

# Chicago Tribune

## **Commentary: Lawmakers did their job on reform June 19, 2009**

Illinoisans won big with ethics reform this year. Still, critics have complained that the General Assembly has not done enough to root out corruption or enact "game-changing" legislation.

Let's look at what action lawmakers took and let the chips fall where they may.

Even before the Illinois Reform Commission entered the scene, the General Assembly had enacted sweeping reforms targeting the culture of pay-to-play politics at its source -- the Blagojevich and Ryan administrations.

In 2008, we passed House Bill 824 -- over then-Gov. Rod Blagojevich's veto -- to bar businesses with state contracts from making contributions to the campaigns of the officeholder awarding the contracts. Five years earlier, we enacted the Illinois Ethics Act, which the Illinois Campaign for Political Reform described as propelling "Illinois from being one of the least regulated states in the nation into the forefront of ethics reform." Even the Better Government Association recognized the dramatic progress we made, elevating Illinois' ethics laws to 11th in 2008 from 41st in 2002. And let's not forget that the General Assembly began this year by impeaching, trying, convicting and removing Blagojevich from office. While the reform commission toured the state, the General Assembly enacted landmark reforms to eradicate corruption at the state's retirement boards -- corruption again attributed to Blagojevich- and Ryan-insiders Antoin "Tony" Rezko, Stuart Levine and others. These reforms removed Blagojevich's pension board appointees, banned gifts to board members from people seeking business or official action, and imposed unprecedented conflicts-of-interest provisions.

In short, even before the commission issued its 100-day report, the General Assembly had already enacted game-changing reform proposals.

When the commission completed its work in April, it offered reform ideas -- not actual legislation, just ideas -- in six areas: campaign finance, procurement, enforcement, government structure, transparency and what the commission called "inspiring better government," a catch-all for miscellaneous reform ideas. As commission chairman Patrick Collins, acknowledges, the General Assembly implemented the commission's procurement, transparency and "inspiring better government" ideas.

As for the other three ideas, Collins claimed that the General Assembly viewed them as a "grave threat" and our decision to not accept them whole cloth revealed an "unwillingness to get to the core of the culture of corruption."

That's simply not true. The General Assembly was already striking at that culture of corruption before the Reform Commission was created. Let's be honest. We rejected some parts of the commission's campaign-finance proposal for good reason. First, the proposed contribution limits -- which mirror federal contributions caps -- are too low. That's not just our view. It's also the opinion of the most vocal reform advocates, the Chicago Tribune and other editorial boards. The commission's proposal also would favor wealthy, self-funding candidates, not the average citizen running for office.

Second, the commission's proposal would simply shift campaign spending to unregulated "swift boat" or 527 committees. Recently, the U.S. Supreme Court had to step in and force a West Virginia Supreme Court judge to recuse himself from a case involving a political benefactor who set up a 527 committee to elect the judge. The contribution limits proposed by the commission are little different than those in West Virginia and would have the same effect.

Finally, the commission's proposal to allow only legislative leaders to maintain additional political committees to support multiple candidates would further consolidate, not diminish, the power of legislative leaders.

Our proposal ensures that rank-and-file members are not beholden to legislative leaders because they can set up their own multicandidate committees in opposition to the legislative leaders. Our proposal actually imposes limits on transfers of contributions between campaign committees. The commission's proposal failed to do so.

Yes, we did reject the commission's enforcement ideas for state prosecutors. We believe that authorizing "warrantless wiretaps" is a bad idea, ripe for abuse and wholly inconsistent with the Illinois Constitution. Instead, we passed two real game-changing laws. One forces politicians convicted of bribery, taking kickbacks or extortion to forfeit all campaign contributions and any proceeds they got from their criminal activity. The other bars politicians convicted of official misconduct or a similar federal crime from deriving a financial benefit from their misconduct.

On government structure, the commission's redistricting idea was delayed for good reason. The Senate Redistricting Committee, created before the reform commission even met, will conduct hearings this summer. Delay is not an issue since no proposal can be implemented without a constitutional amendment, which could be submitted to the voters no earlier than November 2010.

Patrick Collins is incorrect that we "outright ignored" the commission's legislative rule-changes idea. Early in my presidency, the Senate adopted rules changes that provide members with greater ability to advance and control their own bills. In addition, I reversed the policy of my predecessors by assigning virtually every bill and amendment to a substantive committee. At no time did the commission ever propose actual language for these rule changes. As I've said before, the General Assembly enacts legislation, not press releases.

As to the "legislative leader term limits" recommendation, the commission's report fails to explain how it targets "the core of the culture of corruption" or even relates to the rampant and bipartisan corruption in the executive branch over the last decade. If anything, the "reform" idea

smacks of a personal or partisan animus toward House Speaker Michael Madigan, rather than a proposal supported by evidence. Of the scores of legislative leaders elected in the last 100 years, only two have served for more than 10 years -- Madigan and former Senate President Phil Rock. There is no need for term limits as a fair reading of history proves.

The Illinois Reform Commission is to be commended for its reform ideas. With its help, the General Assembly enacted game-changing reforms to strike corruption at its core. The process of enacting these reforms also illustrates how well the system can work. Ideas are formulated into proposals by advocates and experts. The proposals are submitted to the General Assembly, which tests them, refines them, augments them, and, in some cases, scales them back in order to secure the approval of a majority of those elected by the people to make laws. The process may look like sausage-making, but it has stood the test of time.

Someday we will all look back at the reforms recently enacted by the General Assembly as the most significant reforms enacted in Illinois since Watergate.

*-Sen. John J. Cullerton (D-Chicago), president of the Illinois Senate*