

The Policy Shop: Illinois' Corruption Crisis

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This edition of The Policy Shop is brought to you by Austin Berg, vice president of marketing.

A step in the right direction:

Springfield and the chattering classes were abuzz last session over an ethics reform package that promised to end public corruption in the wake of longtime House Speaker Mike Madigan's departure. Gov. J.B. Pritzker officially certified that bill, Senate Bill 539, on Oct. 8, and the reforms within it will be effective Jan. 1, 2022.

The ethics package is an important first step, but much more remains to be done if we want to end Illinois' systemic public corruption.

Rather than complain, let's talk about what solutions will help prevent ongoing public corruption scandals and government mismanagement.

The villain: A corrupt system

It should come as no surprise that Illinois is ranked the second-most corrupt state in the nation. In recent years a steady stream of news stories highlighted instances of corruption in the legislature. A culture of corruption surrounded Madigan for decades.

From the conflict inherent in his work as a property tax appeals attorney while having power over state property tax legislation, to the open secret of his patronage army, to the speaker's steady accumulation of power used to benefit those who fell in line and punish those who didn't, scandal stalked his career. But now that Madigan is gone, so should be the corruption, right?

Unfortunately, it's not that simple. Madigan was just one man, but he built a system that has to be dismantled to prevent ongoing abuse in the future.

Illinois' culture of corruption costs voters' trust and damages the state's reputation, as national [headlines](#) show, but there is also an economic price tag: [\\$556 million a year](#).

While current [House Speaker Chris Welch](#) has vowed to take a much different approach than his predecessor, there is still much work to be done to ensure that voters have a meaningful voice in their government.

So now that Pritzker certified the ethics bill, all will be well, right? Not quite. The bill lacks the full needed changes to truly bring about reform. Thankfully, solutions for future legislation are at the ready.

Three-pronged weapon to abolish corruption once and for all:

1. [Empower the Legislative Inspector General](#): Two bodies in Illinois, the Legislative Ethics Commission and the Office of the Legislative Inspector General, are specifically charged with holding members of the General Assembly accountable for ethics violations. But the structure of the commission and the lack of independence of the inspector general block transparency of the process of complaints and create the appearance of a system rife with conflicts of interest. The new ethics package allows the Legislative Inspector General to open investigations of complaints without the approval of lawmakers on the Legislative Ethics Commission, so long as it's within one year of

the incident. But the watchdog [must still get approval](#) to issue subpoenas, and, in most cases, to publish summary reports, even when he or she has found a case of wrongdoing. This should be changed.

2. Stop the revolving door: Most states require a cooling-off period between the time a lawmaker leaves office and when he or she can accept employment as a lobbyist. Without one, the advantages to lobbying firms are clear: Former lawmakers will often have more influence with current lawmakers. Illinois' new ethics package included a six-month waiting period, though it only applies to lawmakers who attempt to lobby the General Assembly they served in. So if a lawmaker resigned the day prior to a new General Assembly, he or she could skip the waiting period entirely. Typically, states require lawmakers to wait one or two years before they become lobbyists. Illinois should join the majority and pass a longer revolving-door law that's more in line with the rest of the country.

3. Enforce a true three-day reading requirement: The Illinois Constitution requires each new bill be read on three separate days before it can be passed into law so that lawmakers can know what they are voting for. Bills filed are read aloud by title, meaning the name of the bill must be read into the record, but the entire text of the bill need not be. The spirit of this provision is often subverted through the practice of gutting and replacing legislation - whatever is read aloud doesn't really reflect the bill upon which members are voting. Whole pieces of unrelated legislation can be inserted into dead-end bills and shell bills after they have been read on two separate days, technically meeting constitutional requirements.

Take the example of Illinois' fiscal year 2020 budget. It was introduced originally as a shell bill that read as follows: "The amount of \$2, or so much of that amount as may be necessary, is appropriated from the General Revenue Fund to the Governor's Office of Management and Budget for its FY 20 ordinary and contingent expenses." Lawmakers passed the bill in the Senate, and it went through two readings in the House before gutting and replacing it with the 1,581 pages of the budget. This left lawmakers zero chance of reading, much less comprehending, the language on which they were expected to vote.

Cramming unread legislation through the process completely flouts the spirit of the Illinois Constitution, yet the recent ethics legislation didn't tackle this issue. Bills should be required to be read in their final and unchanged form on three different days, only allowing a supermajority vote to suspend this requirement.

In conclusion: These solutions will bring fairness, honesty and transparency to Illinois government. Lawmakers will have the chance to vote on them this spring – if they're willing to pick up where they left off and finish the job.

