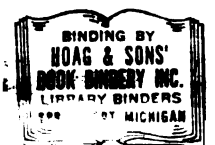


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ABSTRACT

PRESS COVERAGE OF POLITICAL REFORM
LEGISLATIVE ACTION IN MICHIGAN
1974 AND 1975

By

Marie Kingdon VandeBunte

Watergate focused attention on the needs for sweeping reforms in our political system. Governmental officials in Michigan began to consider and discuss political reform legislation in late 1973. In 1974 loophole-ridden legislation passed both House and Senate. Press coverage of this legislative activity was adequate but hardly enthusiastic. In several instances, the press could not be considered helpful to those who were urging comprehensive reforms.

Common Cause, a national citizens' lobbying organization, had been active and instrumental in advocating far-reaching political reform legislation on both federal and state levels.

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In 1974, after the Michigan Legislature passed watered down legislation, Common Cause-Michigan, with support from the Detroit Free Press and other newspapers, threatened a statewide referendum petition drive to initiate strict reform measures by a vote of the people in Michigan.

Following four and one-half months of intense negotiation sessions between Common Cause, legislative Quadrant leaders (Speaker of the House of Representatives, House Minority Leader, Senate Majority Leader, Senate Minority Leader) and the Governor, a strong, comprehensive, 71-page bill was introduced into the Legislature on May 19, 1975. The bill was signed into law by the Governor on August 27, 1975. The press in Michigan closely followed the legislative progress of the political reform bill.

The focus of this paper is on press coverage of Political Reform in Michigan, 1974 and 1975. Legislative action, political strategy, and the role of the citizen activists--Common Cause-Michigan--will be discussed.

During 1975, as the political reform legislation was wending its way through the legislative process, this writer was working as a legislative research staff member, concentrating on the political reform legislation--as

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both a participant in the process, and an observer of that process.

The role of the press has been studied by concentrating on the coverage of political reform in the Detroit Free Press, Lansing State Journal, and Detroit News. An arbitrary sampling of other Michigan newspapers was also a part of the study.

The editorial "turnaround" position of the Detroit Free Press, on several major points of political reform, must be considered an important part of this story.

Interviews with elected officials, political consultants, legislative staff members, aides to the governor, press personnel, and Common Cause activists were also a part of the study.

Findings include the determination that Common Cause's impact on 1975 political reform legislation in Michigan was great.

Press coverage was at the minimum adequate, and for the most part well done. It was not complete however--perhaps due to time and/or space constraints.

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PRESS COVERAGE OF POLITICAL REFORM
LEGISLATIVE ACTION IN MICHIGAN
1974 AND 1975

By

Marie Kingdon VandeBunte

A THESIS

Submitted to
Michigan State University
in partial fulfillment of the requirements
for the degree of

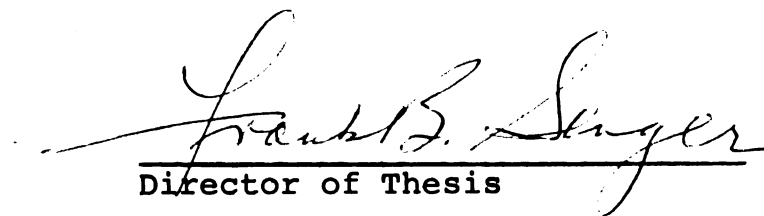
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Accepted by the faculty of the School of
Journalism, College of Communication Arts and Sciences,
Michigan State University, in partial fulfillment of
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ACKNOWLEDGEMENTS

As a first-hand observer of this event, I was able to experience the political process of legislation and at the same time "watchdog" the "watchdog" press.

Although the idea of "using" the legislative event as a thesis topic did not occur until after the event was enacted, it was still soon enough so that memories were fresh, and personal notes still decipherable. To say that the experience of assessing the press coverage has been rewarding and worthwhile is an understatement. It has been challenging, complex, frustrating, and fun!

I would like to express particular thanks and appreciation to Dr. George Hough, for doing so much to make this possible. I thank Professors Mary Gardner and Ray Cullen, whose demanding assignments inspired an "older" student to strive to do her best. But my most special thanks and appreciation go to Professor Frank Senger, whose encouragement and guidance, with a feeling of quiet caring and gentle concern, will always be a cherished memory.

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In addition, I also wish to thank my "sources," who helped tremendously in my knowledge of behind-the-scenes actions which, unfortunately, could not always appear in print!

My acknowledgement would not be complete without a special word for the support offered by family and friends--the ones who long ago inspired, and who have continued to "keep the faith."

And last but not least--thanks to me, for proving to myself (and others) that I could really do it!

INTRODUCTION . . .

THE CHARACTER . . .

PART

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I. POLITICAL

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III. POLITICAL

IV. THE LEGISLATIVE

V. THE EXECUTIVE

VI. FINAL

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INTRODUCTION

"Watergate" has become the word symbolic of a "turning point" in our political system. Events may be classified now as being "pre-Watergate" (prior to June 17, 1972), or "post-Watergate." The word symbolizes one of the most dramatic political events in our 200-year history as a nation. An on-the-surface simple, third-rate burglary of an office suite in Washington's Watergate Complex turned into, over a two-year period, an upheaval that resulted in the ultimate resignation of this nation's highest elected official, the President.

Watergate may be perceived as the catalyst in an evolution of crises (Vietnam, the civil rights movement, the women's movement, political assassinations of the 1960's, pollution, unemployment, inflation) which already had evoked unconcealed cynicism among a public grown mistrustful not only of government and politicians, but also of a broad range of American institutions, including business, education, labor, and the professions.

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According to a Michigan political consultant:

Watergate was the dramatic symbol of all the accumulated evils that the public had imagined about our political system. Watergate was horrid proof that politicians were crooked, that government and the people in government were arrogant and abusive and, above all, that those in government were there only for selfish rewards and not out of any desire to serve the people.¹

And, more important, Watergate has resulted in new rules and a new mood for the political life, times and participants. The politician must play the old game by the new rules--sometimes enacted hastily, often enacted reluctantly--and the general public appears to be paying much closer attention to all the events surrounding our complicated political process.

On a national level we have seen federal legislation enacted which limits campaign contributions, establishes a public funding system for Presidential candidates, and sets up a Federal Elections Commission to oversee and regulate the campaign process.

Voters have reacted, in the post-Watergate era, with an interest and concern which had not been previously apparent. The "Saturday Night Massacre" (Saturday,

¹Personal interview with Michigan political consultant, December 1, 1975.

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October 20, 1973, when President Richard M. Nixon ordered Special Watergate Prosecutor Archibald Cox to be fired, and, when Attorney General Elliott Richardson and Deputy Attorney General William Ruckelshaus refused to carry out the order, the President ordered them to be fired as well) is remembered because it produced an unprecedented citizen reaction. More than 150,000 telegrams, the largest concentrated volume in the history of Western Union, poured into Washington in opposition to the President's action.¹ Many urged impeachment. Twenty-two bills, requesting an impeachment investigation, were introduced into the U.S. House of Representatives.

In this post-Watergate era there has been a change in voter attitudes. The voter--who in effect controls the politicians' destinies and who never really loved or revered the politicians before--is in a new mood. The public is angry, restless and disenchanted with the way their non-heroes have played the political game in the past. And the rules of that game are now different than they were at the time the Watergate scandal erupted.

¹Carl Bernstein and Bob Woodward, The Final Days, p. 71.

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In Michigan, the rules were changed drastically by the enactment of House Bill 5250, Public Act 227 of 1975, in the 1975 legislative session. This legislation was called "the most comprehensive political reform law of any state in the nation."¹ However, a state Supreme Court Advisory Opinion, issued March 29, 1976, two days before Public Act 227 of 1975 was to take effect, declared the entire act unconstitutional, on the basis of a technicality--that the act "encompassed more than one subject."²

Thus the rules were changed, but, unfortunately, the game never had to be revised to be played under the new rules. The rules were changed, but they never went into effect, in Michigan.

The focus of this paper will be on political reform in Michigan, with background offered on the 1974 legislation passed, but with an emphasis on the legislation enacted in 1975. (At the time, this writer was a legislative research staff member, concentrating on the complex political reform legislation.)

¹William G. Milliken, Governor of Michigan, Press Release issued August 27, 1975.

²Michigan Supreme Court, Advisory Opinion, issued March 29, 1976.

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Even though the legislation is inoperative, this paper is written, for the most part, in the context of those political reform proposals as they were proposed, accepted, and as the actions were reported by the press. The role of the press will be considered through the study of daily newspapers in the State of Michigan, as they focused on the general issue of political reform, and on the 1974 and 1975 legislation as it wended its way through the often frustrating processes of introduction, House and Senate committees, hearings, floor action, and finally, a governor's signature.

The two Detroit daily newspapers, the Free Press and the News, were studied in depth, along with the Lansing State Journal. Other state newspapers were arbitrarily considered--when articles were available through a clipping service, or through the personal files of sources and legislative staff members, made available to this writer.

As will be seen, public and press reaction to the 1974 measures was lukewarm at best. In the fall of 1974, pressure to enact stronger political reform measures for Michigan was generated by an active citizens' lobbying group, "Common Cause--Michigan," whose parent organization

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had been instrumental in lobbying for the far-reaching political reforms on the federal level.

The measure passed in the 1974 legislative session in Michigan was clearly unsatisfactory to the citizen crusaders, however, and the press covered that reaction. Members of Common Cause stated that enrolled Senate Bill 1016 "didn't go far enough," and they launched an extensive program demanding much more of the 1974 candidates and elected officials.

As will be seen, Common Cause's impact on 1975 political reform legislation in Michigan was great.

In other states, when state legislators declined to enact strong political reform legislation, concerned citizens would initiate referendum petition drives to place measures on the ballot. The year 1974 saw the passage of stringent ballot reform proposals. That June, California's "Proposition IX" (political reform) passed, by a 3 to 1 margin, although the proposal did not have the endorsement or support of the major political parties, of Big Business, or of Organized Labor. The California proposal was recognized as the strongest political reform measure in the country. Common Cause in California

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deserved much of the credit for promoting those strong reforms.

Because of Watergate, it may be said that the public is demanding that politicians be more visible. For the most part, politicians have, of necessity, become more accessible than in the past. People have demonstrated their desire to be involved. Petition drives and citizen task force workshops offer substantial evidence to this effect.¹

Watergate may be said to have heightened the accountability syndrome.

What the true and lasting impact of Watergate on American politics has been, and will be, remains unanswered. But what we as citizens must realize is that there is going to be a lasting legacy from Watergate--in particular, one of reform. We are experiencing that here in Michigan. But the public and the watchdog press can not relax and assume that the reforms have solved it all, or will solve it all.

¹State Representative David C. Hollister (D-Lansing), has spearheaded five citizen task forces which have promoted progressive legislation such as open meetings, welfare reform, and day care. A March 21, 1976 "57th District Legislative Conference" drew more than 200 persons to participate in citizen workshops.

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Watergate, and the enactment of reform measures, have not made officeholders more honest. But reform legislation is important because it is habit forming. If the public demands openness and accessibility, the candidate having those traits and being able to project them will have a better chance of being elected.

Watergate left a permanent change on the way politics is conducted and the way people view politicians.

The Watergate impact has been widespread. Its specific thrust in the Michigan political arena can be realized as we review the citizen reaction, instigated by Common Cause--Michigan, in demanding reforms to our political system. The proposed reforms were stronger than Michigan politicians were at first willing to accept, without considerable analysis, concern, and intense negotiation.

Michigan's political reform story, in 1974 and 1975, obviously had its roots in Watergate, but the impact of local citizens and citizen groups can not be ignored.

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William G.

Senate

Speaker C.

House M.

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Committee on

John M.

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George C.

Joseph

Jack L.

Paul R.

Roy S.

James S.

John E.

Ralph O.

CAST OF CHARACTERS

Governor

William G. Milliken (Republican)

Legislative Leaders

Speaker of the House	Bobby D. Crim (D-Davison)
House Minority Leader	Dennis O. Cawthorne (R-Manistee)
Senate Majority Leader	William Fitzgerald (D-Detroit)
Senate Minority Leader	Robert Davis (R-Gaylord)
House Majority (Floor) Leader	Joe Forbes (D-Oak Park)
House Minority (Floor) Leader	William Bryant (R-Grosse Pointe Farms)

Committee on House Policy

John Markes, Chairman (D-Livonia)
Joe Forbes, Vice-chair (D-Oak Park)
Barbara-Rose Collins (D-Detroit)
George Cushingberry, Jr. (D-Detroit)
Josephine Hunsinger (D-Detroit)
Jack Legel (D-Detroit)
Paul Rosenbaum (D-Battle Creek)

Roy Spencer, Republican vice-chair (R-Attica)
James Defebaugh (R-Birmingham)
John Engler (R-Mt. Pleasant)
Ralph Ostling (R-Roscommon)

State Committee

Bennett M.
Arthur G.
Harry W.
John W.
Robert Y.

Delegates

Speaker
House M.
Senate M.
Senate M.

United States

Stan F.
Arthur L.
Rick C.
Paul A.

State Causes

Long R.
Stan R.
Harry R.

United States

Member of
reported
the state

Senate Committee on Municipalities and Elections

Patrick McCollough, Chairman (D-Dearborn)
 Arthur Cartwright (D-Detroit)
 Kerry Kammer (D-Pontiac)
 John Welborn (R-Kalamazoo)
 Robert Young (R-Saginaw)

The Quadrant

Speaker of the House	Bobby D. Crim
House Minority Leader	Dennis O. Cawthorne
Senate Majority Leader	William Fitzgerald
Senate Minority Leader	Robert Davis

Quadrant Staff (executive aides)

Stan Fedewa (Crim)
 Archie Lewis (Cawthorne)
 Rick Cole (Fitzgerald)
 Phil Arthurholz (Davis)

Common Cause

Doug Ross, Executive Director
 Susan Rennels, Chairperson, Common Cause--Michigan
 Terry Black, Vice-Chairperson, Common Cause--Michigan

Capitol Press Corps

Member of the Press, including wire services and
 reporters from Michigan daily newspapers throughout
 the state

PART I

POLITICAL REFORM, 1974

CHAPTER I
POLITICAL REFORM BEGINNINGS

Background--Common Cause

John Gardner, former Cabinet Director of Health, Education and Welfare in the Johnson Administration, and founder and national chairman of Common Cause, the citizens' lobby he founded in 1970, has stated:¹

The ironic thing about the old system, the secret government behind closed doors, was that any really powerful group knew what was going on behind those doors. The only people who didn't know were the citizens--the public, the taxpayer, the consumer. They were the people from whom the secret was being kept.

In Michigan in December 1975, Gardner said he was "impressed with the amount of reform that has been accomplished and that will be accomplished," and discussed in detail what he called "the wave of reform in state government."²

¹"Opening the Windows After Watergate," Detroit Free Press, interview with John Gardner, December 13, 1975, p. 8-A.

²Ibid.

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In an interview with the editorial board of the Detroit Free Press, John Gardner said:

Forty-six out of 50 states have put through one or another of our major reform measures, and those are lobbying disclosure measures or conflict of interest measures or campaign financing or open meeting or freedom of information. Forty-six out of the 50 states--and as you know, state legislators do not have an ungovernable impulse to reform.

This is the biggest wave of reform at the state legislature level in the history of the country.¹

Gardner said he believed that Congress and the state legislatures have moved "with considerable care." And:

they're dealing with their own business--their own lives. Legislators are dealing with their careers when they deal with these matters, and they're very unlikely to be stampeded.²

The specific thrust made by Watergate in the Michigan political arena may be observed as we ponder citizen reaction here in two special Congressional elections held in 1973 and 1974.

