

# If you lose at the polls, silence the voters

**Marty Trillhaase/Lewiston Tribune**

When he wasn't busy torturing Richard Nixon, political prankster Dick Tuck ran for the California Legislature.

He lost, but not before coining the quintessential concession line: "The people have spoken. The bastards."

Tuck was joking.

Some Idaho legislators are not. They seem to think Idaho voters don't know what's good for them. Case in point: Just 10 weeks ago, Idaho voters went to the polls and repealed the three signature acts of the 2011-2012 legislative term. Known as the Luna laws for their chief advocate, states schools Superintendent Tom Luna, these measures gutted teacher collective bargaining rights, imposed a rickety merit pay system and transferred assets from the classroom to purveyors of laptop computers and online instruction.

You'll never again see the citizens reverse their state Legislature - assuming Idaho Farm Bureau lobbyist Russ Hendricks and Senate State Affairs Committee Chairman Curt McKenzie, R-Nampa, have their way.

Hendricks proposes - and McKenzie is sponsoring - a bill to require initiative and referendum sponsors not merely to collect signatures from 6 percent of Idaho's registered voters but to gather that percentage from each of at least 22 of Idaho's 35 legislative districts.

Ostensibly, it's being done to protect rural interests of the state. Hendricks' employer says animal rights activists want to outlaw the state's animal husbandry industry.

Never mind that this bill gives Idaho's rural minority a veto over its urban majority - or that the rural communities don't even require such a hammer. No initiative campaign has successfully undermined the well-being of rural Idaho. For instance, a recent attempt to put an animal cruelty law before the voters stalled after legislators passed a much weaker version.

Never mind that this subterfuge has been tried before. In fact, the 1997 Idaho Legislature sought to require initiative/referendum backers to line up the signatures from 6 percent of the registered voters in each of 22 of Idaho's 44 counties. The federal courts ruled the law a violation of the one person, one vote standard.

Never mind that it's not necessary. The proliferation of ballot measures so common in states such as California has never taken root in Idaho. In the last seven elections, Idaho has had no more than eight ballot measures - including the three aimed at the Luna laws.

Never mind that Idaho has never come close to Washington's experience, where corporations have funneled huge amounts of money into initiative campaigns to get around a Democratic-controlled Legislature. There's no need to bypass Idaho's business-friendly Legislature.

Never mind that Idaho voters have rarely circumvented their own elected representatives. When it came to tax policy, they rejected the most recent versions of the property tax-limiting 1 Percent Initiative. When it came to natural resources, voters refused to restrict bear baiting. When it came to nuclear waste storage at the Idaho National Laboratory, they backed then-Gov. Phil Batt's negotiated settlement to get the waste out by 2035. And when it came to curbing the tenure of elected officials, Idaho voters eventually ratified the Legislature's repeal of term limits.

No, the only time in recent memory the politicians got thumped was when they blind-sided Idaho parents, teachers and taxpayers by imposing the Luna laws without warning or visible signs of public support.

Aroused by a toxic mix of legislative arrogance and indifference, a referendum campaign breezed past the minimum target of collecting 47,432 signatures within a 60-day period. They got more than 74,000 to get on the ballot.

Then in November, they won by margins ranging between 57 percent and 66.7 percent.

Don't expect one iota of humility from the state Capitol.

Instead, they're talking about a formula that's intended to stop future rebellions. Finding 6 percent within each of 22 legislative district involves a dizzying amount of record-keeping. Besides, most Idahoans have no idea which legislative district they're in - and those boundaries shift every 10 years.

"Something like this could have closed the door on an effort like Props 1, 2 and 3, which the voters clearly wanted to repeal," says Mike Lanza of Boise, who led the successful referendum campaign.

With this harebrained legislative concoction, isn't that the point? - M.T.