

Albuquerque Journal
OP-ED
Wednesday, May 16, 2007

GOP Balks at Ethics Reform

By State Rep. Mimi Stewart

Albuquerque Democrat

Rep. Dan Foley's recent commentary accuses the media and the House Democratic leadership of "muddying the waters" on ethics. I respectfully disagree with the assertions made by my Republican colleague from Roswell.

Let me be blunt. Campaign finance laws in New Mexico, on the whole, are deficient and out of date. We are one of five states without limits on campaign contributions, we are one of 10 states without some kind of independent ethics commission and our disclosure laws must be enhanced so the public knows who is contributing to whom.

There is no question that improvement is needed.

As the old saying goes, sunshine is the best disinfectant. To begin with, more resources are needed to assist the Secretary of State's Office in further developing a robust Web site for campaign related disclosures. I hope we can continue to make progress in this area.

Foley claims that he agrees with me on this matter, but he voted twice— once in committee and once on the House floor— to approve a Senate bill that would have gutted New Mexico's fledging electronic disclosure law. Why claim to be for disclosure and then vote against it?

Disclosure is key, but we must go further. House Democrats offered several bills during the 2007 session to address our state's systemic deficiencies: limits on campaign contributions, restrictions on gifts to public officials, more thorough reporting requirements, limits on the use of campaign funds, voluntary public financing of campaigns and the establishment of an ethics commission. This package of comprehensive bills would have made New Mexico a national leader in ethics laws.

The bills passed the House with overwhelming bipartisan support. It was Rep. Foley's Republican colleagues in the Senate who led the charge to defeat the ethics bills.

Foley insists that these important ethics bills offered by House Democrats were not palatable to mainstream New Mexicans. Instead of launching sweeping rhetoric, let's review the data.

In September 2006, the Albuquerque Journal commissioned a poll of likely voters from throughout the state and found that 90 percent of respondents favored limits on gifts to public officials, and 80 percent of respondents favored limits on campaign contributions. Contrary to Foley's claims, these ethics reforms are indeed palatable to the vast majority of New Mexicans.

Foley was especially pointed in his criticism of the voluntary public financing system for judicial elections. This is most unfortunate. Before the passage of this new and innovative law, judges could receive campaign contributions from those who may appear in their courtroom, setting up an obvious and dangerous conflict of interest.

Now, with this reform's enactment, appellate court candidates in contested elections will have another option. They can refuse to accept all individual campaign contributions and instead volunteer to use the public financing system. Again, they are not mandated to use this system, but will have the option.

What's not sensible about freeing judges from an inherent conflict of interest so they can more confidently and effectively carry out the duties of their job? And furthermore, what's not sensible about extending this system to other offices in New Mexico? Voters clearly understand the problem: the way we finance campaigns in this country, setting up a de facto special interest arms race at all levels, is ruining our democracy.

The 2007 legislative session did bring about significant and real ethics reform. But, our work remains unfinished. I plan to personally advocate for additional reforms like limits on campaign contributions, independent oversight of all branches of state government and an extension of the state's voluntary public financing system.

I am confident many of my Republican friends will support these measures. I can only hope Rep. Foley will join with the majority of House members and a large majority of New Mexicans to do likewise.