When Gerald Ford, who represented the 5th Congressional District in Congress, was named to the vice-presidency, a special election was scheduled in the Fifth

¹Ibid.

²Ibid.

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District. The Michigan state Senate Majority Leader, Republican Robert VanderLaan, campaigned against Grand Rapids attorney, Democrat Robert VanderVeen for the seat which Gerald Ford had held for twenty-five years. The national press proclaimed it anti-Nixon sentiment as Republicans in the conservative Dutch community exercised their right not to vote. VanderVeen won.

In the 8th Congressional District, an election held in the spring of 1974 (Congressman James Harvey, Republican, had accepted a federal judicial appointment), pitted Republican James Sparling against state Representative Democrat Robert Traxler. President Richard Nixon decided to campaign personally in the Bay City and Thumb area on Sparling's behalf. Traxler won.

Congressional elections in November 1974 sent Democrats to the U.S. House of Representatives with an almost veto-proof 291 members.

Another important factor in gaining perspective for political reform in Michigan is a December 1973 Common Cause Report from Washington which stated:

High-minded citizens who look down on politics are going to have to learn that we need our politicians. Just as we must reject those who corrupt the public process,

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so we must support those politicians who risk their careers in the public interest.¹

A common theme throughout the Common Cause doctrine and principles is that of the importance of citizen action, including the "spontaneous expression of citizen discontent."² In discussing the new shape and tone of citizen impact on today's political scene, John Gardner wrote:

Citizen organizations have learned how to make their influence felt. They have learned to do their homework; they have learned how to organize; they have developed the same competence and toughmindedness that characterizes the most effective special interest lobbies.

Citizen action is a part of the necessary machinery of democracy. To discern its role, one need only examine the dozens of movements it has spawned--women's suffrage, the movement to abolish child labor, conservation. It is often the only way a significant new issue can get on the nation's agenda.³

And citizen action, as in the case of Michigan, is often the significant way an old issue found unacceptable by a group of citizens united together, can become the focal point. An old issue may not go far enough, so it

¹ Report from Washington, from Common Cause, December 1973-January 1974, p. 21.

² Ibid.

³ Ibid., p. 22.

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may become a new issue to a group of citizens. In Michigan, the 1974 "old issue" of political reform--which Common Cause members did not like in the form in which it eventually passed the Legislature--became the "new issue" of late 1974 and most of 1975. Political Reform 1975 was on its way in 1974, spurred by Common Cause when the Legislature failed to enact complete and thorough reform measures in time for the 1974 primary and general elections.

It is important, therefore, to understand the 1974 political reform procedures and maneuverings so that 1975 can be put into proper perspective.

In September 1973, with no substantial press notice, a state affiliate of Common Cause was formed. As will be seen, this citizens group, through extremely able leadership of the persons who served as lobbyist for the group, and the state directors, would assume a major role--that of catalyst--in initiating strong, comprehensive political reform measures in Michigan. These persons would work arduous hours (indeed, one criterion for their Executive Director was to be on "24 hour call"), before realizing noteworthy achievement in August of 1975.

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The Beginnings of Post-Watergate
Political Reforms in Michigan

In October 1973, John Gardner spoke in Lansing urging support for political reform measures. On October 14, 1973, the Lansing State Journal reported that Republicans in the Michigan Legislature "generally support campaign and election reform," but wanted to be careful "that the GOP does not let itself become the only party to 'emerge with one hand tied behind its back.'"¹ That statement came in a memo circulated to Republican legislators as a result of an October 1 meeting of House and Senate Republican leaders and Governor William G. Milliken, a Republican. The memo, according to the newspaper report, said campaign and election reform "was by far the most complex subject discussed and few, if any, concrete recommendations came out of the considerable time devoted to it."² A key issue did seem to be the thought that it would:

be essential that "in-kind" contributions be regulated just as thoroughly as direct financial contributions. "In-kind" contributions,

¹Hugh Morgan, "GOP Supports Election Reforms, With Caution," Lansing State Journal, October 14, 1973, p. B-2.

²Ibid.

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of course, include such things as contributions of manpower and facilities, a la the UAW and AFL-CIO.¹

In a special message to the Legislature on October 25, 1973, Governor Milliken asked the lawmakers to take up political reforms as their first priority, and he urged passage before the end of the year.²

In the wake of Watergate and Spiro Agnew, the capitol is awash with talk about passing tough new laws to keep similar corruption out of Michigan politics.

Governor Milliken has led the way in rhetoric about the need to reform Michigan's weak law regulating political campaign financing and lobbying activities.³

However, it looked bleak for any significant reform in 1973, and possibly 1974. The Free Press stated: "But so far, all the talk has produced no legislative action, and chances are fading fast that any campaign reform laws will be passed in 1973."⁴

¹Ibid.

²William G. Milliken, Governor of Michigan, Message to the Legislature, October 25, 1973.

³William Meek, "Campaign Reform Bills Bog Down," Detroit Free Press, November 19, 1973, p. 8-C.

⁴Ibid.

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The article continued:

Lack of leadership from the executive office and lack of interest among the legislators are equally involved in the footdragging in the Republican-controlled Senate where the reform programs are supposed to be passed first.¹

And a significant "editorial" comment:

Milliken knows it will be increasingly difficult, if not impossible, to get reform legislation enacted in the 1974 election year as the lawmakers become more interested in winning elections than in purifying them.²

A special Senate study committee recommended basic reforms paralleling the Governor's proposals. Senator William S. Ballenger (R-Ovid), committee co-chairman, warned that "many legislators don't want to adopt political reforms" and declared that success "depends mainly on Milliken's leadership." Ballenger said, "It depends on how badly the governor wants it, whether he's willing to knock heads to get results."³ And as of November 19, 1973, the governor's own bills, containing his reform measures, had not yet been introduced. Clearly, although Milliken told newsmen "There is still time," there was no possibility for any reasonable reform measures for 1973.

¹Ibid.

²Ibid.

³Ibid.

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In a November 20, 1973 editorial, the Free Press stated:

The Michigan Legislature and Governor Milliken are missing an excellent opportunity to show the public that they are really serious about cleaning up the political process.¹

All the citizens of Michigan would be the losers if the governor and the Legislature did not face up to their responsibilities, according to the editorial. The Free Press called for Milliken to "work to make his rhetoric a reality, and legislators should heed his call for action."²

It would seem that a "catalyst" was needed--someone (or some group, perhaps?) to be totally dedicated to enacting reform "for the common good"--if Reform was to be Reality. The Governor did not appear dedicated enough to assume that role. Nor did any state legislator--senator or representative--step forward to pick up the gauntlet. Whose was the moving oar?

Detroit Free Press editorials on December 23, 1973, blasted the Legislature for having done "little of real significance despite an excellent opportunity to make

¹"More Talk Than Action on Reform in Lansing," Detroit Free Press, November 20, 1973, p. 8-A.

²Ibid.

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progress,"¹ and quoted a Common Cause year-end report which "makes the dramatic point that Watergate has spurred legislatures across the country into action to clean up the American political system."² A significant note: "Michigan is not mentioned at all" in a list of 25 states which had passed effective new laws in at least one area of reform.³

The editorials pointed to the minority Senate Democrats as the culprits (although they did not have a majority of the votes). "The Democrats . . . did not want to act on the campaign financing bill . . . and succeeded in preventing any consideration of it."⁴

The Free Press article continued:

We are certain that most Democrats in Michigan do want to see the political system cleaned up, but the Democrats in the Senate have so far shown no inclination to act in this area of broad public interest. So far they have used nothing but stalling tactics to avoid responsibility.⁵

¹"Michigan Scores Poorly On Reform Legislation," Detroit Free Press, December 23, 1973, p. 2-B.

²Ibid.

³Ibid.

⁴" . . . And Democrats Shun a Duty," Detroit Free Press, December 23, 1973, p. 2-B.

⁵"Michigan Scores Poorly on Reform Legislation," Detroit Free Press, December 23, 1973, p. 2-B.

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In its second editorial, the Free Press restated that "the Legislature has done little about political reform, despite the fact that the Watergate scandals have created a new public awareness of the need for reform."¹

By mid-January 1974, the Senate finally acted, and passed "a reasonably strong campaign finance disclosure bill."² Although the Senate bill was said to allow a number of "loopholes," there was optimism regarding the bill's passage in the Democratic-controlled House of Representatives. However, a provision in the bill which would require reporting of "in-kind" contributions was not expected to meet with favor by Democrats. The State Journal commented:

The usual horse trading and swapping efforts are expected in the House to try and bring about a campaign reporting bill the major parties will accept. We hope the horse traders won't end up trading away the meat of the bill in the process.³

In early March of 1974, the State Journal reported that House Democrats and Republicans had "ironed out major points of difference over a campaign finance disclosure

¹"... And Democrats Shun a Duty," Detroit Free Press, December 23, 1973, p. 2-B.

²"Don't Cheer Yet," Lansing State Journal, January 20, 1974, p. A-8.

³Ibid.

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bill."¹ House Speaker William Ryan (D-Detroit) and House Minority Leader Dennis O. Cawthorne (R-Manistee), agreed on areas of difference (including a major exemption to reporting "in-kind" contributions). "The next step is selling the compromise to the House Policy Committee which is considering the bill," Cawthorne commented.²

But the House Policy Committee placed "loopholes" in the bill before reporting it out of committee in late March. A Detroit Free Press editorial on April 1, 1974, blasted the lawmakers and said, "All the members of the Michigan House of Representatives should work to plug the loopholes that have now been placed in the campaign financing reform bill by the House Policy Committee."³

It would appear that the previous Ryan-Cawthorne agreement had not held up. Political reform apparently did not have full bipartisan support at that time.

The State Journal stated that "Democrats must be wary of being open to the charge of promoting watered-down

¹"Campaign Bill Ironed Out," Lansing State Journal, March 10, 1974, p. B-10.

²Ibid.

³"Legislature Must Eliminate Loopholes in Reform Bill," Detroit Free Press, April 1, 1974, p. 10-A.

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legislation," and that "Governor Milliken branded it (the bill) a 'sham' and a 'farce' and GOP leaders derided it as full of loopholes."¹

The article stated: "Milliken is in a good position to take credit for meaningful reform or place the blame for lack of it on the Democrats."²

It should be noted, however, that several Republicans voted for the bill when it passed the House Policy Committee, with loopholes, and joined the Democratic majority in supporting weakening amendments.

The State Journal commented:

It is expected younger Democrats may attempt to provide upper limits on spending and contributions. The plan gets little support from the leadership, and none at all from Milliken, who says disclosure is more important than limits on spending.³

Common Cause criticized the bill (Senate Bill 1016) in an "open letter to State Legislators" following the bill's approval in the House Policy Committee. Al Swerdlow of Oak Park, Common Cause--Michigan chairman, objected to

¹Malcolm Johnson, "Big Uproar Expected Over Campaign Reform," Lansing State Journal, April 1, 1974, p. B-7.

²Ibid.

³Ibid.

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the enforcement provision, lack of contribution and expenditure limits, and inadequate definition of "in-kind" contributions. The citizens' lobby also criticized the technical language of the bill. A State Journal article quoted Swerdlow as saying, "Many of its (the bill's) provisions are so poorly and inconsistently worded that they could never be criminally enforced or understood by an intelligent person."¹

In essence, Common Cause strongly chided the Legislative efforts as not going far enough and of containing loopholes and inadequacies. In addition, the citizens group was gaining a sort of notoriety in political circles. Perhaps they were hitting "too close to home."

A Grand Rapids Press editorial in February had commented that "Common Cause is known as Common Curse by some political operatives, and not without reason."² The editorial was, in general, complimentary to the group:

The privately funded organization has had surprising and considerable success in areas

¹"'Open Letter' Harsh," Lansing State Journal, April 7, 1974, p. A-10.

²"Common Cause and Secrecy," Grand Rapids Press, February 22, 1974, p. 10-A.

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where others have failed--in lobbying for tough campaign reform laws, in fighting government secrecy and in forcing open votes in Congress.¹

The editorial continued:

Much of Common Cause's achievement can be credited to its persistent lobbying in the halls of public opinion and its ability to use the judicial system to its advantage. Either effort is more than most individuals can mount, but Common Cause, as its name implies, succeeds through joint action.²

The editorial, written in response to a House Republican aide's irritation at Common Cause for not offering a copy of the group's membership roster to the Republicans to use for a mailing, criticized the Republican complaint. (The Republican was angry and suggested that by not sharing its membership list, Common Cause was guilty of the same practice for which it criticizes lawmakers--concealing sources of financial support.) The point was, according to the Grand Rapids Press, that while Common Cause operated in the political arena, "its efforts are directed at non-partisan goals."³ The Press criticized the complainant who attempted "to compare the privacy of political donations to

¹Ibid.

²Ibid.

³Ibid.

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that claimed by Common Cause."¹ The editorial pointed out that Common Cause "can legislate nothing and can enforce nothing," and, like any other private organization, "it is accountable only to its members, not a political constituency. It is simply not a gear in the governing machine."²

The editorial concluded:

If a political party professional cannot understand those basic differences, then little wonder that Common Cause was created, and little wonder that it is considered a nuisance by some.³

It was obvious that Common Cause had "established clout" in Michigan in 1974.

In an April 8 article in the Free Press, reporter William Meek wrote that the political reform bill was "weaker and more loophole-ridden than the existing state law it is supposed to correct."⁴

Both Governor Milliken and the Michigan chapter of Common Cause concluded that the political reform bill was too weak. Milliken said he would veto the bill if it

¹Ibid.

²Ibid.

³Ibid.

⁴William Meek, "Loopholes in Dems' Election Reforms Criticized," Detroit Free Press, April 8, 1974, p. 9-C.

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passed in its present form. "What is likely at this juncture is that a workable bill won't clear the Legislature in time to affect the 1974 elections," according to the Free Press article.¹

"House Policy Committee members made it clear they are not willing to trim back any of the advantages they already enjoy," the article continued.² "Democrats favor limits on individual donations but most of them don't want to put similar limits on contributions from organizations like labor unions."³

Common Cause received more editorial acclaims in late April. In an editorial titled "An Uncommonly Good Cause," the Free Press noted Common Cause's growing membership throughout the country, "as average citizens seek a more effective voice in their governments and greater responsiveness from their elected officials."⁴

More to the point, the editorial zeroed in on an important priority of the national citizens' lobby:

¹Ibid.

²Ibid.

³Ibid.

⁴"An Uncommonly Good Cause," Detroit Free Press, April 26, 1974, p. A-8.

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No single group in the country has worked as hard recently for the American ideals of governmental ethics and integrity. Along the way, of course, these efforts by sincere, average citizens have ruffled the feathers of some politicians who would like to keep politics and public affairs behind closed doors and continue to run and finance their political campaigns far from public scrutiny.¹

The editorial seemed to be "inspired" by remarks of State Senator James D. Gray (D-Warren), who had recently referred, in writing, to Common Cause as "this communist cause" group. The editorial offered commentary on Senator Gray's hiring of a person, in 1972, on the state payroll at taxpayer expense, to run his campaign for Congress.

This use of tax money to hire campaign workers is precisely the type of unethical conduct which Common Cause and others are trying to eliminate.²

In conclusion, and as a commendatory Common Cause comment, the editorial stated: "There is a moral: It helps to know from whence criticism comes."³

In the meantime, the political reform bill was on the House calendar for floor debate.

¹Ibid.

²Ibid.

³Ibid.

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After days of debate on the floor, the bill was defeated in a 41-58 vote, 15 votes short of passage. The Democrats could count only the core of their party's vote, as 12 Democrats abandoned the bill, "seven of them in a group of younger lawmakers who claimed the measure was weak and meaningless in its reform. The Republican side stood just one vote short of unanimous opposition."¹ The Democrats moved to reconsider the vote on another day of session.

