

## **LEAVITT SHOWS AGGRESSIVE SIDE GOVERNOR SPEAKING OUT ON GUN CONTROL, WILDS AND INTERNET TAXATION**

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*The Deseret News. Salt Lake City, Utah: Oct 17, 1999*

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This is not supposed to be a debate, but the course of conversation has forced Gov. Mike Leavitt to stand toe-to-toe with a southern Utah resident who is so agitated he is shaking.

"There are a number of us who think your plan sets a terrible precedent," Sheldon Kinsel calls up to the stage in the Southern Utah University auditorium, where Leavitt sits with officials from the federal Bureau of Land Management and the U.S. Department of Agriculture's forestry division. The topic is designation of some southern Utah lands as wilderness.

Leavitt is working toward compromise. He is asking residents to change their way of thinking. He's talking about give-and-take, "bundle solutions," "cooperation." To end expensive battles over Utah's wilds, Leavitt says, something must give.

This is vintage Leavitt. Consensus builder. Collaborator. The likable guy who speaks the language of cowboys, businessmen and bureaucrats alike.

But what follows in the exchange illustrates a change in the governor's public personality and offers a glimpse at a new side of the 48-year-old chief executive. Leavitt is playing hardball in public -- and as a result, the most popular governor in state history is taking a beating for the first time in seven years of executive office.

Kinsel isn't buying Leavitt's talk of conciliation.

The governor responds: "If you want to fight this for another 25 years, if you want to go to court and lose over and over and over -- have at it."

Kinsel: "You're turning this into a political issue. . . ."

Leavitt interrupts: "You think it hasn't been in the past?"

Leavitt's more aggressive approach has emerged locally and nationally on issues as broad as Internet taxation, the Legacy Highway, gun control and wilderness. And in some arenas it's generating criticism with which the governor is generally unfamiliar.

In an interview, Leavitt acknowledged he is involved in a series of controversial issues. But is he taking a different tack? Is he making a point?

"It's not something I'm doing deliberately. There are a series of problems that have been thorny in the past six months, But I've always had a long list of thorny issues I'm involved in."

Still, in recent months, members of his own party have mobilized against him on some local and national instances -- and some rural residents are calling for his ouster.

As one Utahn who watches politics closely observed of Leavitt: "I am seeing some chinks in the armor for the first time."

Leavitt doesn't see it this way

Nor does Vicki Varela, his deputy chief of staff. She says the appearance of strife may be simply an indication the thorny issues are maturing. "And that may not be easy medicine to swallow."

House Speaker Marty Stephens has noticed a more forceful Leavitt. "Absolutely, especially on three issues," said Stephens, R-Farr West, pointing to the governor's stands on guns and school safety; the federal management plan for the Grand Staircase-Escalante National Monument and wilderness; and taxation on Internet sales.

Unfortunately, Stephens laughs, Leavitt's positions aren't supported by many Republicans in the GOP-dominated Legislature. "We would probably disagree with him," he said.

It is unclear whether Leavitt's new approach will be more or less attractive to voters if he tries a third term as governor -- or whether it will make Leavitt more appealing in the national arena, where he has been a rising star.

Bud Scruggs, a long-time Leavitt friend, political adviser and confidant, advises the public to get used to the "new" Leavitt. If Leavitt runs for a third term -- and most people believe he will -- he will go to the mat more frequently, Scruggs said.

"I think you will find that once or twice a year he will find people or issues that have worn on, and he will act," Scruggs said.

Scruggs has known Leavitt a long time and observed that the governor always has worked with people as partners.

"That is his preferred way," Scruggs said. "Now he's seeing that sometimes he can't."

"He's feeling more confident in his position as governor and willing now to spend his enormous political capital," said Utah House Majority Leader Kevin Garn. Leavitt has served most of two gubernatorial terms, and Garn surmises the assertive trend may be part of next term's agenda.

But Leavitt's "get tough" stance isn't favored by many House and Senate Republicans on some issues, said Garn, R-Layton, such as wilderness and keeping guns out of schools, churches and private homes. "It's been a frustration, I won't kid you on that," Garn said. "But he's fighting for what he believes in, and you have to admire him for that."

The governor, these observers note, is going out on a limb more often --

and sometimes paying a price for doing so. He is speaking out on at least three important public fronts. These are:

Wilderness. Leavitt has worked hard to come to agreements with U.S. Interior Secretary Bruce Babbitt on wilderness issues in Utah. Management of the relatively new Grand Staircase-Escalante National Monument has been a constant source of consternation for rural Utahns. They want the governor to say "no" to Babbitt. But the governor wants a rational, realistic end to a quarter-century of battling over the public lands.

The monument and classification of roads within its boundaries has polarized people on every side of the issue. Leavitt has stayed in the mainstream of the discussion. "When you are not in one of the more extreme positions, then oftentimes you are critiqued from both sides," he said. "I made a deliberate decision to weigh in on that issue, to lead out and wait for the issue to mature."

There are consequences.

"I met the governor and I thought he was the nicest man I'd ever met," said Stan Mecham of Bryce Valley, who owns a ranch inside the Grand Staircase-Escalante National Monument and is angry about the plan to manage the land. "But now I've got my doubts about him, and you can tell him that."

Internet taxation. Leavitt is a member of the Advisory Commission on Electronic Commerce, a panel of executives and politicians assigned to develop an easy and practical system for Web-based businesses to collect state and local sales taxes on Internet commerce. This fall, over initial objections from the panel's chairman, Virginia Gov. James Gilmore, Leavitt drove a proposal asking states to help solve the system of tax collection in cyberspace.

This came after House Majority Leader Dick Armey, a Republican from Texas, sent a letter warning the panel the proposed taxes would be considered "new taxes," that the idea is not popular among the American people and that many members of Congress will oppose any new taxes on the Internet.

In an interview with the Deseret News, Raymond Scheppach, executive director of the National Governors Association, acknowledged that Leavitt is taking "heat from some members of his own party" on the issue.

But accusations that Leavitt advocates more taxes and bigger government are misplaced. Indeed, Leavitt has become an articulate spokesman for the effort of "efficient, reasonable" rules that will allow fair and simple taxation

on Internet sales, Scheppach said.

"He is a visionary on this issue. He sees that the world economy will force states to get together to decide one simple way" to conduct taxation across a state, across all the states and across nations, Sheppach said. "He's leading the change."

Leavitt says he is laying out a big-picture issue for the states. "It's never been comfortable to stand out there by yourself . . . but I think I've been doing that for awhile."

Gun control. Leavitt false-started on the issue of gun control by refusing to call for a special session the weekend House Minority Leader Dave Jones called for a special session on gun violence. But after declaring an emotional issue ill-suited for special sessions, the governor regained his balance and became a leader of the get-the-guns-out-of-schools wing.

He was widely criticized for conveying his positions at the GOP Convention a few months ago and received catcalls from some members of the audience.

But Leavitt says he made a deliberate decision to go to the Republican convention and deliver a speech he knew would have an "edge" to it. "It was an important speech to make."

This subject has been a confidence-builder for Leavitt, according to Ted Wilson, a former Salt Lake mayor who narrowly lost the governorship in 1988. Now director of the University of Utah's Hinckley Institute of Politics, Wilson said Leavitt is clearly more comfortable being governor today.

Polls show the vast majority of Utahns agree with Leavitt's position on guns.

"He's learned that he can buck the Legislature and get away with it," Wilson said.