

# Stealth at work

**Marty Trillhaase/Lewiston Tribune**

JEERS ... to Idaho Senate President Pro Tem Brent Hill, R-Rexburg, and House Speaker Scott Bedke, R-Oakley. You've been left in the dark about a powerful group of lawmakers they've engaged to contemplate whose taxes get cut - and who will pay more.

Among the people assigned to this tax working group are the chairmen of the Senate and House tax committees - Sen. Jeff Siddoway, R-Terreton, and Rep. Gary Collins, R-Nampa.

Other members include Sens. Jim Guthrie, R-McCammon, Steve Vick, R-Dalton Gardens, Abby Lee, R-Fruitland, Lori Den Hartog, R-Meridian, and Grant Burgoyne, D-Boise, along with Reps. Janet Trujillo, R-Idaho Falls, Dell Raybold, R-Rexburg, Tom Dayley, R-Boise, Robert Anderst, R-Nampa and Mathew Erpelding, D-Boise.

Their focus is Utah, where a flat income tax has widened the tax burden between rich and poor.

They've met repeatedly this summer.

Legislative staffers have been assigned to help them.

Representatives of the State Tax Commission, the Division of Financial Management and the Department of Commerce have briefed them.

But you will not find this group listed among the 10 interim committees - dealing with everything from broadband access to urban renewal - on the Legislature's web page.

Nor has there been any advance word, foiling any pesky citizen who would like to attend one of these sessions.

Why the stealth?

Could it be they don't want outside voices reminding them how Idaho can't afford any more tax cuts for the well-heeled and the politically connected? If anything, the state will need more taxes to repair the damage done to its schools, public services and higher education.

Do you think they don't want to hear how low Idaho's tax burden already ranks?

That cutting taxes further will only undermine the very things that generate economic growth - well-trained workers, public amenities and solid transportation systems?

Idaho's a three-legged stool of property, sales and progressive income taxes has kept things in balance. Few states do a better job of treating everyone fairly regardless of income.

But just about every time Republican governors and lawmakers have meddled with taxes, the poor pay more and the rich pay less.

Could that be what's going on here?

JEERS ... to Washington initiative entrepreneur Tim Eyman. He's in hot water again for laundering money contributors pay him to get his measures certified for the ballot.

Washington long since dispensed with the notion that the anti-tax crusader was acting out of conviction. Back in 2002, he was fined \$55,000 for lying about how he paid himself with campaign funds.

This week, Washington's Public Disclosure Commission outlined allegations In 2012, Eyman secretly funneled about \$308,185 contributed toward his tax-limiting Initiative 1185 campaign, kept about \$170,000 for himself and spent the rest certifying Initiative 517, which sought to impose professional petition gatherers on retailers.

Businesses that supported and funded Eyman's I-1185 opposed I-517.

"He used our own money to target us on 517," Jan Gee, president of a trade group for grocers, told the Tacoma News Tribune's Jordan Schrader.

That's on top of money Eyman acknowledged taking from his contributors to pay his living expenses.

" I bet he also didn't want the public to know he made four hundred grand in a year," wrote the Seattle Times' Danny Westneat. "Makes it tougher to sound a populist plea for help from future donors."

And the PDC report suggests Eyman engaged in this practice repeatedly between 2004 and 2011, taking between \$5,000 and \$100,000 each time.

Eyman, who disputes the charges, may have bigger problems. The PDC has referred the case to Attorney General Bob Ferguson to pursue legal action against him.

CHEERS ... to Idaho Court of Appeals Judge Molly Huskey. Friday, Huskey didn't mince words: She's done wasting her time with the Public Defense Commission if lawmakers refuse to make a commitment.

Lawmakers launched that commission last year to begin dealing with Idaho's woefully deficient system of providing criminal defendants with the legal representation the Constitution guarantees them.

It's been nearly a decade since the National Legal Aid and Defender Association documented a system noted for public defenders who were overworked, inexperienced and poorly paid.

But nobody has authority to impose minimum standards and provide training. Moreover, cash-strapped counties lack the means to achieve what is a state responsibility under the Sixth and 14th amendments to the U.S. Constitution.

Earlier this year, lawmakers failed to act - even though the state had sufficient funds and Gov. C.L. "Butch" Otter had urged them to move.

"We're putting on the training, we're promulgating rules and we've made the recommendations for contracts. But our work is only advisory," Huskey told a group of lawmakers. " ... They can use all that paper to start a bonfire for all the value our opinions have."

Meanwhile, the American Civil Liberties Union has lost its patience. Earlier this year, it filed its long-anticipated lawsuit against the state.

JEERS ... to U.S. Sens. Jim Risch and Mike Crapo, both R-Idaho. One year ago Thursday, U.S. District Judge Edward Lodge's announced he planned to retire and take senior status. He gave the senators until July 3 to help find a successor.

Because the post has gone unfilled, the nation's federal courts declared a "judicial emergency" last summer.

In a state where the political establishment has been clamoring for a third federal judgeship, the vacancy means years of delay for resolving civil disputes.

Before you settle for reassurances that Risch and Crapo are doing all they can, consider two facts:

- When Judge Harold Ryan retired in 1999, Sens. Larry Craig and Dirk Kempthorne relied on an open and efficient process that resulted in President Bill Clinton's appointment of B. Lynn Winmill.
- Washington Post columnist Catherine Rampell noted Monday that Republican senators all over the country are dragging out the appointment of federal judges because they are "motivated by a desire both to make President Obama look bad and to delay any judicial appointments until there's (possibly) a Republican in the White House. ... "

In other words, GOP senators - Risch and Crapo apparently among them - have no qualms about putting politics ahead of what's best for the people who sent them to Washington, D.C., in the first place. - M.T.