The article reported that "The GOP, taking its cue from Governor William G. Milliken, balked at a \$25.00 'floor' which provided that campaign donors of \$25.00 or less could remain unidentified."²

Milliken said the bill was "not sufficient," but said there was still time for the Legislature "to enact reform legislation that will assure that our political system is open, accountable and unbought."³

Common Cause had supported the \$25.00 floor, however--which Republicans objected to so strongly. The

¹Malcolm Johnson, "Campaign Reform Loses," Lansing State Journal, April 26, 1974, p. B-2.

²Ibid.

³Ibid.

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press hardly noted this. Such a limit, the citizens' lobby had stated, was needed in local races "where low budgets necessitate grass-roots fund-raising which often depends on hot dogs and bumper-sticker events."¹

The "Kiddy Caucus" (young, aggressive, liberal, generally first-term legislators) Democrats, who felt the bill did not go far enough, condemned the lack of spending and donation limits and no move toward public financing of campaigns. Representative Howard Wolpe (D-Kalamazoo) expressed the thoughts of the "Kiddy Caucus" and said the bill "continues the unjust campaign process which favors the rich and powerful."²

House Speaker William Ryan reacted strongly to the show of Republican muscle: "It may be the death knell of campaign reform in this state The Governor's order to vote no and make a political point was a serious mistake in principle."³

Following the House defeat of the political reform measure, Common Cause was again commended editorially in

¹"'Open Letter' Harsh," op. cit.

²Malcolm Johnson, "Campaign Reform Loses," Lansing State Journal, April 26, 1974, p. B-2.

³Ibid.



the State Journal on April 29. The article discussed citizen groups which "have started to pick up steam" and said "several have now become strong forces in the nation's capitol as well as the state levels."¹ Discussing "sharp blasts" delivered in recent months at Common Cause, the editorial stressed Common Cause's own recent statement that "members come from all walks of life, all political parties, and there is no secret about its operations."² The article noted that in Lansing, Michigan, Common Cause was registered as a lobbying organization, and

Furthermore, both the national and state offices have pledged to make full disclosure of their lobby expenditures, a disclosure that goes beyond present laws. All this is exactly what Common Cause and other citizen lobbies are asking lawmakers to do.³

An alliance between Common Cause and the press seemed to be building up, as the political reform measure, and Common Cause's pleas for openness and disclosure, were gaining momentum in Michigan's state Capitol.

¹"Feeling Heat?," Lansing State Journal, April 29, 1974, p. A-10.

²Ibid.

³Ibid.

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"The criticism of this organization appears to be unfounded and perhaps results from the fact that heat is building up in the kitchen," the editorial continued.¹

"Common Cause may be making life a bit uncomfortable for a few lawmakers who still resist the bitter medicine of finance disclosure. Too bad It's something that should have been done years ago."²

The Detroit Free Press commented editorially April 29 about the political reform bill, commending the majority of the Michigan House of Representatives for acting "wisely in rejecting the version of the campaign financing reform bill that House Speaker Ryan is trying to get passed."³

"It is not a good bill in its present form because it would not require the full and complete disclosure of all campaign contributions."⁴ The editorial reported Mr. Ryan's argument that this "loophole" was "designed to protect the privacy of small contributors," but the Free Press

¹Ibid.

²Ibid.

³"Seeking a Better Reform Bill," Detroit Free Press, April 29, 1974, p. A-14.

⁴Ibid.

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stressed the \$25.00 floor "is nothing more than a guise for evading the intent of the reform legislation, which is and should be full disclosure."¹

Unbeknownst to its readers that day, however, the Free Press was to do a turn-around in support of the 1975 legislation, by editorially endorsing a \$50.00 reporting floor for campaign contributors' name disclosure.

A "May Day" message to lawmakers, printed in a May 1 editorial in the Lansing State Journal, stated the political reform bill defeat "was caused by continued insistence of a Democratic majority on watering down the measure," and stated the "issue on this bill is full and open campaign financing disclosure."²

In late May, the House did squeeze through, 56-49, the election financing reform bill, with most of the "loop-holes," as they were called, still included. Only three of the Democratic members voted "no" with the block of Republicans. H. Lynn Jondahl (D-East Lansing) and Earl Nelson (D-Lansing) were two who held out for contribution and expenditure limits.

¹Ibid.

²"'May Day' Message to Lawmakers," May 1, 1974, Lansing State Journal, p. A-16.

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The bill was sent back to the Senate for approval. In a State News article it was stated "Senate Democrats, who hold a slim one-vote majority, are apparently eager to ratify this weak House bill as is, perhaps in a cheap partisan challenge to Milliken to veto a reform package in an election year."¹

The student newspaper concluded:

But, if Michigan citizens are not to be once again slapped in the face by their public servants, the Senate must do what is right and force the House to close these loopholes--in time to reform political campaigns in this election year. To not do so and still call this bill reform would be an exercise in massive public deception.²

On May 23 the State Journal reported:

Unless a bill to revamp the state's campaign finance law is changed to require complete disclosure of all contributors, Governor Milliken says he may veto it.³

The article quoted the Governor: "It is not a campaign finance reform bill. It's a campaign loophole bill and I want no part of it."⁴

¹"Senate Must Improve Campaign Reform Bill," Michigan State News, May 20, 1974, p. 4.

²Ibid.

³"Campaign Bill Blasted," Lansing State Journal, May 23, 1974, p. B-14.

⁴Ibid.

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The \$25.00 floor was becoming the key issue in the campaign reform measure. If the Governor vetoed a bill on the basis of the "floor," he would open himself to charges of opposing campaign finance reform at a time when he was running for re-election. Democrats were accusing Republicans of favoring total disclosure "only to bog Democrats down in paperwork after nickle-and-dime fund raisers at union halls."¹

It was noted that "with a disciplined vote, Senate Democrats could toss the thorny election-year bouquet to the Governor this week."²

The April death of Senator Anthony Stamm (R-Kalamazoo) gave the Democrats a 19-18 majority edge in the Senate, for the first time since 1966. They would maintain that margin at least until the June 25 special election to fill Stamm's seat. All 19 Democratic members answered Senate roll calls and Senate Democratic Floor Leader Jerome Hart of Saginaw was quoted as saying "we'll all be there."³

¹"Dems Flexing Campaign Reform Muscle," Lansing State Journal, May 10, 1974, p. B-6.

²Ibid.

³Ibid.

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Press articles in mid-May commented on Governor Milliken's expressed hope that the State Senate reject the reform bill in its present form and send it to a conference committee.

"A bipartisan conference committee report could still bring about compromise acceptable to Milliken who has threatened to veto the bill if it is not strengthened," reported the Lansing State Journal.¹ "There is still time for a conference committee to do the job between now and the summer legislative recess and every effort should be directed to that goal."²

Michigan Common Cause chairman Al Swerdlow was quoted as saying, "Short of a highly unlikely miracle in a joint conference committee, it appears Michigan voters need not expect to benefit from campaign reform in this year's election."³

On May 26, the Detroit News published a feature article on Common Cause and its "one-woman gang lobbying

¹"Campaign Bill Still Has Chance," Lansing State Journal, May 17, 1974, p. B-8.

²Ibid.

³"Dems Gearing Up," Lansing State Journal, May 16, 1974, p. A-6.

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coordinator" Leslie F. Lokken.¹ Although the News included a picture of someone who was NOT Mrs. Lokken (a retraction was run later), the article was basically complimentary of the citizens group, with a "catchy" beginning: "Busybody do-gooders or the conscience of the Legislature: Which best describes the men and women of Michigan Common Cause?"²

The article continued:

They have been cussed as the former and praised as the latter during the brief eight months since the state affiliate of the national "citizens' lobby" was formed last September (1973).

The organization has been dubbed "Communist Cause," "Common Curse" and perhaps a few deleted expletives. But even its enemies concede that, for its size, it has exerted an unusual amount of influence.³

The question is asked, "Why?"

Leslie Lokken, Common Cause lobbying coordinator, answered "Mainly because we have zeroed in on only a few issues rather than spreading ourselves too thin."⁴

¹ Glenn Engle, "They Lobby for Common Cause," Detroit News, May 26, 1974, p. A-10.

² Ibid.

³ Ibid.

⁴ Ibid.

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She admitted that after virtually every House or Senate committee move or floor action, she headed back to her "modest office" a block from the Capitol and "cranks out a news release of praises or condemnation."¹

Michigan Common Cause claimed a paid membership of 10,600 in May 1974, compared with a national total of 325,000. Statewide membership approached 12,000 in 1975. Members pay an annual \$15.00 fee to the national organization. The Michigan group is financed by any additional money its state members opt to contribute.

It had been claimed, by some state lawmakers, that Common Cause, "despite its public pronouncements in behalf of openness in government, was a secret organization that refused to open its membership rolls to public inspection."² Mrs. Lokken replied that a computer printout of names and addresses of Michigan members was available for public viewing in her office.

And when asked if Common Cause would "just fade away" when current areas of concern are taken care of, Leslie Lokken responded, "Oh no, it's here to stay. There

¹Ibid.

²Ibid.

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are a lot of other issues when these are solved. But for the present we're concentrating on just a few."¹

The East Lansing Towne Courier, a weekly circulated in the East Lansing-Okemos-Haslett area near Lansing, stated that Representative H. Lynn Jondahl (D-East Lansing) voted against the reform bill because "it doesn't address what I see as major problems of financing, and it doesn't limit the amount spent by the individual or by a contributor."² The article also strongly stated that Michigan Common Cause had denounced the bill. Jondahl, an avowed liberal, feared the bill's passage "will give the people only minor reforms." Representative Jondahl was one of only three Democrats who voted against passage of the bill when it finally passed the House, 56-49.

A Detroit Free Press editorial June 2 sharply criticized the Legislators, and the Democrats in particular, for "strangling" political reform in 1974.³ The article stated:

¹Ibid.

²"Campaign Finance Bill Termed 'Weak,'" Towne Courier, May 29, 1974.

³"Legislators Are Crippling Essential Political Reforms," Detroit Free Press, June 2, 1974, p. A-12.

The movement for reform of Michigan's political system is now being slowly and painfully strangled in the state Legislature in Lansing. Shortsightedness and an overabundance of petty self-interest on the part of too many legislators, especially Democrats, are the reasons.¹

The editorial continued:

Too many legislators want no reform at all; others, especially the Democrats, see nothing improper in a bill that does not require full public disclosure of all campaign contributions, regardless of size, and regardless of whether they are made in the form of money or valuable services and materials. Some of Michigan's most influential unions, which have long stood for progressive and open government, have sadly encouraged these efforts to riddle and weaken the bill.²

The editorial urged a Milliken veto "unless the bill is materially strengthened, and the loopholes removed."³ It would not be possible to enact meaningful reform in time for the November 1974 elections.

The editorial concluded:

This was clearly the year for reform. Despite the good advice of such statewide Democratic leaders as Sander Levin, a candidate for Governor now, the Democrats in the Legislature have failed to recognize that fact. In so doing, they are foisting a heavy election-year

¹Ibid.

²Ibid.

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albatross on the Michigan Democratic Party and all its candidates.¹

The press gave minimal attention to the Common Cause stance which was in basic agreement with the Democratic-backed section regarding the \$25.00 floor--an issue which would play an important role in the 1975 political reform sequence as well. But the press would view the "floor" from a different perspective at that later time.

On June 3, the State Journal, in an article about the national governor's conference in Seattle, Washington, noted that the conference's executive committee had approved a "broad resolution" sponsored by Michigan's Governor Miliken and Patrick J. Lucey (D-Wisconsin), calling for reforms "at all levels of government."²

This was at the same time President Nixon was refusing to supply additional evidence sought by the U.S. House Judiciary committee's impeachment probe, and by special Watergate prosecutor Leon Jaworski.

¹Ibid.

²"Governors Avoiding Scandal Speculation," State Journal, June 3, 1974, p. A-3.

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Governor Milliken was now on the line, on a national as well as a state level, as an outspoken advocate of "loophole-free" campaign finance reforms.

Also at the same time, California voters went to the polls in a June primary and gave overwhelming approval to "a Watergate-inspired reform measure which imposes the strictest campaign spending laws in the nation."¹ The measure, known as "Proposition IX" (a 20,000 word ballot question), was backed by the Democratic gubernatorial victor in the state primary, California Secretary of State Edmund G. Brown, Jr., who made the fight for Proposition IX a basic part of his successful campaign for the Democratic gubernatorial nomination.

That reform measure was opposed strongly by labor, but won by a 3-1 margin. Backers of the tough new campaign measure, which was placed on the ballot by a Common Cause-backed initiative referendum, advertised it "as a model for national legislation to prevent further such scandals as Watergate."²

¹"California Voters Approve Strictest Campaign Code," Detroit Free Press, June 6, 1974, p. A-16.

²Ibid.

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Opposition to Proposition IX was led by the AFL-CIO, which withdrew its support of Brown over the issue (and turned to San Francisco mayor Joseph Alioto). "Also opposing the proposition were the ADA, Americans for Democratic Action; farm labor leader Cesar Chavez; Republicans; and Conservatives Opponents called it 'overkill' and said it was a possible unconstitutional limitation on the right of free speech."¹

Major restraints on Common Cause's relationship with Organized Labor and other groups opposing the measure, resulted from Common Cause's active support of Proposition IX.

"The smashing victory for political reform in California is a message that ought to be understood by everyone, and especially by state legislators here in Michigan," a Free Press editorial on June 6 stated.²

Pushed by Common Cause, the citizens lobby, Proposition IX will go even further toward reform than the generally good reform measures Governor Milliken has been prodding the Michigan Legislature, with little success, to pass,"

¹Ibid.

²Ibid.

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the editorial continued. "The California Legislature had resisted the efforts for reform in that state, so Common Cause went to the people in an initiative campaign."¹

An interesting point was that the most strict California proposal only required a candidate to report the name and address and amount of just those contributions of \$50.00 or more--which was twice what the Democratic version in Michigan was advocating.²

So many special-interest groups fought against Proposition IX (labor unions and powerful business groups mounted a \$200,000 campaign to defeat the proposal), that "in the end, only the people favored it. But they did in overwhelming numbers."³

The Free Press commented that the victory ought to "convince politicians everywhere, even here in Michigan," that the people "want politics cleaned up and made more open, and that they want the kind of campaign financing disclosure the people of California have now written into law."⁴

¹Ibid.

²Ibid.

³Ibid.

⁴Ibid.

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The editorial continued: "The contrast between what the voters have approved in California and what the Legislature in Michigan is refusing to accept is marked."¹

The editorial also made mention of national Common Cause chairman John Gardner's speech to the National Governor's Conference in Seattle, when Gardner commended and praised 42 states for their efforts and responsiveness toward political reform. Michigan was one of only eight states specifically excepted from that praise. (And Michigan's Governor had co-sponsored a strong reform resolution at that same conference.)²

"It is sad that Michigan's Legislature is one of the few in the nation, as John Gardner points out, that is asleep during this period of reform and resurgence of integrity in government," the Free Press lamented. "The people of Michigan are the losers, and they should not forget how badly their legislators are failing them and their own responsibilities."³

¹Ibid.

²Ibid.

³Ibid.

The first open talk and public pronouncements about the possibility of a petition drive in Michigan, similar to the California strategy, was discussed by Governor Milliken in a Lansing Press Conference on June 6, upon his return from the National Governor's Conference.¹

Milliken said he might "lead a petition drive to force action on campaign and election reforms similar to those taken by California voters earlier this week," unless the Legislature "comes up with something in the closing weeks of its session."²

The petition route "is one avenue which I already have begun to explore," the Governor announced. He added, however, that he had not "abandoned hope" for the current legislation bogged down in the Michigan Senate.³

One of Milliken's main objections to the Democratic version of the reform bill was to the \$25.00 "floor." He was urging that every nickel "be reported by name and address."⁴

¹ Glenn Engle, "May Take Campaign Reform to Voters, Milliken Warns," Detroit News, June 7, 1974, p. 7.

