

Recall is the wrong tool but not the only one

- *March 10th, 2011*
- (33) comments

By Marty Trillhaase of the Tribune

Idaho Superintendent of Public Instruction Tom Luna perpetrated a fraud on the people who returned him to office last fall.

He campaigned as a defender of the public school system.

He expressed optimism about the public schools' ability to prepare your children for the new century.

He talked about the need to restore the cuts lawmakers made in public education budgets.

He even parted ways with his own Republican Party by outlining where to find more dollars.

Never once during his campaign did Luna express support for - or even hint at - his plan to radically transform the public school system.

Never did you hear Luna talk about gutting collective bargaining rights for the state's public school teachers.

Never did he talk about killing off 770 teaching jobs, crowding more kids in cramped classes and using the savings to create a market for his friends in the for-profit online education industry.

Never did he engage the educators his legislation would affect.

Nor the students.

Nor their parents.

Now, much of that agenda is a fait accompli, enacted by a Republican legislative majority that is either too politically protected or out of touch to believe that the voices of protest out there reflect the majority view.

For this, retired Mountain Home Air Force Secretary Nancy Berto of Boise thinks Luna should be recalled from office.

Idaho's equivalent of impeachment, recall should be reserved for the most egregious public misconduct.

Judge for yourself: How close does Luna's behavior waltz toward malfeasance in office? As defined, malfeasance is "hostile, aggressive action taken to injure the client's interests."

Luna's actions certainly have been hostile.

So says Rep. Leon Smith, R-Twin Falls, who voted against Luna's bill to gut the Idaho Education Association. "This is a mean-spirited bill. It goes beyond bashing unions, it bashes teachers. ... It turns teachers into powerless pawns of the political system."

Aggressive? How else would you describe Luna's blitzkrieg-like tactic of seeking a massive overhaul of your child's public schools without first asking your opinion?

No less than Indiana Gov. Mitch Daniels refused to play this game when members of his party promoted right to work legislation. Said Daniels: If Republicans didn't raise the issue with voters during the campaign, they shouldn't spring it on them now.

The problem with recalling Luna isn't whether he deserves it.

The problem is it won't work.

Just to force a recall election, you need to round up 20 percent of the 790,531 people who were registered to vote last year - or at least 158,107.

You get 75 days to collect them.

If that isn't tough enough, then look at the next hurdle. In what is guaranteed to be a low-turnout special election - either Aug. 30 or Nov. 8 - you have to mobilize at least 268,853 people to vote for removing Luna from office. That's one more vote than the number that re-elected him last year.

And what if you succeed?

Luna's collaborator in the school overhaul, Gov. C.L. (Butch) Otter, appoints Luna's successor.

And the people who endorsed Luna's package in the Senate will vote to confirm.

The overhaul package? What happens to that if Luna is deposed?

It remains on the books.

You need a better tool.

And you've got one.

Sixty days after this dreadful legislative session ends, round up at least 47,432 signatures from registered voters - or 6 percent of the electorate - and demand a referendum on Luna's legislation.

That would provide what Luna denied you -empowerment. A chance to be heard.

It would be only the fifth time that the voters could repudiate or sustain the actions of their Legislature - the others being sales taxes (1936 and 1966), right to work (1986) and term limits (2002).

This would become the defining issue of the 2012 state election. The GOP legislative majority and its agenda would be on trial.

Majority vote wins.

For weeks now, we've been told Luna's union-busting bill means the demise of the IEA and its friends in Idaho's Democratic Party. If the IEA's 13,000 members can't organize a referendum campaign and engage an Idaho electorate that has awakened from its complacency, then it deserves what Luna has delivered. - M.T.