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Analysis: Ethics trouble? Blame the press.

By Kate Nash

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SANTA FE — Legislators wouldn't have to file their campaign finance reports electronically, as current state law requires, making it harder for the public to get quick access to that information.

Lawmakers probably won't open their conference committees to the public, making it more difficult to discern what's happening on key bills like the budget.

And politicians this session are bludgeoning efforts at ethics reform and laying at least part of the blame at a familiar target: the news media.

The Senate on Wednesday passed a bill by Senate Majority Leader Michael Sanchez that would make it optional for candidates to file their reports electronically.

The state recently started requiring the electronic filings to make it easier to post reports on the secretary of state's Web site.

But the online system didn't work well, and Sanchez said his bill is aimed at helping computer-illiterate candidates file their information.

"For people who don't use computers or don't have the Internet, they are able to come in and do it by hand," said Sanchez, a Belen Democrat.

"There's no hidden agenda on this thing," he said. "Some skeptics don't realize there are some people who truly don't use the Internet."

The House will now consider the measure.

Albuquerque Sen. Dede Feldman voted for the bill, after she worked in committee to improve it. She sponsored the bill in 2003 that mandated candidates file electronically.

"I tried to take a bad bill and make it better," she said of Sanchez's measure.

"I can see why it might look like a rollback, and in actual fact it does roll back the requirement that every candidate has to file electronically, but it counters that with something better that we didn't have before, which is the two-week deadline that (reports) must be on the Web site."

Feldman, a Democrat, also re-appropriated \$70,000 to the secretary of state for the bill.

While Sanchez said his bill is aimed at helping those who aren't good with computers, a bash-the-media attitude by some senators has come out several times during recent debates to open conference committees.

"What this bill does in its simplest terms, it gives access to the press, not the public; it's the press," said Sen. John Grubestic, a Santa Fe Democrat who earned a dose of bad headlines several years ago when he was cited for careless driving after having two drinks, according to reports.

"And there's a real difference there. We all know it's not the public that's driving this thing; it's the press that's shoving this down our throats."

The measure failed by one vote after Sen. Mary Kay Papen, a Las Cruces Democrat, made a motion to reconsider a vote minutes earlier that had passed by a single vote.

Upon reconsideration, she voted "no," and blamed her flip-flop on not paying attention.

Earlier in the month, a similar bill also failed by one vote.

"We need to look closely at what we are doing here and what we are allowing," Grubestic said during the debate on the floor. "We are allowing access for the press. The press, who prints half the sentence, who manipulates words and places things in the context as they see fit."

But Sen. Rod Adair, a Roswell Republican, said senators shouldn't try to change the subject.

"This is not about the press," said Adair, who acknowledged that he's sometimes assailed by the media.

"The last person in here who would tell you that the press is a bunch of brave or accurate souls is me," he said. "But to make this question turn on the press is intellectually dishonest. It turns on us."

Grubestic and other opponents have said the public wouldn't be interested in attending the committees, where a few members of the House and Senate reach compromises on different versions of the same bills.

"I think the public's silence on this thing is very notable," Grubestic said. "I truly believe that the public doesn't care what happens in conference committees or even understand what occurs in one. The press surely hasn't given them an accurate picture of what goes on in there."

But informal interviews in the Capitol on Wednesday showed some members of the public would be interested.

"Those of us who have real interest in issues like funding, Medicaid, child care, we'd want to know why we're in the budget or we're not," said Bill Jordan, policy director for New Mexico Voices for Children.

And the good-government group Common Cause New Mexico, which has 3,200 members in the state, also supports the bill.

Not everyone said they would be interested in gaining access, however.

"I've seen people negotiate in public," said Jeep Gilliland, president emeritus of the New Mexico Federation of Labor, and a longtime Roundhouse wall-leaner.

"You can't negotiate in public, you can't do arbitration in public. Some things are best done and then reported out (by the legislators)," he said.

Forty-three states have some rule or law mandating the conference committees be open, according to the New Mexico Foundation for Open Government.

Besides deriding the media, New Mexico opponents to opening the committees have cited as reasons the fact it would allow members of the executive branch to sit in on their meetings when lawmakers can't sit in on Cabinet meetings. Other opponents have said that officials can't talk frankly when members of the media are there.

"Sometimes we don't get the whole truth from Cabinet secretaries that are out there and sworn to uphold the laws and Constitution of the state of New Mexico," said Sen. Tim Jennings, a Roswell Democrat. "We have to get somewhere where we can get some beliefs about what is going on as far as the true needs of capital outlay in the state."

But Feldman, who sponsored the open-conference bill that was nixed by the Senate earlier this month, said during the debate that senators were trying to change the subject.

"This is not about Cabinet secretaries and not being able to say their true view. It's not about the governor; it's not about flashlights; it's not about the press. The press is only acting in this case as representatives of the public. This is about the public's right to know."

Feldman said she thinks proponents will keep trying.

"This item has become symbolic, and it will keep coming back again and again like a bad penny. To those of us who are sick of discussing it every year and every session, it's going to continue to come back until finally it will pass and then we'll say, 'How could we have ever argued this long about this?' "



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