² Ibid.

³ Ibid.

⁴ Ibid.

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The Governor, at his press conference, explained he was "just endorsing the route" of a petition drive. "Just what would be in the package remains to be worked out," he stressed.¹

The Detroit News article noted that:

Michigan Common Cause, which has led the drive from outside for political reform in this state, played a similar role in California. Its leaders chose the results there to remind Michigan lawmakers that they have a like move in mind here.²

The petition drive concept to enact political reform measures in Michigan was now in the open, and under serious discussion and consideration.

Other editorials in early June dealt with the astounding California reform ballot proposal, and Governor Milliken's consideration of a reform referendum. "A citizen reform bill may be the best answer in the long run anyway since too many lawmakers here . . . seem to be bent on 'business as usual' as it applies to campaign finances and lobbyist activities."³

¹Ibid.

²Ibid.

³"California Message to Michigan," Lansing State Journal, June 9, 1974, p. A-10.

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A Free Press editorial June 12 noted that leaders of Common Cause would be meeting within the week to decide what to do about a possible petition drive. "We would urge them to press forward as soon as possible with a petition campaign," encouraged the paper, and "we also do not mind saying at this stage that the Free Press will do all it reasonably can to support and aid such an effort."¹

Astounding!

A commitment from the second most widely circulated newspaper in the state had been given, voluntarily. Such a gesture could not be taken lightly!

The petition route would not be easy, however. To put a political reform package on the November 1974 ballot would require 212,492 valid signatures, or 300,000 total signatures to assure enough valid ones.²

According to state law, after sufficient signatures are obtained, the Legislature has 40 days to pass the proposed law if it wishes. To qualify for the November ballot, then, 300,000 signatures would have to be obtained by July 8, less than a month from the time the article was

¹"Petition Drive Could Let Voters Decide on Reform," Detroit Free Press, June 12, 1974, p. A-8.

²Ibid.

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published. Considering that petitions would have to be drawn up, printed and distributed, "that is an apparent impossibility," the paper admitted. "But this summer and fall might not be too early a time to begin such a petition drive" for 1976, the editorial encouraged.¹

For one thing, the drive itself might help state legislators see the need for action. For another, there is a chance that a statewide election could be held before 1976 . . . and that would allow such a petition drive to reach the ballot earlier than two years from now.²

The editorial continued:

We think it is clear that the public, influenced by the scandals of Watergate, wants reform of its laws dealing with election campaigns and politics. Legislators in California, like those in Michigan so far, have not understood this public mood. The California Legislature did not pass reform bills. Led by Common Cause, the people went to the ballot. Despite the strong opposition of big business and big labor, the people of California approved the reform package by a 3-to-1 margin.

We believe the same public mood for reform exists here in Michigan. The issues are too important to allow them to be killed or gutted by irresponsible state legislators. What needs to be done includes writing an effective law requiring full disclosure of all campaign financing, and effective laws

¹Ibid.

²Ibid.

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dealing with lobbyists, secrecy in government, reasonable disclosure of the financial holdings of public officials and conflict of interest by legislators.

The initiative route offers the best way for reform-minded citizens and politicians to make sure, despite the Legislature's lack of attention, that the political system in Michigan is cleaned up.¹

Obviously the editorial board of the Free Press was behind comprehensive reform. It was going to be up to the people to respond, since the 1973-74 Legislative session did not appear receptive to enacting strict reform measures.

Common Cause executive board members met, and selected November's general election day as the starting time for a petition drive on political reform.² The intent would be to obtain enough signatures to put the issue on the ballot in the 1976 general election. Common Cause voted to meet with gubernatorial candidates, citizens, and various organizations about the measure, and announced that a preliminary draft of the petition would be available in early September, when the group planned to hold hearings throughout the state to obtain citizen reactions.

¹Ibid.

²"Political Reform Drive Set," Lansing State Journal, June 19, 1974, p. B-10.

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In late June a State Journal editorial commented that "It is worth noting that a citizen campaign in California finally brought about a political campaign finance reform bill which was considerably tougher than the legislative version." The editorial noted: "Michigan voters might end up doing the same if lawmakers continue to sidestep on these reforms."¹

On July 1 the Free Press commented that if the Michigan Legislature failed to act on campaign reform soon, "the only recourse for citizens may be an initiative effort on the California model." The editorial continued, "That tedious process will take time, but it could result in a stronger set of controls than the Legislature would enact."²

The editorial noted that Michigan voters were expressing concern for reform at the polls. When Representative Robert Traxler was elected to Congress, his traditional Democratic House district elected a young Republican

¹"Call to Action," Lansing State Journal, June 27, 1974, p. A-10.

²"Legislature Must Answer to Voters About Reform," Detroit Free Press, July 1, 1974, p. A-12.

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woman, Colleen House, who had campaigned largely on the need for campaign financing reform.¹

The article stressed:

Unless the Democrats understand the public yearning for a more open government and respond to it, they may well find themselves on the defensive in Michigan despite Watergate. They could easily forfeit whatever advantage the troubles of the national Republican administration might otherwise have given them by legislative inaction.²

In conclusion:

Politicians have perceived this (campaign finance reform) as a threat, but it could well be for many of them a means of liberation and a chance to make clear, once again, that politics can be an honorable profession.³

Strong words, for a strong subject.

By the first part of July, too late to have any effect on the August 6 primary, the Senate Democrats and Republicans joined forces with Governor Milliken to send a compromise campaign finance reform bill back to the House for one last chance at passage. "Vote-conscious legislators have tried to work out a compromise on a campaign funding disclosure bill to take home and show off," stated the State Journal.⁴

¹Ibid.

²Ibid.

³Ibid.

⁴Ibid.

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The compromise measure would call for the recording of names and addresses of persons contributing any amount to a candidate, although fund-raising events for under \$10.00 would be exempt from the recording requirements. "In-kind" contributions would have to be accounted for. Expenditure limits on statewide campaigns were also included.¹

House Speaker Ryan, according to the press, was not pleased with the compromise. Ryan wanted more discussion, apparently. (Senate Democratic leaders, and Republicans in both houses, had met for five weeks of behind-the-scenes negotiations involving Milliken.)² Among other things, according to the Free Press, "Ryan insisted on provisions to protect the identities of persons who make comparatively small donations, including union members who donate through their union dues."³

On July 11, a Thursday, the day before the final legislative session before adjournment (so legislators

¹William Meek, "Senators, Milliken Join in Pushing Campaign Reform," Detroit Free Press, July 10, 1974, p. A-3.

²Ibid.

³Ibid.

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could return to their districts to campaign in the August primary), the Senate passed the compromise reform measure, 30-4. In a race with the clock, lawmakers were trying to work out the compromise that would get the bill to the governor by keeping it out of a joint House-Senate conference committee.¹

The Detroit News reported:

Pressure is mounting to have a ballot proposal--calling for reform not only in campaign finances, but lobbyist control, open meeting and full financial disclosure of all candidates--put to the voters next year.

Common Cause and other citizens groups say they will begin on Election Day in November to start a petition drive that would take the prerogative for writing a political reform package away from the lawmakers and give it directly to the voters.²

On July 13, following a marathon 22-hour House session, the House voted 87-0 to return the campaign reform bill to the Senate, which adjourned "minutes later" without taking final action. "State lawmakers have failed in a last-gasp effort to push a campaign finance reform bill to

¹"Campaign Fund Reform Racing the Clock," Lansing State Journal, July 10, 1974, p. B-6.

²Gary Schuster, "Reform in Vote Financing Doubtful for this Year," Detroit News, July 12, 1974, p. A-3.

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final passage, and must wait at least until September for another crack at the controversial measure."¹

A lengthy string of amendments, and "the crush of budget bills" prevented the House from reaching a vote until near the end of its 22-hour session. The bill, "subject to heavy behind-the-scenes bargaining throughout its lengthy history," required the reporting of all campaign expenditures and contributions, and disclosure of contributors (except at some fund raisers) by name and address. "In-kind" contributions would have to be reported, also. "Debate on the important measure ended on a characteristic note of political acrimony, as weary legislators accused each other's party of foot-dragging, delaying tactics and efforts to gut the bill."²

The controversial measure would be placed on the State's agenda, for the third time, for final passage when the Legislature returned from summer recess September 17. Governor Milliken, who had campaigned since October 1973 for reforms enacted in time to cover the 1974

¹Malcolm Johnson, "Campaign Finance Bill Postponed," Lansing State Journal, July 13, 1974, p. B-5.

²Ibid.

elections, reacted with the warning: "The people are not going to accept, and I certainly will not accept, legislative failure to enact campaign reform."¹

In a "recap" article, the Free Press noted that the reform bill "has had a bizarre legislative history since it was first introduced in the Republican-run Senate."²

The article noted that the bill had passed the Senate six months before, and House Democrats spent five months rewriting the bill, "largely to meet the objections of organized labor." The House-passed version was denounced by Milliken as a "sham" bill "full of loopholes," and the Senate did not care for the House bill either. Milliken and staff spent another five weeks negotiating the bill, behind-the-scenes. Senate action, on the compromise measure, was met with delays and opposition as it was returned to the House, which eventually voted in favor of it and sent it back to the Senate for action in September.³

¹William Meek, "Legislature Delays Campaign Reform for This Year," Detroit Free Press, July 14, 1974, p. 8-A.

²Ibid.

³Ibid.

The Free Press commented on July 16:

The greatest irresponsibility has been shown in the Legislature's failure to pass new laws that would clean up Michigan's system of financing campaigns, and which would require disclosing the source of contributions to assure ethical government and ethical politics.¹

After discussing the need for the public to "weigh carefully in the coming elections the performance of each incumbent seeking reelection," the article urged:

There is another route that can be followed now to gain needed reform. It was used with success in California. That is the citizen petition route to put proposed new laws on the ballot. We would urge Governor Milliken and groups such as Common Cause to begin the work necessary to carry this effort forward. The Legislature has made it clear that it will not approve the kinds of reforms that are badly needed in Michigan.²

At a press conference July 18, Milliken appeared "to be running out of patience with the Legislature as an instrument for reforming Michigan campaign and election laws."³ Milliken said he was ready to "consider another

¹"Legislature Fails on Reform," Detroit Free Press, July 16, 1974, p. A-10.

²Ibid.

³Glenn Eagle, "Milliken Turns to Common Cause for Campaign Election Reform," Detroit News, July 19, 1974, p. 9-A.

approach," and told newsmen he would sit down with leaders of Common Cause within the next week or so to discuss "whether we have a common basis for action."¹

On September 18, the State Senate, on a 28-4 vote, gave final approval to the political reform bill, but, according to a lead article in the Free Press, the Michigan Legislature was "saved by its own inaction from having to campaign for election this year under a new disclosure law."² The legislation would not take effect until the following April (1975), and the 1976 elections would be the first statewide elections in which the law would be effective. In essence, the law would require political candidates, office holders and campaign committees to report publicly the sources and amounts of contributions received, and report how the money was spent; expenditure limits would be in effect; office holders would be required to file disclosures on any fund raising while in office; public reports would be required regarding expenditures for ballot questions; candidates and office holders would

¹Ibid.

²William Meek, "State Election Reforms OKd: Legislature Acts After Long Delay," Detroit Free Press, September 19, 1974, p. 3-A.

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have to file annual reports between elections; several categories of in-kind contributions would have to be reported; the Secretary of State would enforce the reporting requirements and make random audits of candidate reports; individuals who violated the law could be fined up to \$1,000.00.¹

¹Michigan. Public Act 272 (1974). (Enrolled Senate Bill 1016).

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CHAPTER II

ADDITIONAL REFORMS NEEDED

On September 30, the Free Press commented, editorially, that

The campaign financing reform bill now finally passed by the Michigan Legislature is a good step along the long and complex road to overall political reform. But it is only one of many steps down that road.¹

Discussing the needs for reform measures covering lobbyist regulations and disclosures, secrecy in government, and reasonable disclosure of the financial holdings of public officials, the article stated that "the campaign financing bill, which the state Senate finally passed . . . is far from the ultimate in dealing with the whole thicket of money and influence in political campaigns."²

The editorial stated it was a "shame and a sham" that the bill had not been passed in time to cover

¹"Michigan Political Reform Still Has Long Way To Go," Detroit Free Press, September 20, 1974, p. 6-A.

²Ibid.

Michigan's 1974 state elections, and, pointedly, "In its scope, the bill is far better than what many legislators wanted, and probably not as good as Michigan deserves."¹

The editorial noted that:

Reports from Lansing indicate legislators are unlikely to act on the other needed reform measures this year. That being the case, Common Cause and any other interested reform groups would be well justified in proceeding to work up plans for a statewide political reform petition drive.²

The editorial emphasized that:

Such a drive can aim at submitting the other reforms to the people of the state on the ballot, while also determining whether aspects of the new campaign financing law also need tightening up.³

In conclusion: "The Legislature has acted, but only belatedly. And it has not faced up yet to the other required reform measures that are pending before it."⁴

The battle was yet begun. Common Cause could only be heartened by the editorial support it was receiving, regarding its pending petition drive.

¹Ibid.

²Ibid.

³Ibid.

⁴Ibid.

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The State Journal, in an AP wire story, reported on September 23 that the campaign finance bill was "too weak," with "infrequent policing and watered down penalties."¹ With examples of how easy it would be to circumvent the new law, the article compared the enacted bill to parts of the bill as originally drafted. The enacted bill did emerge as much weaker, although expenditure limits were included in the enacted version and were not in the original draft. Several governmental officials lamented the fact that an "ethics commission" was not approved, and that stricter enforcement procedures were not included in the act.² Clearly there appeared a need for stronger reforms for the state of Michigan!

In a UPI story the last part of September, it was announced that Governor Milliken "has thrown his support behind a planned initiative petition drive to put a comprehensive campaign reform proposal on the 1976 ballot."³ Michigan Common Cause announced plans to launch a petition

¹Pete Yost, "Campaign Finance Bill Too Weak," Lansing State Journal, September 23, 1974, p. B-4.

²Ibid.

³"Campaign Reform Drive Endorsed by Milliken," Lansing State Journal, September 24, 1974, p. B-12.

drive in January for a ballot proposal that would cover campaign financing, regulation of lobbyists and conflict of interest by state officeholders. It was also expected to include a provision for the creation of an independent political ethics commission.

Milliken said he would work closely with Common Cause and other interested parties "to take the reform issue to the people."¹

In late September the Birmingham Observer & Eccentric did a feature story on Susan Rennels, Farmington, the new chairperson of Common Cause in Michigan. (Ms. Rennels succeeded Al Swerdlow of Oak Park.) Ms. Rennels stated that Common Cause had worked for 18 months on four political reform bills, and "not one of these bills has gotten signed by the governor." The issues were lobbying disclosure and registration, open meetings, campaign finance reform, and conflict of interest of elected officials. "We are not going to settle for a sham law or a weak law," she emphasized.²

¹Ibid.

²"Common Cause Seeks Reform," Birmingham Observer & Eccentric, September 1974, p. 15-A.

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Common Cause, according to Ms. Rennels, proposed to "hold the powerful accountable." Explaining the lobbying disclosure reform sought by Common Cause, she said that Michigan, "a state we thought of as progressive until the reform crunch came," had a lobby bill that "is 40 years old that has never been enforced." She said "We're one of eight states in the country that hasn't passed any reforms in these areas since 1970, when the big push for reform started."¹

The Legislature had more than amply demonstrated its unwillingness to enact stronger, more comprehensive reform measures at this time. The Gauntlet was indeed passed to the voters themselves, to rally around a citizens' lobby, such as Common Cause, to lead the way toward a 1976 ballot proposal, or to quietly turn out the incumbents who were not willing to deal effectively with reform measures.

