

UP FRONT/COMMENTARY

Citizens being bound, gagged by their public servants

William L. Spence/Lewiston Tribune

BOISE - There came a moment two weeks ago when the curtain briefly lifted and the Wizard of Oz was exposed.

It was during an Idaho Press Club breakfast meeting. The topic was the Idaho School Board Association's efforts to resurrect portions of the Students Come First reforms.

Voters soundly rejected the legislation last fall, but ISBA feels some of the changes still have widespread support. Gov. C.L. (Butch) Otter was asked how he'll decide if that's true.

"The proof of the pudding on consensus is going to be the vote on the floor, how the Legislature treats it," he replied. "That's my signal."

There, in a nutshell, is all one needs to know about the Statehouse mind-set.

The whole point of Propositions 1, 2 and 3 was that legislative priorities don't always reflect the public will. More than 370,000 voters sent a clear message: "Don't stuff your consensus down our throats."

Yet the attitude here continues to be Oz knows best: "If we reach consensus, it must be so."

Were this merely a case of the governor deferring to lawmakers - relying on them to wade through concerns and determine which bills pass muster - his comment wouldn't be so disquieting.

Unfortunately, it may be another case of the "inside the Beltway" mentality so prevalent here - the idea that if elected officials perceive the world a certain way, it must hold true for the Munchkins, too. And therefore the view from outside the Beltway isn't important.

Senate State Affairs Committee Chairman Curt McKenzie, R-Nampa, exemplified this thinking last year when he declined to hold a public hearing on an anti-discrimination bill because, in his estimation, it lacked sufficient support.

"If I don't think it's going to get a majority to get all the way through the process to the governor's desk, I don't have a hearing on it," he told the Idaho Press-Tribune.

The fact that hundreds of people might want their voices heard, that consensus on discrimination or employee compensation or education reform may mean something entirely different for the public than for the Legislature, doesn't appear to be reason enough to listen.

"Do not arouse the wrath of the great and powerful Oz," said the man behind the curtain. "You people should consider yourselves lucky I'm granting you an audience tomorrow, instead of 20 years from now."

The public's limited voice in the political process would grow even fainter under a bill introduced this session by the Idaho Farm Bureau. It would disqualify any initiative or referendum that fails to collect signatures from 6 percent of registered voters in more than half the state's legislative districts, rather than 6 percent statewide as is now the case.

Given the history of Idaho ballot measures, it's hard to see why this added protection is needed. Since the Great Depression, only 28 initiatives and seven referendums have qualified for the ballot, and Propositions 1, 2 and 3 were the first referendums to successfully overturn a law since 1936.

Senate Minority Leader Michelle Stennett, D-Ketchum, said the bill "is part of a troubling trend that makes it easier for lawmakers and government officials to ignore the will of the people."

"Idaho voters must be allowed their constitutional right to petition the government," she said. "They must have access to the initiative and referendum process that gives them a voice in the laws they live by."

But as the governor implied, the voice that speaks loudest in the Statehouse typically comes from lawmakers and lobbyists, not the public.

Throughout the business personal property tax debate, for example, Otter and legislative leaders have repeatedly said their guiding principle will be "do no harm." They assured cities, counties, school districts and other local taxing entities that the tax won't be eliminated if it creates financial distress.

Yet when the draft plan was released last week, what did it propose? It dumped a third of the total cost onto local jurisdictions, giving them a \$50 million hit spread out over six years.

That doesn't mean it's a bad plan, doesn't mean it shouldn't be considered - but it does suggest "do no harm" means something more like "I'll get you, my pretty, and your little dog, too."

And that's very troubling: If words don't mean the same thing behind the Statehouse curtain as they do in classrooms, offices and living rooms around the state, how can trust survive?

That issue came up during a mandatory ethics training session earlier this session.

One of the speakers, Scott Raecker, talked about the difference between "stated values" and "operational values." Stated values are what we say we believe, while operational values are what we reveal through our actions.

If there's a gap between the two, Raecker said, it creates the perception of unethical behavior.

"If you want a culture of respect, it's not just about laying out rules, it's about demonstrating and modeling that," he said.

Making sure words mean the same thing on both sides of the curtain would be a good place to start.

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