

IPA-ComEd and the legislature-10-26-19

ComEd gets tangled up in Illinois politics

By Jim Nowlan

Political corruption in Illinois is back in the news (when did it leave?). A reader writes: Why so much corruption, and so little in neighboring states?

I respond that we have in Illinois a culture (pattern of behavior and values) of corruption (unearned personal gain at public expense). Over our state's history, a sense has developed among too many of us that if we have an opportunity to take advantage of government we might as well do so, as that's what anyone else would do—fix a traffic ticket, get out of a DUI, find an inside track to a profitable government contract, and more.

When I was director of our state's licensing agency (nearly 1 million people need or seek licenses to do business in Illinois), a plumber in my rural hometown once asked me to get him his license, because he didn't test well, and an important state senator asked for the realtor licensing exam for a contributor of his. It's in the water, as they say.

I recall Quad-Cities leader John Gardner once saying that if you wanted to do state business in Des Moines, you went in the front door; in Springfield, the side door.

Our state is replete with horrible corruption scandals. Among the worst: In 1909, 40 state legislators accepted bribes of \$2,500 each (when a new Model T cost \$750) to elect William Lorimer to the U.S. Senate (they elected the senators back then). The Senate expelled him in 1911 when it learned of the corruption, which led to the popular election of senators.

Even worse, if you can imagine, in the 1980s, more than 100 judges and court officials in Cook County were convicted of taking bribes and fixing cases, even murder cases.

Between 1976-2010, the U.S. Court for the Northern District of Illinois registered more convictions for corruption than any district in the nation.

At present, a flurry of federal indictments and investigations fill the news. Even venerable ComEd, the huge electric utility that serves two-thirds of all residents in Illinois, is being probed. Two weeks ago, the company's 61-year-old CEO retired immediately upon reports of the fed's interest in learning more about possible ethics lapses over lobbying violations.

When I was head of a statewide business group in Springfield in the early 1990s, it was an open secret that ComEd had very cozy relations with certain lawmakers, who would handle the company's legislation and later receive jobs or consultancies as rewards.

ComEd has an extensive set of nuclear power plants in Illinois, producing a bigger share of electric power than for any state. The nukes have their good and bad points, e.g., pollution free, yet whadda ya' do with the waste? In recent years, the nuclear plants have also become uncompetitive on price against natural gas. But shutting them down could cripple the company.

Thus, ComEd became totally dependent upon the legislature for expensive, politically challenging favors such as increasing electric bills on you and me in order to subsidize the nukes—and ComEd. So, where does ComEd turn for help? There is only one person: perpetual speaker of the Illinois House Mike Madigan. He controls the fate of literally every piece of legislation introduced into the General Assembly.

I turned to a really smart close friend who was until retirement a few years ago an insiders' insider in Springfield. As a lobbyist, he was among the most powerful.

“You have to realize, Jimmie, that over the years Madigan has come to ‘own the space’ in which many interest groups have to operate. These groups have no countervailing force to turn to; there is none.

“So, they have to work with the speaker to get what they want, especially so for ComEd, which has to make some of the toughest asks.

“The give and the take—and if you want something, you sure have to give something in Illinois —goes on indirectly, unspoken, at one remove, with winks and nods.

“So, if someone like Madigan somehow gets the word to ComEd: ‘I think it would be in your best interest to hire Joe Blow (his close friend) as a lobbyist for your company, and find jobs for Bill Smith and Mary Jane Jones, and contribute money to these candidates,’ you find them jobs and more. You have no option.”

When might this be considered a criminal breach of the public trust, that personal gain I refer to above? And how do you prove that a possible criminal act(s) took place, when it is all done in the ether?

That is what I speculate is going on with the present federal investigation into the behavior of legislators and supplicant companies like ComEd. We’ll see. If anything untoward has occurred, it’s part of a grand, you might say, tradition.