Common Cause, with the support of the Governor as well as editorial backing by leading newspapers, appeared ready to take up the challenge. A ballot proposal was being drafted. They would be heard from soon.

¹Ibid.

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In October 1974, Governor Milliken signed into law SB 1016, P.A. 272 of 1974, the "sham" political reform law.

On October 4, Susan Rennels, as State Chairperson of Common Cause, sent a letter to every candidate for state elective office, asking each candidate to review enclosed summaries of the proposed reform chapters which Common Cause had drafted in preliminary form. Comments and suggestions were solicited. "We urge you to demonstrate publicly your support of this citizen initiative by endorsing the Statement of Principles," the letter stated. Common Cause would also communicate candidate responses to their statewide membership and the media, Ms. Rennels promised.¹

A memo prepared by Michigan House Democratic staff members, dated October 16, 1974, and addressed to "Incumbents and Candidates," commented that the preliminary draft was written in non-statutory language, and it "was inevitable that countless questions would be raised as to specific intent and meaning in the draft."² The memo continued:

¹Letter from Susan Rennels, Chairperson, Common Cause--Michigan, October 4, 1974.

²Memo from House Democratic Staff, Re: Common Cause Political Reform Legislation, October 16, 1974.

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It is also inevitable that some points of disagreement would appear among citizens, including legislators, who may all be equally committed to good government in a good, fully functioning democracy that comprises all elements of the democratic process.

The memo stated that "there is no uniform caucus position," which meant that "every candidate and incumbent must decide his or her own position" and decide "what qualifications or lack of qualifications he or she will include in a response to Common Cause."¹

The memo continued, "It goes without saying, however, that Democrats generally are pleased to discuss with any citizen group the important subjects included in the political reform area."²

As far as strategy was concerned, the memo stated:

The best chance for the legislature to participate as a deliberative body would be through free negotiations involving Common Cause, business and labor groups, the political parties, and other citizen groups following the November election.³

In discussing an initiative petition, the staff memo noted:

¹ Ibid.

² Ibid.

³ Ibid.



if the initiative petition is submitted to the legislature, it will not be subject to amendment and the legislature could only rubber stamp or not rubber stamp a set of hundreds of decisions made by non-elected persons.¹

If an initiative petition were placed on the ballot, and if it were approved by the majority of the voters, then that ballot proposal could only be amended by a three-fourths vote in each House of the Legislature. If the Legislature initiated and enacted a proposal, however, it could be amended by a simple majority of the membership in each House.

In a second memo dated October 16, 1974, from House Democratic staff, a general statement was made that: "In general, enactment of complex legislation through the petition route is inadvisable, and does not serve the best interests of the people of the state."

A further explanation of this statement continued:

The petition route does not lend itself to dealing adequately with such complex and ambiguous matters. Each item needs to be examined in detail. All of the legitimate interests affected must be considered and balanced, one against the other. All voices must be heard from. The working out of safeguards for all citizens must be insured. All of this can be

¹Ibid.

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done best through the normal legislative process.¹

The memo also stated:

By contrast, the petition route is relatively inflexible. Once the content of a petition has been approved, voters have only a yes or no vote on the whole matter. Hearings may be held, but they cannot change the content--they can only inform about it. If flaws show up during these hearings, no changes may be made.²

"The end result," the memo continued:

as we have seen in the past with other complicated ballot issues, is that most voters, being inadequately informed, vote on the basis of feeling for basic concerns which may or may not be served by the particular item before them. Such voters disregard very real legal and constitutional issues which may be contained in the detail of the proposal.

Meanwhile, informed voters--who are almost always in the minority--are forced into a dilemma: should they vote for a proposal which, in the main, represents their ideals, knowing that it contains flaws which ultimately may work against those ideals, or, should they vote against it, because of those flaws? Neither alternative is desirable.³

The second memo went on to say:

¹ (Second) Memo from House Democratic Staff, Re: Common Cause Political Reform Legislation, October 16, 1974.

² Ibid.

³ Ibid.



In the case of a proposal such as this, whose basic principles are supported by all of our candidates, either approval or rejection by the electorate may be undesirable. In the case of approval, the people of Michigan may be stuck with a flawed and unworkable piece of legislation which can only be amended by a long and unwieldy process. In the case of rejection, the basic principles which we would all like to see be enacted, those of political reform, may be lost for a number of years.¹

Thus, it would seem that, in mid-October 1974, House Democratic leadership was taking a long, hard look at political reform. One piece of legislation, which was not wholly satisfactory to anyone, and which was soundly criticized by many, had been signed into law only two weeks before. Already a citizens lobbying group was rallying statewide support for more stringent measures. And the House majority party did not appear pleased at the prospect of an initiative petition--which would undoubtedly not reflect majority party thinking, and which would be difficult, if not impossible, to amend. If, somehow, meaningful political reform measures could be drafted, in harmony, through intensive negotiating sessions, attended by majority and minority party leadership, executive branch representatives, and citizens groups, wouldn't that be

¹Ibid.

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"better," more politically advantageous, for legislative leaders?

Legislation drafted by all concerned--not just a citizens group; legislation which could be examined in detail, with input from all "legitimate interests" affected; legislation which would be considered "balanced," with "safeguards for all citizens"--legislation which could be amended by majority vote--wouldn't that be preferable to legislative leaders anxious not to relinquish even a small portion of their power in the decision-making process? Leaders appeared apprehensive of the proposal which would circumvent the legislative process by going the petition route.

On October 27, Common Cause chair Susan Rennels, in a State Journal "Point of View" column titled "State Reforms Needed," stated: "Political reform has become almost as popular a subject of discussion these days as taxes and inflation."¹

Ms. Rennels commented that a political reform discussion was "likely to include mention of Common Cause." That is no accident, she said, because

¹Susan Rennels, "Point of View," Lansing State Journal, October 27, 1974, p. A-10.

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Months before Watergate and the subsequent exposure to the American public of a long list of distasteful political excesses, Common Cause was trying to alert the public and its elected officials to the need for political reform at all levels of government.¹

The "Point of View" article went on to explain that Common Cause in Michigan was proposing a political reform initiative. "For more than two years," the article continued, "Michigan Common Cause, along with other organizations, individuals, and public officials, has urged enactment by the State Legislature of needed political reforms."²

Ms. Rennels noted that "Very recently, and just before the election, an inadequate campaign finance measure was passed which will not take effect until next year."³

To enact effective campaign finance legislation, Ms. Rennels continued, "the initiative procedure must be used and the matter placed before the voters of the State."⁴

The initiative proposal contains major reforms relating to campaign financing, conflict of interest and lobbying. It also creates an independent political ethics commission which is charged with enforcement of the reforms.

¹Ibid.

²Ibid.

³Ibid.

⁴Ibid.

Common Cause's proposed political reform initiative deserves maximum public input and the best thinking of Michigan residents. To encourage public comment and review of the preliminary draft of the initiative, public hearings are being held throughout the State.¹

The article concluded:

Common Cause believes that individuals should and can have their say, even in the complex process of state and national government. Joining in a citizen effort to reform the political process, we believe, will help to rejuvenate the ideal of participatory government.²

At about the time Common Cause was conducting a series of five statewide Town Meetings on political reform, Ms. Rennels received a letter from Morley Winograd, State Democratic Party Chairman, in which he offered support for the initiative petition drive by stating, "I was very pleased to see that your organization has taken a positive, reasonable approach to this very difficult and complex issue," and commenting, "There is every reason to believe that on the basis of the principles enunciated, the Michigan Democratic Party could support your drive."³

¹Letter from Morley Winograd, Chairman, Michigan Democratic Party, addressed to Ms. Susan Rennels.

²Ibid.

³Ibid.

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Mr. Winograd declined to take part in the town meetings in October, "due to the pressures of the general election campaign," but offered to meet with the organization in November, after the election. He also offered comments on twelve items under consideration, and stated he would be sending a copy of his letter to each of the Democratic candidates for state office.

I certainly think Common Cause should be commended for the quality of their proposal and the thought that must have gone behind it,¹

Winograd commented. And he concluded:

operating on the principles that you have enunciated and that the Michigan Democratic Party has long stood for, we will be able to support your drive in the future. I believe it is essential that the final version of the proposal have widespread support from all political, economic and citizen interests and I am prepared to dedicate my efforts toward generating that interest.²

The Michigan State News, on October 28, commented that "Common Cause of Michigan will not rest until the Michigan Legislature enacts campaign reform laws that meet its definition of reform."

¹Ibid.

²Ibid.

In discussing the petitions, the article stated:

"With completion of the proposal expected near the end of December, officials of the citizens lobbyist group say they hope to begin circulating petitions in January."¹

Terry Black, an East Lansing Attorney and vice-chair of Michigan Common Cause, was quoted as saying, "It may never have to go on the ballot If there is enough public support and pressure, the Legislature may have to enact it."²

The Legislature "could also introduce and enact some Common Cause proposals while the petition drive is under way," Black said.³ He also commented:

We haven't sought specific promises from the legislators to enact any of our proposals yet But we might also take that course in January when our proposals are finalized.⁴

Common Cause had not ruled out the possibility of giving the Legislature "another chance" to enact tough,

¹ John Tingwall, "Common Cause to seek tougher Campaign Reform," Michigan State News, October 28, 1974.

² Ibid.

³ Ibid.

⁴ Ibid.

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comprehensive legislation on its own--prodded by the citizens lobby, perhaps. This was an important point.

State Representative Lynn Jondahl (D-East Lansing) and State Senator William Ballenger (R-Ovid), openly supported the Common Cause viewpoint that political reform was needed in Michigan, and attended area Town Meetings conducted by Common Cause.

In a fall newsletter to its membership, Common Cause reported completion of "phase one," conducting town meeting public hearings on political reform in Kalamazoo, Detroit, Ann Arbor, Lansing and Grand Rapids. The petition drive could begin in February 1975; if each member obtained two dozen signatures, they would have the necessary 300,000 signatures needed to assure ballot placement in November 1976.¹

The lead article in the newsletter stated that

although a number of governmental officials spoke publicly in favor of reform, and although Common Cause worked diligently both within and outside the legislature to get support for passage of the reform bills, the legislature was unable to enact adequate reform measures.²

¹"Initiative Petition Completes First Phase with Town Meetings," Common Cause Report from Michigan, Vol. 1, No. 4, Fall 1974, p. 1.

²Ibid.

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"It's obviously up to the citizens of Michigan themselves to bring reform to our state government," pointed out Common Cause chair Susan Rennels. "Thus we are urging every Common Cause member to become part of this citizen effort."¹

As Common Cause members continued to redraft the reform proposals, members of the Legislature and candidates continued to campaign for election, under 1954 election law provisions.

On November 13, following the election, the Free Press editorialized about the need for additional, and stronger, political reform measures. In commenting about the Common Cause petition drive, which Common Cause hoped to begin in February, the Free Press stated:

That would give this reform movement plenty of time to secure enough signatures to place the reforms on the 1976 statewide ballot.

It would also give the Michigan Legislature time to reconsider its general opposition to the reforms that are needed and to act. We think effective reform in a number of areas should be a priority for the Legislature in 1975. The Common Cause effort should help spur that legislative response.²

¹Ibid.

²"Common Cause Could Spur Overdue Political Reform," Detroit Free Press, November 13, 1974, p. 8-A.

PART II

POLITICAL REFORM, 1975

CHAPTER III

POLITICAL REFORM REVISIONS BEGIN

In a New Year's Day editorial, on January 1, 1975, the Free Press outlined its agenda for 1975, and included Political Reform. The Free Press commented:

In 1974, the Legislature passed a watered-down bill improving the state's law on campaign financing and disclosure of campaign spending and contributions. That law still has too many loopholes; it should be improved. Other items on the reform agenda still demand legislative action, including: better control and disclosure of lobbying and what is spent by lobbyists, new laws to put an end, once and for all, to government by secret meeting, and reasonable disclosure of the financial dealings of public officials. Common Cause, the citizens' lobby, should move ahead with its wide-ranging reform petition drive in the event the Legislature does not act.¹

In December 1974, Common Cause in Michigan hired as its first Executive Director Doug Ross, who had most recently served as Director of the Michigan Citizens Lobby, which had engineered a successful petition drive in 1974

¹"The Big Job of 1975 Will Take Thought, Work," Detroit Free Press, January 1, 1975, p. 5-A.

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to put the "Food and Drug Sales Tax" question on the ballot. The state's 4 percent sales tax on food and drugs was removed when voters approved the ballot question in November. Mr. Ross directed the petition drive and the publicity campaign which resulted in a majority of voters approving the issue.

A native of Detroit, Doug Ross's political experience included a stint as Legislative Aide to U.S. Representative John Dingell (D-Detroit) and Legislative Director for U.S. Senator Joseph Tydings (D-Maryland). While in Washington, he also published a number of books and articles, including Robert F. Kennedy: Apostle for Change (1968).

As Director of the Citizens Lobby, Ross had worked closely with members of the Legislature and with a number of lobbyists in Lansing. The Michigan Citizens Lobby had also worked on legislation requiring licensing of auto mechanics, and the Generic Drug Bill.

In a personal interview (March 20, 1976), Ross said he had initially been approached by former statewide Common Cause chairperson Al Swerdlow, who asked if he would be interested in being interviewed for the Executive Director's

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position with Common Cause. Ross said that during the interview he asked Common Cause if they would consider "going the legislative route" to enact strong reforms, rather than deplete the organization's resources--both physical and financial--with the petition drive. Ross argued that with a Governor "on the record," both nationally (National Governors' Conference, June 1974, co-sponsor of Resolution calling for strict reforms) and statewide, favoring reform, and with both political parties interested in legislative input in the decision-making process, that Common Cause actually had more to gain by enacting legislation. This might be a good way to "mend the fences" with both political parties, organized labor, and "big business"--all of whom, apparently, still felt some animosity towards Common Cause because of the bitter California Proposition IX proposal which had passed overwhelmingly in June 1974.

Doug Ross brought to Common Cause credentials of credibility in the legislative process; he understood the necessity for negotiation. Ross also understood the

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importance of the media, and of the press, in promoting a major political piece of legislation.¹

In the meantime, as Ross was being hired by Common Cause, legislators in Lansing were increasingly convinced that Common Cause was going to put that "drastic political reform measure" on the ballot for November 1976. No one seemed to doubt that it could be done, that sufficient signatures could be collected. And once the question was on the ballot, and the voters were given the choice of "yes" political reform, or "no," who could doubt that the response would be the same as it had been in California? Who would dare vote "no" for political reform? The public was ready for political reform. Were the politicians?

The "Quadrant" leadership of the Michigan Legislature--Bobby D. Crim, Speaker of the House of Representatives (D-Davison); Dennis O. Cawthorne, House Republican Leader (R-Manistee); William B. Fitzgerald, Senate Majority Leader (D-Detroit); Robert W. Davis, Senate Republican Leader (R-Gaylord)--met sometime in December 1974 or early January 1975 to discuss Common Cause's political reform

¹Interview with Doug Ross, Executive Director of Common Cause, March 29, 1976.

