

Speaker Denney is protecting Speaker Denney

- *June 8th, 2011*
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By Marty Trillhaase of the Tribune

Idaho House Speaker Lawrence Denney, R-Midvale, says his ally, state Rep. Tom Loertscher, R-Iona, committed no ethical lapse when he helped himself by single-handedly stopping a bill.

Denney says he won't pursue an ethics probe in the matter. It's not appropriate, he told the Idaho Falls Post Register.

"I can't see where he accrued any benefit for himself," Denney says.

How convenient.

Loertscher and his fellow eastern Idaho Republican, former state Sen. Stan Hawkins, R-Ucon, are fighting neighbors about the status of roads on their property. The politicians say the roads are private. The citizens disagree. The politicians have gone to court to insist.

But a bill Idaho's highway districts introduced in the House would have subjected Loertscher and Hawkins to a public hearing before the Bonneville County commissioners. The bill was headed to the germane Transportation Committee when, at Loertscher's request, the speaker reportedly transferred it to the House State Affairs Committee. As the panel's chairman, Loertscher strangled the highway districts' measure.

House ethics rules forbid a member from using his office for "personal gain, benefit or advantage." A member also can be hauled before an ethics board for "conduct unbecoming." Plus there's still the unanswered question of whether Loertscher should have disclosed his conflict of interest before mauling the bill.

No mere neutral bystander, Denney probably discerns any inquiry into Loertscher's actions inevitably leads right into his office:

- Did Loertscher not tell the speaker of his desire to halt the measure's progress?
- Did he explain his personal interest in the bill?
- If Loertscher was not forthcoming, then the speaker was duped.
- And if Loertscher leveled with Denney, then the speaker was culpable.

No Idaho citizen can launch an ethics probe. Only one of Loertscher's fellow House members can bring a complaint. That's a ethics rule change Denney helped push through last year.

So Denney just asserted his own verdict. With a speaker this vindictive, who is going to challenge him?

This speaker almost looked the other way when Rep. Phil Hart, R-Athol, was dodging his tax obligations and stealing timber from state lands - but demoted state Rep. Eric Anderson, R-Priest Lake, for bringing charges against Hart.

This speaker ousted two committee chairmen - Tom Trail, R-Moscow, at Agricultural Affairs and Leon Smith, R-Twin Falls, at transportation - because they were too independent.

Who among the GOP members wants to sacrifice chairmanships, committee assignments, political alliances or other perks to launch an investigation Denney condemned as unwarranted and one that could implicate him?

Who among the Democratic minority wants to be frozen out by the majority caucus for doing the same?

All of which makes Idaho an outlier.

In 41 other states, including Montana, Nevada, Oregon, Washington and most recently Utah, an independent ethics board oversees lawmakers. Utah's took effect last year after voters approved a change in the state constitution.

Washington's Legislative Ethics Board - comprised of four legislators and five citizen members - responds to anybody's complaint but can proceed on its own if it finds the evidence sufficiently compelling.

Idaho always has tolerated an element of good old boy politics. Its lawmakers self-policed themselves. But at least when the political parties were more balanced, a natural tension kept legislators honest. The good old boys also operated under a honor system. In the Senate, a ethics review essentially ousted former Sen. Jack Noble, R-Kuna, who tried to promote a bill to profit himself. In the House, former Speaker Bruce Newcomb, R-Burley, once called an ethics probe on himself.

Political balance no longer exists. The good old boys are gone. So is their political culture that held itself to an ethical standard.

The sooner Idahoans realize that, the sooner they'll give the job of enforcing ethics to somebody else. - M.T.