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Ethics commission? Try contribution ban

At first glimpse, it's a great idea — and as proposed by two highly respected New Mexico legislators, Democratic Sen. Peter Wirth of Santa Fe and Republican Rep. Al Park of Albuquerque, the notion of a state ethics commission is sure to appeal to many of their colleagues when they convene in January.

But what would keep certain of the Roundhouse's dingier denizens from turning this bill, endorsed by an interim committee, into one creating a commission that's merely cosmetic and long-term expensive?

And what about paying the proposed commission's half-million-dollar-a-year tab when the state is nearly a billion bucks in the hole? The matter of money also goes further: If the commission does too good a job, would politicians hurt by it figure they should cut its funds?

As proposed by the bicameral committee on Courts, Corrections & Justice, the ethics commission would function along the lines of our state's Judicial Standards Commission: It could subpoena witnesses regarding ethics complaints against state officials or employees — and if the complaint appears valid, the information would be turned over to the Attorney General's Office, or if it's a criminal violation, to our district attorneys. If it's a matter of elected-official misbehavior, the case could go to the Legislature or to the state agency involved.

But if, or when, we get serious about busting crooks, we've already got the state's auditor and attorney general to put on their trail. Why not devote a half-million, if we had it, to the staffs of Hector Balderas or Gary King, instead of creating a whole new bureaucracy?

Political hacks, government contractors and lobbyists would be ineligible to sit on the commission — but in this sparsely populated good-ol'-boy state, plenty of their buddies could serve. So what are the chances that even a majority of the 11-member commission could be trusted?

Since New Mexico, and, for good measure, the federal government, already have criminal laws against bribery and other blatant forms of crookedness, the major challenge facing our state is the purchase of politicians through campaign contributions.

Pursuing that evil is Think New Mexico, the highly effective public-policy research outfit. Its major effort in the coming legislative session is an outright ban on political contributions by lobbyists, state contractors and others directly benefiting from legislative appropriations. The group's proposal would apply especially to "bundled" contributions that circumvent dollar limits.

The idea has drawn gasps from right and left alike: Republicans cry that it's an unconstitutional limit on free expression; Democrats privately bemoan both the lost purchasing power of big-interest lobbies and the bribe money the Legislature's majority-party members would lose.

But precedents are building for the constitutionality of such laws: A federal judge upholding Connecticut's ban on contributions from lobbyists *and their families* said that the Nutmeg State's legislature had a constitutional, sufficiently important interest in combating corruption — actual and perceived — in passing such a law.

Who knows what our federal jurists might make of a pay-to-play ban like this — but it wouldn't cost the Legislature even the \$500,000 ethics-commission expense to find out.

Perhaps other ethics-reform ideas will surface in the six weeks before the Legislature convenes — but the one from Think is a call on the courage of our senators and representatives; given the sad state of political ethics here, and the fed-uppedness of so many constituents, they should give serious thought to the campaign-contributions ban.