

Legislative limelights . . .

1979 Legislature failed in enacting key laws

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The performances of the Idaho Legislature must also be judged on what it did not do, as well as what it did.

As observed previously the lawmakers marked up a generally creditable record in implementing the 1 percent tax limitation and in granting a tax relief package of more than \$40 million for the largest ever. These were the two most dominant issues.

It must be remembered the mood of the Legislature was to enact what was essential. With this in mind, legislation that called for new programs or expansions, rightfully, did not receive much consideration.

Despite this, it introduced 599 different pieces of legislation and passed 338, which is close to 1978 of 654 introduced and 387 passed. This is in addition to 85 resolutions and memorials, compared to 83 a year ago. This volume is close to the recent average of about 425 bills passed yearly.

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The two most glaring oversights of the Legislature are the frequently mentioned failure to enact local option laws for cities, many of which face financial disaster; and the certificate of need which already has lost Idaho several hundreds of thousands of dollars in federal matching health funds and it could total to \$12.3 million a year.

Gov. John V. Evans has threatened to call a special session to deal with these two issues but likely won't and be content to wait until 1980.

Among the measures the Legislature should have passed but didn't were how to distribute to the taxing districts property tax revenue under the 1 percent limitation; determine how to apply the annual 2 percent increase limit on property valuations required under the 1 percent law; and authorize increases in property taxes if approved by a majority of residents of a local district, although they did provide for such an override in a school district if approved by a two-thirds majority.

It also failed to provide funding for the State Tax Commission to administer the new law;

and it certainly did not take any significant stride in instituting future permanent tax reform, or even authorizing a study.

It also failed to enact a law calling for state licensing of day care centers, one of the hottest issues during the past session.

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The Legislature can't be judged too harshly for its failure to answer all the questions immediately. It stumbled badly at the start, but in the final two weeks, shoved through what most agree is acceptable 1 percent initiative legislation, and other companion measures.

It, of course, skipped decisions on such controversial issues as collective bargaining, right-to-work, further

implementation of the water plan and any changes in no-fault insurance, doctor malpractice and right of abortions.

The Senate received its blackest eye in failing to reconfirm to the Idaho Public Utilities Commission the champion of the consumers, Robert Lenaghan, on a straight 19-16 partyline vote. It hurriedly confirmed Perry Swisher, Lewiston newspaperman, a day after he was nominated and without any hearing.

It also failed to approve the controversial proposal for merging the Environmental Division of the Department of Health and Welfare with the Department of Water Resources.