Legislative limelights . . .

Most appear unhappy over tax initiative

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It appears very few are happy with implementation of the 1 Percent Tax Initiative, which prompts the question of why not repeal it? Many of the problems are now surfacing.

The state, cities, counties, school districts — virtually every local unit of government — have protested it has hampered them to such an extent it has threatened to drastically reduce or eliminate essential services.

Most property owners complain they don't feel they are getting tax breaks, because they now are being charged more for various services, such as garbage collection, streets, water, sewer, parks and many others.

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Now comes the complaint of Al Brewster, Pocatello, of the Idaho Property Owners Association, who proposes sponsoring a constitutional amendment prohibiting the Legislature from changing initiatives passed by the people.

Brewster, who is one of the more vociferous officers of the property association, has enlisted the aid of one of the more right extremist members of the Legislature, Rep. Rusty Barlow, R-Pocatello, to agree to introduce the measure.

Brewster calls his proposed law "Idaho Voters' Bill of Rights Act," adding the Legislature can't be trusted with sole constitutional amendment power and authority to amend initiatives from the people.

He then charges the people have never been represented in the Idaho Legislature. Along with another IPOA member, Logan Robinson, Pocatello, IPOA claims of all things — the Legislature was controlled by special interests and single out Idaho's cities and counties as the culprits.

However, Mr. Brewster should realize that initiatives passed by the people are creatures of the Legislature which has wide latitude of powers in implementing them, even to the point of emasculating them as it sought to do with the Sunshine Initiative last year.

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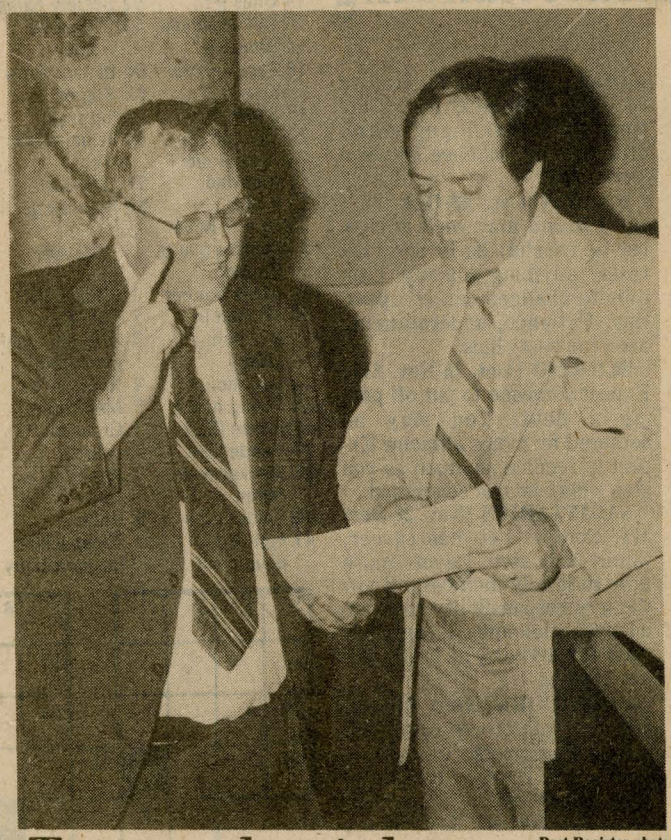

Post-Register photo

Two on the right

BOISE — Two state representatives considered part of the solid right wing faction in the Idaho House of Representatives are Rusty Barlow, R-Pocatello, and Gary Ingram, R-Coeur d'Alene. Barlow has announced plans to sponsor constitutional amendment prohibiting the Legislature from changing initiatives passed by the people and also to make it possible for voters to amend the constitution directly, without going through the Legislature.

Most agree if the legislators did a commendable job last session, it was to implement the 1 Percent Initiative, considering the information they had at hand.

It also was apparent the cities certainly weren't one of the influential special interests as Brewster charged, because the Legislature refused to give them additional tax authority as a safety valve to escape the restrictive 1 percent lid.

In fact, Gov. John V. Evans even threatened to call a special session this summer to force the Legislature to do so, but the cities realized this wouldn't do them any good and dissuaded Evans from taking action.

The counties asked for little in the way of legislation and that's just about what they got.

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Barlow is part of the tight conservative band of 16 Republicans in the House who didn't do very well in the last session and can expect about the same lack of success in 1980.

Thus the measure proposed by Barlow likely will meet with a cool reception by a House which is seeking to get out all of the bugs from the past legislation — and it doesn't need cockeyed proposals from the IPOE to give it further headaches.

If the IPOA feels the Legislature isn't going ahead with more implementing of the 1 percenter, it is due for a rude shock.

Many attorneys, including the attorney general, believe the initiative is unconstitutional. Court action on this is expected.

Attorney General David H. Leroy has come out with legal opinions which indicate the past legislation is due for major surgery.

The latest opinion, which admittedly could bring impact, is one that indicates 2 percent inflation increases can be applied for property market values in 1979 and 1980 because of ambiguous wording. Leroy says the law could be read as disallowing the annual 2 percent inflation until 1981. However, it will not affect city budgets the coming year. No-growth budgets will decrease spendable appropriations at all levels by the 10-13 percent rate of inflation.

An earlier opinion by Leroy also indicates counties are free to increase any particular county property tax this year — so long as there is a corresponding decrease in another county levy, or combination of levies.

Russell Westerberg, Boise, executive manager of the Association of Idaho Taxpayers, has complained this removes a significant amount of expendi-