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proposals. Common Cause was seeking a comprehensive measure which would provide for stricter contribution and expenditure limits, which would include restrictions on lobbyists, an innovative public funding chapter to partially finance gubernatorial campaigns in Michigan (and which would make Michigan the first state to publicly fund such a campaign), and a disclosure of financial interests which would require local and state officials to publicly disclose financial interests and worth, in dollar amounts. Other provisions of the Common Cause draft would prohibit the use of union dues in any political campaign, disallow corporate funds in campaigns, provide for a Political Ethics Commission to oversee and regulate activities, and include strict enforcement and penalty provisions. Quadrant leaders agreed that the Legislature should maintain the advantage of enacting legislation, which could be amended by simple majority, and also maintain the public relations advantage of enacting comprehensive political reform at a time when the people were still clamoring for stricter regulations in the political system.

The Quadrant leaders were aware of a survey conducted by pollster Louis Harris in 1973, wherein only 17 percent of the public felt that "the best people are

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attracted to serve in public life" although 89 percent thought that if government were cleaned up, this situation would change. Thus it appeared to the Quadrant leaders that higher ethical standards would have a beneficial rather than a negative effect on the recruitment of qualified public officials, also.

In that same Harris survey, only 24 percent of the public expressed high confidence in state government and only 28 percent in the leadership of local government. Only 24 percent of Harris' respondents thought that public officials place "the good of the country above special interests."

The dilemma faced by Quadrant leaders was whether to enact more stringent reform measures on their own and realize the public relations benefits to doing so (even though some of the measures recommended by them would be very unpopular among their own colleagues), or to allow the Common Cause crusaders, led by an aggressive young man who had shown he could back up his promises with deeds, to place an even stricter, less easily amendable, document on the ballot for the public to vote on, and undoubtedly accept in record numbers. Several Quadrant leaders felt it was "damned if we do, damned if we don't."



The decision was made to go ahead with the bipartisan sessions. There was no press coverage of these meetings, which were not held in public. They were going to rewrite the rules of the game--without much relish--and they didn't want to relinquish hold of the rule-making process--yet.

The sessions would be numerous, lengthy, complicated, complex and often volatile. Intense negotiating was in process, and there was progress. What did the Democrats "have" to have? What was most important to Republicans? Would Common Cause stand firm on all counts?

Negotiations continued by Quadrant members.

On February 11, the Detroit Free Press lead article on page 3 concerned Common Cause's announcement that it planned to launch a petition drive to put a political reform package on the 1976 ballot if the Legislature failed to take "some drastic action" within the next eight weeks. The article outlined briefly major provisions of the proposed four bills, and stated that, if adopted, the Common Cause proposal "would change drastically the flow and use of political money in Michigan and disclose substantially

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more about the activities of lobbyists seeking to influence state government."¹

The article stated that Common Cause Executive Director Doug Ross, at a Detroit press conference, said that Common Cause preferred that political reform be adopted by the Legislature "so that the laws would be in effect for the 1976 elections."²

Ross was also quoted as saying: "For several months we have been carrying on intensive meetings with the Democratic and Republican leadership and with the Governor's Office."³ He added: "The only way we would allow the Legislature to pre-empt the initiative drive would be if they move all four of these bills as an individual package."⁴

Ross discussed the possibility of a sliding scale which would limit groups to a contribution ratio according to the number of members in the group: groups with 50 to

¹Remer Tyson, "Common Cause Asks Election Reforms," Detroit Free Press, February 11, 1975, p. 3-A.

²Ibid.

³Ibid.

⁴Ibid.

500 members could contribute five percent of what a candidate would be allowed to spend in his race; groups over 50,000 could contribute up to 30 percent.

The February 10 press conference was the first public announcement of the sliding scale proposal. On February 12, the Detroit News blasted the sliding scale proposal in an editorial titled "Sellout to Labor?"¹ The editorial acridly criticized the concept:

Under the sanctimonious cloak of cracking down on "lobbyists and special interest groups," that nebulous organization called Common Cause proposes to permit the state's two largest special interest groups--the UAW and the AFL-CIO--to dominate the financing of Michigan political campaigns.²

The editorial discussed the sliding scale and stated that if the two unions united on a candidate, "organized labor could finance 60 percent of his campaign."³

The editorial stated that the State Legislature had approved, in 1974, a political reform bill which might have loopholes. "But at least the present Michigan campaign

¹"Sellout to Labor?," Detroit News, February 12, 1975, p. 10-B.

²Ibid.

³Ibid.

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reform law does not open the door for a take-over of Michigan politics by the hierarchy of big labor, as Common Cause proposes under its thinly disguised maneuver."¹

The sliding scale was not ever discussed, at least publicly, in a serious manner again. Susan Rennels said, in an April 8 Free Press article, that the sliding-scale formula had been discussed "but never accepted" by Common Cause.²

In that same article, UAW Vice-President Douglas Fraser criticized the Common Cause proposal which "probably would limit UAW contributions to any gubernatorial candidate to \$5000." At that point in time, the Common Cause proposal called for limits of \$1000 for an individual contribution, and five times that amount for a group.³ (By mid-May, however, the proposal was revised to \$1700 for an individual contribution to a campaign, and ten times that amount for a group or independent committee.)

¹Ibid.

²Roger Lane, "UAW Rips Political Gift Lid," Detroit Free Press, April 8, 1975, p. 10-A.

³Ibid.

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In the meantime, negotiations were continuing by Quadrant members. "The Quadrant" was a term which would be used to refer to the leadership of the four House and Senate leaders. "Quadrant Staff" were staff aides to these four men. Quadrant meetings were likely to include representatives from the Governor's office, or someone from the Attorney General's office, or the Secretary of State's office, Elections division. The Quadrant, or quadrant staff, would meet with Common Cause to work out a piece of legislation acceptable to all concerned. Both Democrats and Republicans maintained the option of vetoing a particular section or subsection; either party might walk out of a negotiating session at any time; Common Cause reserved the right to launch a petition drive in April if acceptable legislation was not agreed upon, with commitments from Quadrant leaders that they would back the legislation when it went through committee discussion and floor debate.

Some of the more interesting "sidelight" factors involved included the "single package" concept, which included all major provisions in a single bill, so that the Governor would not be able to veto one bill in a multi-bill package. (This would also mean that the Michigan Supreme Court might declare the entire bill unconstitutional

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because it encompassed more than one subject. And as it happened, the Michigan Supreme Court did just that, on March 29, 1976.)

Another key factor concerned the public funding of gubernatorial campaigns. Common Cause strongly favored public funding. Democrats also favored the concept, which dated back to the days when Walter Reuther headed the UAW in Michigan, and advocated public funding. And three of the four Quadrant leaders (Crim, Fitzgerald, Cawthorne) had been mentioned in the press as possible candidates for Governor in 1978 (Cawthorne, if Milliken chose not to run again). Thus the public financing of the gubernatorial campaign might be more acceptable to these particular men.

Still another factor concerned the fact that Democrats would not go along with a bill which prohibited all use of labor union dues in political campaigns. And the Republicans would like to have some way of tapping corporation funds for use in political campaigns.

Common Cause wanted full financial disclosure, by dollar amounts, by public officials; contribution and expenditure limits; an autonomous agency or commission with full subpoena powers, to oversee and regulate enforcement provisions; strict penalties; a number of pre-election and

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post-election campaign statement reports; tight lobbyist regulations and reporting. Common Cause suggested a \$50.00 reporting floor for naming contributors; Democrats were satisfied with the \$50.00 floor (and had fought for it during the 1974 political reform debates); Republicans wanted a zero floor, so that every nickel and dime would have to be accounted for, by name and address.

The negotiating table had room for compromise. For the Democrats, who had just taken over as the "majority party" in both the House of Representatives and the Senate, the challenge was great. It was an opportunity to win widespread public approval, by enacting comprehensive reforms which could be unpopular with colleagues but which would score bonus points with the public. The Republicans, though a minority in each house, had the Governor on their side, and Milliken openly favored reform. He wanted to protect his minority party interests also, however. Common Cause had tremendous citizen backing, and an outstanding national reputation as well. For the present, Common Cause was willing to put their "Open Meetings" legislation aside, and concentrate fully on the political reform, one-bill package. With Doug Ross at the helm, they were in a strong bargaining position. They could threaten to pull out from

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the negotiating table and launch a petition drive; and the threat was indeed not an idle one.

From late January to late March, the Quadrant, along with Common Cause and, occasionally, representatives from the Governor's office, met on weekly, biweekly, and sometimes a daily basis to talk, negotiate, and iron out disagreements and possible conflicts.

While the meetings were progressing, the Detroit Free Press editorially backed the Common Cause state initiative campaign as "a needed push to set campaign reform."¹

In the paper's lead editorial on Sunday, February 16, the Free Press stated:

If a good start on passage of bills or a single bill covering campaign reform areas is not made soon in the Legislature, Common Cause plans to launch a petition drive to place the issues directly before the voters in the 1976 election. We think this approach is justified; the Legislature has had long enough to meet its obligations for reform.²

The Free Press criticized the previous Legislature for enacting a "fairly weak" campaign finance law and for delaying its implementation for two years so that it would fail to apply in the 1974 elections.

¹"State Gets a Needed Push to Set Campaign Reform," Detroit Free Press, February 16, 1975, p. 2-D.

²Ibid.

In conclusion, the editors praised Common Cause for "acting in the best interest of the state by pressuring the Legislature to act now."¹

On March 27, in an editorial, the Free Press commented, "Based on the Michigan Legislature's past performance, of lack of same, . . . we suspect that Common Cause will eventually have to go directly to the people to gain effective reform in this state."²

The editorial commended Common Cause leaders who "have done the state a service" by serving notice on the legislators that they would begin a petition drive unless the Legislature began to act.³

"The Legislature has a last chance to show whether it is interested in political reform. If not, the people should be given the opportunity to pass the reform legislation at the next general election," the editorial concluded.⁴

¹Ibid.

²"Pushing for Reform," Detroit Free Press, March 27, 1975, p. A-10.

³Ibid.

⁴Ibid.

On March 28, the Michigan State News reported that "Political reform appears destined to come to Michigan," and said the questions now "are how extensive it will be, whose proposals will win out and when."¹

The State News said the answers would have to come from the bipartisan leaders of the state House and Senate, "sometime during the next week." These men would determine, by their action or inaction, "whether Michigan Common Cause initiates its citizen petition drive for reform on April 7 as planned."²

The article quoted Stan Fedewa, executive secretary to House Speaker Bobby D. Crim, who said it was his impression that the Legislature was taking substantial action on reform. Fedewa said the Common Cause leadership understood this. "No other subject, except the budget, has consumed more time of high level staff people," Fedewa said.³

But Doug Ross, according to the State News, said Common Cause had received no assurances of action from the

¹Jim Keegstra, "Michigan Destined for Political Reform," Michigan State News, March 28, 1975, p. 13.

²Ibid.

³Ibid.

legislative leaders themselves, despite several months of extensive and lengthy discussions with their staffs. "Unless we get some meaningful indication officially from at least the leadership that they intend to initiate reform action, we'll go ahead," Ross was quoted as saying. "We just have to play this drama through The next 10 days should be interesting."¹

The State News noted that both legislators and Common Cause agreed that a single bill package of political changes would be preferable to the petition method "since it would probably result in a better written law in shorter time, at less expense."²

Ross readily professed the meetings with leaders' staffs had been held "in good faith" and reflected "sincere efforts." But, he said, the citizens lobby group could not give up the petition option until the reforms it wanted "are in the law." Ross said, "It's our insurance, our protection that come hell or high water Michigan will have a more open government."³

¹Ibid.

²Ibid.

³Ibid.

While Common Cause was waiting for a firm commitment from the Quadrant leaders, not Quadrant staff, and while the intense discussions were still underway, another drama was unfolding. The 1974 political reform measure was nearing its effective date of implementation, April 1, 1975. It was imperative to several Quadrant leaders and to the Secretary of State's office that the 1974 law which would be inoperative as soon as the 1975 measures were enacted, should never be implemented. Thus, as another facet of the bipartisan agreement, on March 31, 1975, the Governor signed HB 4615, which delayed the effective date of the previously enacted political reform act from an April 1 implementation date to July 1, 1975. That would give the Legislature three full months to effectuate a stronger political reform measure, or the "old law" would go into effect at that time. The Governor signed the delay bill because negotiations were progressing favorably, and there was bipartisan agreement to push for enactment of the more comprehensive reforms before the summer recess of the Legislature.

And on April 2, 1975, the Quadrant leaders sent a signed letter to Susan Rennels, Common Cause--Michigan chairperson, offering solid assurance of their intentions

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regarding meaningful political reform. The letter stated: "We are aware of Common Cause's goals for political reform in Michigan. We share these goals." The letter also stated that Doug Ross had agreed to furnish final drafts of the Common Cause political reform proposals on or before April 9, and:

In view of the complex nature of these proposals, we look forward to receiving the final drafts so that we may begin the process of familiarizing our respective caucuses with them. We anticipate that political reform legislation will be introduced in the Legislature this month. [Emphasis supplied.]¹

Common Cause had a firm commitment--in time for its April 6 policy board meeting, but in the meantime, the group had not relaxed in its push for the possible petition drive.

In a Common Cause Report from Michigan newsletter sent to the entire state membership, and dated Winter 1975, the Executive Director explained that as of March 1, three of the four petition chapters were in the hands of the legal committee for final drafting, and by April they would be ready to begin the drive. Why the delay? "to redraft

¹Letter from Bobby D. Crim, William Fitzgerald, Dennis O. Cawthorne, Robert Davis, to Susan Rennels, Chairperson, Common Cause--Michigan, April 2, 1975.

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the petition with proper care, in response to the excellent suggestions of those from whom we sought counsel, has required at least three times the amount of time and energy we assumed it would," the Director explained.¹ The article continued:

With our initiative launching date nearly in sight, an interesting--and potentially attractive, if not compelling--option now confronts us. During the last few weeks, Republican and Democratic legislative leaders in both the House and Senate have initiated efforts to develop a bipartisan political reform package substantially similar to our petition. It is now CLEAR that the Legislature will attempt some type of action on the reforms we propose and that the Governor will support legislative efforts. Since reforms enacted by the Legislature could be made effective in time for the 1976 elections (while such reforms via the initiative could not be implemented until 1978), the legislative approach has significant advantages.

However . . . Common Cause in Michigan leadership believes that it would be unwise to drop our plans for the initiative or even to slow down our preparation at this time. If by the time we are ready to launch the drive the Legislature has taken significant action on our reform proposals, then we will have to reassess the situation and determine anew the proper manner in which to proceed.

Until then, the count-down continues.²

¹"Political Reform Initiative Near," Common Cause Report from Michigan, Vol. 2, Number 1, Winter 1975, p. 1.

²Ibid.

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Common Cause was holding the cards, and was playing them close to the chest.

In a page three article in the same newsletter, titled "Point of View," Doug Ross wrote: "This year, 1975, is a do-or-die year for Common Cause in Michigan." He said, "The task of leading the fight for real political reform in the state has fallen to us."¹

He continued: "If we succeed, the use of secrecy and big money to manipulate government will be on the way out in Michigan, and Common Cause's ability to open up the system will grow enormously."² Ross said that winning the reform fight in Michigan would require more from each member than they had been asked to give in the past.

Letters and phone calls will not be enough over the next six months. Whether we employ a petition drive to put the political reform proposal on the ballot, or mount a statewide lobby campaign to push our proposal through the Legislature--success will demand that we go out into our communities to win the support of our fellow citizens. We will be asked to circulate petitions, attend public meetings, distribute information on our proposal at shopping centers, organize citizen trips to Lansing to talk to legislators.³

¹Doug Ross, "Point of View," Common Cause Report from Michigan, Vol. 2, Number 1, Winter 1975, p. 3.

²Ibid.

³Ibid.

