

"I think he wore us out," said Rep. Wendy Jaquet, D-Ketchum. "I think he apologized, both yesterday and he apologized today. He acknowledged it. I felt the remorse was there."

So it's time to move on.

That's how it looks inside the state Capitol.

Here's how it looks outside: Anybody else in this state who extends a middle finger to the tax man is going to pay some big fines if not do time in jail.

If you haul thousands of dollars of timber from public forests without paying, the state isn't going to simply forget about it.

But not Hart.

In an earlier time and place, House speakers would not have waited for an Ethics Committee to coax a confession out of Hart. They would have stripped him of all committee assignments. Hart would have gotten an unmistakable message.

So would the citizens. They'd see no one, especially a public servant, is above the law.

But this is the Denney era. With the latest chapter in that era closed, it's become clear that rules are easier on those who write them. - M.T.