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He concluded:

The stakes are high--the political future of Michigan; the task is difficult--many powerful interests will oppose us. But the personal rewards will be great--the knowledge that you made the state a better place to live for yourself and your children.¹

Also in the newsletter was a "guest viewpoint" article, written by Bobby D. Crim, Speaker of the Michigan House of Representatives. Speaker Crim stated that he had expressed the need for Common Cause and representatives of the Legislature's leadership to work together to meet the electorate's demand for political reform, and said that representatives of Common Cause had met with the leadership of both parties in both houses "in an attempt to develop comprehensive, constitutional legislation in areas of campaign finance, lobbying, conflict of interest and creation of a Political Ethics Commission."²

Speaker Crim commented that "I am happy to report that the principals in these negotiations have to date identified substantial areas of agreement in all four chapters of the Common Cause proposal."³

¹Ibid.

²Bobby D. Crim, "Common Ground," Common Cause Report from Michigan, Vol. 2, Number 1, Winter 1975, p. 4.

³Ibid.

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Speaker Crim stated that "with the assistance of personnel in the Elections Division, Department of State, and the Attorney General's office, I am confident that proposals are being developed which will stand up in the courts."¹

In almost prophetic terms, Crim commented: "I certainly do not wish to see the enactment of unconstitutional legislation which would be voided by the judiciary. I trust that I express the view of the Common Cause in this respect."²

Crim commended Common Cause "for the prominent role it has assumed in bringing about serious efforts at political reform in Michigan" and concluded by stating "It is my hope to see the development of legislation which will be regarded as a landmark for excellence and equity."³

On April 2, the Detroit News carried an article on a Michigan Democratic Party statement, released April 1, concerning political reform measures which would close "the Damman loopholes." (Michigan's lieutenant governor, James

¹Ibid.

²Ibid.

³Ibid.

Damman, had been accused of "unethical and improper conduct" when he served as Troy city commissioner, and voted on zoning changes and other matters that enhanced the value of land he and eleven partners owned.) Democratic State Chairman Morley Winograd was quoted as saying party executives did not call for Damman's resignation: "We just want laws against that type of conduct in the future."¹

Following the April 2, 1975 letter from Quadrant leaders to Susan Rennels, the Common Cause drafts were being turned over to a member of the Legislative Service Bureau, who would officially write the legislation which would be introduced into the Legislature.

On April 7, 1975, Common Cause announced another delay in its petition drive, "to give state lawmakers a chance to pass legislation cleaning up their own house first." Common Cause leaders said they were "encouraged with signs that the Legislature will take action this month, making the drive unnecessary." Leaders warned, however, that if legislation incorporating their

¹Pat Murphy, "Damman Case Sparks Reform Bids," Detroit News, April 2, 1975, p. 3-A.

recommendations was not introduced within a month, "the campaign will begin."¹

The first week of May was critical. Contribution limits had not been agreed upon, along with several other key points. It was feared by several staff members that negotiations were breaking down. Common Cause was poised to begin a petition drive.

Final Quadrant agreements were reached by the week of May 12. Quadrant leaders agreed to the draft, and the 71-page, six chapter document was sent to the Legislative Service Bureau as a priority item. On May 19, House Bill 5250 and Senate Bill 880 (identical bills) were simultaneously introduced into the House of Representatives and the Senate. Common Cause issued press releases and held press conferences praising the legislative efforts, and announcing legislative leadership commitments to push for passage of the bills before the summer recess. Quadrant leaders were among the major bill sponsors in both houses. The bills, as introduced, had the backing of the Governor as well. Included in the provisions were a \$15.00 reporting

¹"Common Cause Delays Drive for Tough Campaign Reform Law," Battle Creek Enquirer & News, April 8, 1975, p. A-19.

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floor for naming contributors; contribution limits by individuals to the campaigns of candidates for statewide office as well as House of Representatives and Senate races; partial funding for gubernatorial campaigns; no prohibition against labor union dues except for individual or group limits which applied universally; a section providing for the establishment of Political Education Funds by corporations. Other provisions included pre-election and post-election campaign statements; the establishment of a Political Ethics Commission; expenditure limits on candidates; financial disclosure (not in dollar amounts) by all candidates to avoid conflict of interest; lobbyist reporting and regulations; enforcement provisions.

As the bills were introduced, the Quadrant leaders and Common Cause were bound together in an agreement to pass the legislation as it was introduced, because the coalition binding them together was not that solid. Common Cause had, by their own estimates, 95 percent of what they had originally wanted; the Democrats, who had the votes in both Houses, provided they could hold them, could live with the bill as introduced, although it wasn't everything they wanted; the Republicans were in a more tenuous position.

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Their Governor would not be able to realistically veto a political reform single bill, and it had been to their advantage to sit down and work things out before going to the floor of each House, where the Democrats had the majority votes. The Republicans would have to stick to the bipartisan agreement, or it would be wide open on the floor.

It should be noted that representatives from the staffs of Speaker Crim, Majority Leader Fitzgerald, and House Republican Leader Cawthorne were always in attendance at Quadrant staff meetings and sessions; Senate Republican Leader Davis had not shown such concern, and this was reflected by the non-attendance of his staffperson at many of these sessions. Crim, Fitzgerald and Cawthorne solidly backed the bipartisan bill all through committee action and floor debate--up to the point where Davis broke the agreement, during Senate floor action.

A further note: when the important, compromised bills were introduced, Common Cause had, in tact, the lobbying, ethics commission, and conflict of interest provisions, along with campaign reporting statements and public funding. Democrats had union dues (although with some restrictions, which would be difficult to live with);



Republicans had a reporting floor which they had demanded be lowered from \$50.00 to \$15.00, plus they had Political Education Funds for corporations. All parties understood the "musts": that the 1974 political reform act would never take effect; union dues would be allowed; the reporting floor would be \$15.00; and the Common Cause demands that the rest of the bill remain "in tact." Democrats and support groups understood that they had to buy the whole package, or they would stand to lose the Common Cause public support and the petition drive could be launched. Republicans were to understand that also, although it will be seen that Senator Davis broke the agreement, and even issued a press release opposing the public funding of gubernatorial campaigns. When Davis voted, openly, to delete Chapter Three (public funding) from the bill, it opened the door for a controversial Democratic amendment. But that will be discussed later.

HB 5250 and SB 880, introduced on May 19, 1975, were a long way from "home base," the Governor's signature. The committee process, as well as debate and discussion by both houses on the floor, would soon begin.

CHAPTER IV

THE LEGISLATIVE BATTLE--HOUSE ACTION

Leaders in both houses, and leaders in both parties, expressed hope that the bill would be passed by the time lawmakers would recess for the summer. But the leaders, who worked four and one-half months directly with members of Common Cause to write the bill, faced the awesome task of selling the complete single bill package to their causes.

Speaker of the House of Representatives, Bobby D. Crim, stated that all the leaders were committed to passing the legislation before summer recess; Senate Majority Leader Fitzgerald said he strongly supported the legislation and believed it would pass "basically in the form it is now."¹

House Minority Leader Cawthorne said he was committed to working for the package, adding, "Although the

¹Michigan Report, Gongwer News Service, Inc., Report 96, Vol. 14, May 19, 1975, p. 1.

package is not perfect, I do believe it merits legislative support and I predict it will receive it."¹

Governor Milliken said, "Before this year is over, Michigan has a good chance of enacting some of the strongest political safeguards against campaign abuses and conflict of interest in the nation." He added that the legislation "indicates responsiveness on the part of Michigan government" and a "recognition of the need for accountability on the part of public officials and candidates."²

It sounded, indeed, as though realistic, comprehensive political reform was almost a reality--56 votes away in one chamber; 20 votes in another. But could a Senate, though it had a 24-14 Democratic majority, and which could not stay together on other significant legislation, stick together on this one? And could a House, with a 66-44 Democratic edge, garner enough bipartisan support to put the bill into effect in time for the 1976 elections?

On May 19, the day the bills were introduced, Quadrant leaders issued a joint press release (through their Quadrant staff executive assistants) reiterating

¹ Ibid.

² Ibid.

their bipartisan sponsorship and commitment "to work for its [the bill's] passage before the Legislature recesses for the summer."¹

The 71-page bill is the product of 4-1/2 months of discussions between the majority and minority leadership of both houses of the Michigan Legislature, representatives of Common Cause, and other interested parties.²

The five-page press release summarized the bill, and listed names of Quadrant staff members, for further information.

Also on May 19, spokespersons for Common Cause announced their full support for the political reform legislation scheduled to be introduced that evening into the House and Senate.³

Susan Rennels, chairperson, stated, "We are delighted with this historic reform package authored by Democratic and Republican leaders to banish big money and secrecy from Michigan politics."⁴ Ms. Rennels also stated,

¹Press Release issued by Bobby D. Crim, William Fitzgerald, Dennis O. Cawthorne, Robert Davis, May 19, 1975.

²Ibid.

³Press Release issued by Common Cause--Michigan, May 19, 1975.

⁴Ibid.

"This is the most far-reaching political reform measure ever placed before a Legislature in the United States, and we intend to work actively for its quick passage."¹

Common Cause also announced the postponement of its petition drive to place a similar proposal before the voters in the 1976 general election. Ms. Rennels explained the group wanted "to give the Legislature every opportunity to enact these reforms themselves."²

The press release also contained the following comment from Susan Rennels:

The Legislature's bill contains nearly all of the policy objectives outlined in the Common Cause reform proposal. In addition, the Republican and Democratic leaders of both the House and Senate have pledged to work for final enactment of the legislation free from weakening amendments before the Legislature recesses this summer.³

This bill, as introduced, did not contain a provision which prohibited use of union dues in political campaigns. Such a restriction had been a part of the original Common Cause proposal. This point was never fully discussed or analyzed in media coverage of the political reform issue.

¹Ibid.

²Ibid.

³Ibid.

A month after the introduction of these bills (HB 5250, SB 880), the Republican State Central Committee issued a June 16 press release opposing/rejecting the public funding chapter in the political reform package.¹

On May 20, the day after the bills were introduced, the Michigan Democratic Party's Executive Board gave their endorsement to the political reform package. In a news release, the Executive Board cited the "wide range of campaign and electoral reforms, many of which were among planks of the 1974 Michigan Democratic Party Platform," and commended Speaker Crim and Majority Leader Fitzgerald "for their imaginative and decisive leadership in reaching a bipartisan agreement on the final package."²

Democratic State Party Chair Morley Winograd commented, "The people of Michigan, and the nation, have been disillusioned lately by the political process," and "the legislature's swift and decisive passage of this package will indicate to Michigan's voters that their elected

¹Press Release issued by Republican State Central Committee, June 16, 1975.

²Press Release issued by Michigan Democratic Party, May 20, 1975.

representatives are serious about accomplishing the urgent task of political reform."¹

The long-awaited introduction of the political reform bill was greeted by the press with a barrage of coverage and publicity. Newspapers throughout the state commented editorially on the importance of the "comprehensive," "landmark" and "most promising piece of legislation."

The Detroit Free Press reversed its stand on the 1974 legislative question of reporting floors for individual contributions. HB 5250 proposed a \$15.00 requirement. The Free Press asked, "Is that unreasonably low?" In 1974 the paper had argued for the lower floor, and against the Democratic proposal of a \$50.00 requirement. But on May 21, the editorial commented, "It would seem to us . . . that the reporting minimum be set somewhat higher."²

The Free Press also commented:

In a democratic and open society, there are some aspects of political participation that should be regulated only with the greatest reluctance and caution. The best protection for the society, though, is that political leaders be forced to campaign and to finance

¹Ibid.

²"State Election Reform Bill A Basis for Open Politics," Detroit Free Press, May 21, 1975, p. 6-A.

their campaigns openly and subject to scrutiny and challenge from the people. The bipartisan bill appears, on the whole, to be a good way to impose that requirement.¹

Other favorable editorials appeared in the Kalamazoo Gazette ("Enforcement is Key to Campaign Reform"); Macomb Daily ("Political Reform a Must this Year"); Escanaba Daily Press ("Hopeful Signs"); and the Adrian Daily Telegram ("Campaign Financing").

The Grand Rapids Press commented:

The proposal has a considerable distance to go before it becomes law. Its breadth and mandatory structures are sure to be agonized over and assaulted. And they will be altered. Still to be determined, however, is whether the seemingly model but controversial bill has been offered merely for show or whether the lawmakers are serious about its passage. They may talk it to death.

But if that happens, the suspicion here is that the fury of those who are deservedly weary of the oldtime, pre-Watergate, money-based politics will be greater than ever.²

The Lansing State Journal editorially noted, as had the Free Press:

There are some who may feel certain aspects of the bills are too tough--such as the

¹Ibid.

²"State Election Reform," Grand Rapids Press, May 27, 1975, p. 14-A.

requirement for the reporting of any political contribution over \$15. These and other issues, however, are subject to negotiation and tempering without eroding the force of the legislation.¹

Although both of these newspapers discussed the new "higher floor" position they were now advocating, neither newspaper emphatically stressed the reversal in position: the shift from lower reporting floor to an endorsement of a higher floor. Common Cause and the Democrats favored the higher floor, but the Republicans were adamant that the floor be kept as low as could be agreed upon.

The Battle Creek Enquirer & News said:

Although the bill is a compromise between what Common Cause originally had wanted, and what political leaders would prefer, it still has great merit, and, if approved, probably would be the most far-reaching political reform measure in the country.²

Michigan State University's newspaper, the State News, stated:

By passing the reforms, the legislature could begin to rejuvenate a system which has been diagnosed as unrepresentative and unresponsive to the wishes of the people. The proposed reforms may taste like castor oil

¹"New Hope for State Reform Law," Lansing State Journal, May 23, 1975, p. A-10.

²"A Model of Reform," Battle Creek Enquirer & News, May 27, 1975, p. A-4.

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to some legislators but there is no doubt that the medicine will get things moving in a sluggish system.¹

The Albion Evening Recorder commented: "It is a shame such legislation has to come about under threat but at least the response has been positive."²

Later, on June 10, Zolton Ferency, associate professor of Criminal Justice at Michigan State University, chair of the Human Rights Party in Michigan, former chief of the state Democratic Party, and twice candidate for Governor, would go on record as an active opponent of the legislation--calling it unconstitutional and deficient.³

Asking the question whether "Honesty Bill Too Honest?" Gannet News Services chief Michigan legislative correspondent Pat McCarthy, discussed the bill's introduction with the opening statement, "A massive 71-page bill designed to restore the citizens' faith in honest government

¹"Sick System Curable," Michigan State News, May 28, 1975, p. 4.

²Untitled editorial, Albion Evening Recorder, May 31, 1975, p. 2.

³Statement by Zolton Ferency to Senate Committee on Municipalities and Elections, Public Hearing, Lansing, Michigan, June 10, 1975.

may also be just the thing to discourage him from taking part."¹

McCarthy quoted Doug Ross, from Common Cause, who said the bill "encourages citizen effort," quoted misgivings of William McLaughlin, state Republican party chairman, Representative Dennis Cawthorne (who said the bill may have some "dampening effect" on citizens running for and holding office), and Senator Robert Davis, who said the bills were "pretty reasonable, when you compare them with the original Common Cause proposal."²

Reporter McCarthy said that Senate Majority Leader William Fitzgerald felt the \$15 floor might inhibit some smaller givers, and noted that Common Cause had suggested \$50 as more practical.³

Of the twenty-six goals sought by Common Cause, only two were not included in the legislation introduced, McCarthy wrote.

In one case legislators exempted themselves from the provision barring public officials one

¹"Honesty Bill Too Honest?," Lansing State Journal, May 25, 1975.

²Ibid.

³Ibid.

year after quitting from lobbying on a matter with which they were previously concerned.

The other would have duplicated federal regulations requiring a union to use only voluntarily contributed funds for politics--a distinction not now made at the state level.¹

McCarthy was one of the few reporters who noted that distinction, and who realized its importance. But even he did not discuss, in depth, how important that distinction was to Democratic leaders.

The Quadrant leaders, according to McCarthy, agreed that no piece of legislation this year has received so much time and effort, all on a bipartisan basis. With all that time invested, ("we were meeting Sundays, evenings and mornings at the last," Crim said), there's a good likelihood the leadership will meet its timetable for adoption before the summer recess.²

The press carried a number of articles, of varying length, concerning the legislation itself, and for the most part briefly outlined the major provisions of the political reform bill. A few articles went beyond the factual outlines, and commented about the prospects of getting the legislation enacted before the summer recess.

¹Ibid.

²Ibid.

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John O'Connor, in the Grand Rapids Press, wrote that legislative leaders conceded it would be "tough going to convince their colleagues that this reform bill will be easier to swallow than whatever Common Cause would try to put on the 1976 ballot."¹ O'Connor also noted that a key compromise in the legislation, "according to a legislator close to the bill drafting," was aimed at removing an objection raised earlier by the UAW. Douglas Fraser, a UAW Vice-President, had criticized the proposal which would have placed a ceiling on contributions to a gubernatorial candidate of five times the ceiling on an individual donor; the bill as introduced raised the ceiling to ten times that of an individual contribution.²

The State News carried a UPI article on May 20 in which reporter William J. Holstein interviewed Stan Fedewa, executive secretary to Speaker Crim. Fedewa, who had helped draft the legislation, was quoted as saying the bill "diffuses the impact of individual contributions." The article noted that the group contribution limits, as

¹ John O'Connor, "Wary Legislators Join Common Cause in Drafting Reform Bill," Grand Rapids Press, May 18, 1975, p. 10-A.

² Ibid.

included in the bill as introduced, "apparently have not stirred strong opposition from labor unions, which contribute large sums of money to candidates running for office at all levels."¹

Free Press reporter Roger Lane, in a May 22 article, zeroed in on the lobbyist restrictions in one of the paper's first articles which analyzed the actual legislation. Lane discussed lobbyist "loopholes" which would spare lobbyists for local government units from having to register at the state Capitol. It was noted, however, that legislative aides had explained that "some of the bill's unusual features . . . resulted from a switch from an emphasis on restrictions to an emphasis instead on disclosure."²

On May 24, the Ann Arbor News carried a column by William Kulsea, on the political reform bill:

Common Cause yearns for it, Governor Miliken wants it, key lawmakers say it's the way to go, the thinking taxpayers feel it's about time--that's the collective attitude

¹William J. Holstein, "Political Reform Bill May Curtail Candidates' Contribution Monies," Michigan State News, May 20, 1975, p. 1.

²Roger Lane, "Reform Plan Leaves Loopholes for *Some Lobbyists*," Detroit Free Press, May 22, 1975, p. 7-A.

toward legislation to control political campaigns and lobbyist's activities.¹

Kulsea wrote that it was the first time in state history that such a "comprehensive piece of law has been proposed to a legislature," and also commented that "Odds are 2 to 1 against the measure slipping by both houses in present form."²

Kulsea also had much to say about the Common Cause crusaders:

At the moment it would seem that Common Cause, a self-styled reform group composed of charged-up young folks, has the upper hand. The deal is that if the legislature doesn't pass the bill, Common Cause will put it on the ballot for a popular vote, via the petition route.

The mossbacks around the statehouse (in their 40's and 50's) know that the kids can work 12 and 14 hours a day gathering petitions all around the state to qualify the proposition for a vote This threat hangs over the legislature and its leaders must decide whether to go with the lobbyists or with a new generation hell-bent on engineering a reform that has been needed at the statehouse for years.³

¹William Kulsea, "Common Cause's Reform Bill Tough," Ann Arbor News, May 24, 1975.

²Ibid.

³Ibid.

As has been noted, the political reform bills were introduced with a fanfare of bipartisan support from both legislative leaders and the Governor. But the possibility of problems over the public funding section began to surface as early as May 23. In a Detroit Free Press "Tipoff" article, it was noted that "Lansing insiders say there's conflict between Governor Milliken's political aides and his 'good government' staffers over financing gubernatorial campaigns with public funds." The brief article stated that the governor's Republican fund raisers "reportedly have urged him to oppose public financing." One of Milliken's special assistants, Craig Ruff, said it wasn't true, however. "The governor is only considering all alternatives," Ruff said. The article also stated: "Nonetheless, the fund raisers maintain that the financing with tax money would take away the traditional GOP fund-raising edge of private contributions."¹

Following the introduction of the political reform bill, and the widespread, usually complimentary, press publicity for Common Cause, it became apparent that several

¹Tipoff Column, "Governor Milliken's Aides Split on Public Campaign Funds," Detroit Free Press, May 23, 1975, p. 3-A.

legislators were not enamored with the citizen group. In particular, Republican Representative Quincy Hoffman (R-Applegate), introduced a House Resolution (HR 124) to launch an investigation of the citizens lobby. "They have secret meetings at Common Cause," Hoffman was quoted as saying. "Nobody seems to know where they get their money and I think we'd better find out more about them if they're going to start writing the laws around here."¹ Hoffman's resolution would call for Common Cause to disclose its size and the identity of its financial backers to a special House investigating committee Hoffman wanted to create.²

At introduction, HB 5250 was referred to the Committee on House Policy, chaired by Representative John Markes (D-Livonia), one of the bill's sponsors. House Majority Leader Joe Forbes (D-Oak Park), the bill's chief sponsor, served as committee vice-chair. House Policy Committee membership consisted of seven Democrats and four Republicans.

¹"Vacationers Abandon Legislators Airing Budget," Lansing State Journal, May 21, 1975, p. B-4.

²Michigan Journal of the House of Representatives, No. 60, May 20, 1975, p. 1542.

SB 880 was referred to the Senate Committee on Municipalities and Elections, chaired by Senator Patrick McCollough (D-Dearborn), a bill sponsor. Committee membership consisted of three Democrats and two Republicans.

In the House of Representatives, where HB 5250 would be the "vehicle" bill to move through the legislative process, it normally takes from four days to three weeks for a blueback bill to be printed and distributed to the members.¹ HB 5250 was introduced into the Legislature at a Monday evening session, May 19, 1975; by Wednesday, May 21, HB 5250 was "printed and placed upon the files of the members"²--quite a feat under normal procedures--but considering the document was 71 pages, this was another piece of evidence indicating the priority treatment the political reform bill was to receive as it wended its way through the bill-enacting process.

The House Committee on House Policy has the responsibility of being "clearing house" for all resolutions of

¹A "blueback bill" is the official Master Copy of a bill as it is typed by the Legislative Service Bureau. Members may sign bluebacks as the bills are introduced in order to be co-sponsors of the bills.

²Michigan Journal of the House of Representatives,
No. 61, May 21, 1975, p. 1589.

tribute or concern. Committee meetings were scheduled never more than one per week. On May 27, Representative Markes sent a memo to all committee members regarding the schedule of meetings for the political reform bill.¹ In the memo, Representative Markes referred to "a comprehensive political reform bill representing one of the first serious attempts to deal with all aspects of political reform," and noted "House Bill 5250 has been referred to the Committee on House Policy with the bipartisan request that it be given our earliest consideration."² Chairman Markes also noted, "If the act is to go into effect in time for the 1976 primary and general elections, the Committee on House Policy must work for its passage allowing sufficient time for Senate passage before the Legislature recesses for the summer."³ With that commitment, Chairman Markes designated every Monday, Thursday and Friday as meeting days--time dependent upon regularly scheduled House sessions.

¹Memo from Representative John Markes, Chairman, House Policy Committee, to committee members, May 27, 1975.

²Ibid.

³Ibid.

The first official House Policy meeting dealing with HB 5250 was held on Thursday, May 29. The Chairman explained that a great deal of effort had been made to provide the committee with information to serve as working tools to expedite the work of the Committee. Seven legislative staff members (two from the House Democratic staff, three from Senate Democratic staff, and two from House Republican staff) were present, along with one member from the Governor's staff, one person from the House Bill Analysis section, and one person representing Common Cause.¹ Throughout the time committees would be discussing political reform, staff members would be quite prevalent in the audience--as both observers and commentators, and often as participants in the discussion. Democratic staff members always outnumbered Republican staff; Common Cause representatives would always be present; representatives from the Attorney General's office and Secretary of State's office would occasionally be present, along with the attorney-draftsman from the Legislative Service Bureau, who drafted the original legislation, and who would

¹Unofficial, unpublished minutes, Committee on House Policy, May 29, 1975.

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supervise the drafting of all staff-recommended, committee-recommended amendments.

At this May 29 meeting, the chair distributed a 20-page summary, with index, of the bill, describing it as a joint cooperative effort between both parties in the House and Senate. The summary was prepared by staff.¹

Stan Fedewa, Executive Secretary to Speaker Crim, explained to those present that this bill had been worked on by both parties from the Senate and House, and general agreement had been reached by both parties, Common Cause, and the Governor's office. He also explained the bill still had some technical errors, which were being worked on.²

Representative John Engler (R-Mt. Pleasant) "expressed his hope that there would be no attempt to report the bill without full committee consideration."³ Committee member Paul Rosenbaum (D-Battle Creek), who also served as

¹First Summary of Political Reform Bill, Memo to Rick Cole, Executive Secretary to Senate Majority Leader William Fitzgerald, from John Turnquist and Dennis Neuner, Senate Democratic Staff.

²Unofficial minutes, Committee on House Policy, May 29, 1975.

³Ibid.

Chairman of the House Judiciary Committee, said he foresaw a constitutional challenge to the bill on the basis of the makeup of the Political Ethics Commission. (The bill's provisions almost totally assured the six-member body would be composed of Republicans and Democrats only--but would regulate activities of all political parties.)¹

At the June 9 meeting, it was announced that the Senate Committee on Municipalities and Elections, which was handling the companion SB 880, would be holding a series of public hearings for the purpose of obtaining public testimony. House Policy Committee members were invited to attend. It was also announced that the Senate Committee would not be doing additional work on their bill, and they were aware of the work being done in the House on HB 5250.² This was another piece of evidence that HB 5250 was the moving force, and while the House committee might not have the time to discuss all the technical amendments and hold public hearings, the Senate committee would pick up responsibility for the latter.

¹Michigan Report, Gongwer News Service, Inc., Report, May 29, 1975, p. 1.

²Unofficial minutes, Committee on House Policy, June 9, 1975.

During June, a number of technical amendments were offered, and adopted by the committee. No substantive amendments were adopted.

Two House Policy Committee meetings were held on June 19--one to continue discussion on HB 5250, and the other to discuss a new bill, HB 5363, which would delay, again, implementation of the 1974 political reform legislation. It will be recalled that the Governor had signed a previous "delay bill" on March 31, 1975, with the comment that he understood progress was being made on the more comprehensive political reform proposal negotiation sessions. The Governor and his staff supported the "delay bill" as part of the bipartisan agreement to implement more comprehensive political reform measures, but the Governor signed the bill only after receiving additional concessions from Democratic leaders. (There would be no "anonymous" contributions to political campaigns; all contributions would have to be recorded, although they would only have to be reported when the contribution level reached \$15.01. Substantive amendments to effect these points were offered and adopted by the House Policy Committee.)

HB 5363 would delay implementation of present law until September 1, 1975, which was supposed to be sufficient

time to allow the Legislature to enact the political reform bill, HB 5250. The Governor made it clear that he would sign HB 5363, but he would not sign a third "delay" bill. Supporters of "revised" and stricter political reform legislation could be counted on to support this "delay" bill. The interplays and strategies involved in the "delay" bill negotiating were an important part of the complete political reform story.

On June 12, HB 5363 had been introduced into the House. The bill was printed and upon the files of members on June 12--the day it was introduced.¹ Legislative rules dictate a one-week, or five-day holdover before floor action can occur. On June 19, at 4:45 p.m., Majority Leader Representative Joe Forbes moved that the House of Representatives, in session, take a recess subject to the call of the chair. The motion prevailed. Democrats met in caucus, with no staff members present. It is presumed that the importance of passing HB 5363 was discussed at that closed caucus meeting.

¹Michigan Journal of the House of Representatives,
No. 70, June 12, 1975, p. 1807.

The House was called to order, after recess, at 5:45 p.m. Representative Forbes moved that the Committee on House Policy be granted a temporary leave of absence from the session, and the motion prevailed. At 5:50 p.m. the House Policy Committee met a second time that day, and in a five-minute session the committee, with nine members present, discussed and voted to report out HB 5363 on a 6-1 vote (Representative Engler voting "no").¹

In some parliamentary procedural moves, Representative Forbes placed HB 5363 on the calendar under "Second Reading of Bills," and moved the bill be placed on the order of Third Reading of Bills. Motion prevailed, and Representative Forbes moved that the bill be placed on its immediate passage. This in effect suspended rules and moved the bill rapidly to Third Reading. After debate, a vote was taken and the bill was then not passed, as 55 members voted aye (42 Democrats, 13 Republicans) and 26 (all Republicans) voted nay.² (A majority is 56 votes.)

¹Unofficial minutes, Committee on House Policy, June 19, 1975.

²Michigan Journal of the House of Representatives, No. 74, June 19, 1975, p. 1935.

Representative Forbes then moved that the vote by which the House did not pass the bill be reconsidered. After debate (and some arm-twisting on the House floor), Roll Call Vote No. 541 had 57 members (45 Democrats, 12 Republicans) voting for passage of HB 5363, with 28 (27 Republicans, 1 Democrat) voting no.¹

Representative Forbes moved the House adjourn, and the Democratic leadership was ready to have HB 5363 sent to the Senate for action, with sufficient time for the 5-day waiting period.

However, Representative John Engler had submitted written notice ("I hereby give notice that on the next legislative session day I will move that the vote by which the House passed House Bill No. 5363 be reconsidered.")²

Clerk of the House of Representatives, T. Thomas Thatcher, ruled that he had officially accepted Representative Engler's notice before the official adjournment for that Thursday's session. The House was thus adjourned until Monday, June 23, at 8:00 p.m. Given the 5-day waiting period demanded in Joint Administrative Rules, the

¹Ibid.

²Ibid.

House would have to act quickly on June 23 to reconsider the vote taken, and then get HB 5363 to the Senate immediately. The Senate could not officially act on the bill until June 30, which was the last legal day the Governor could sign the bill before P.A. 272 (1974) would be implemented. If a Senator moved for reconsideration on June 30, a parliamentary procedure would have to forestall that reconsideration, or the Governor would not be able to sign the bill in time to delay the implementation of the other political reform measures. A member of the attorney general's staff stressed it would be "a real mess" if the Governor--wherever he planned to be on June 30--didn't sign a "delay" bill that day.¹ No further action could be taken on the "delay" bill until the Monday night House Session on June 23.

On Friday, June 20, House Policy Committee met from 9:00 a.m. to 12:15 p.m. (Democratic leadership, by the way, were not aware that Representative Engler had slipped his notice in "under the wire," on June 19, until the official House Journal of the session's activities was printed and distributed the next day.)

¹Telephone conversation with Florence Fraser, Assistant Attorney General, to Democratic Staff, June 20, 1975.

The last few days of that week, House Policy committee members in particular, and other legislators in general, had been receiving signed petitions from constituents, urging support for the political reform bill. Common Cause, whose ability to collect the large number of necessary signatures for a statewide ballot issue, had responded to sceptics by obtaining more than 25,000 signatures in a two-week period. It was important for Common Cause to maintain its credibility. The referendum threat was indeed valid.¹

On Monday, June 23, the House Policy Committee met from 2:00 p.m. to 8:00 p.m., with a recess around 4:15 p.m. Seven Democratic staff members, including executive secretary to the Speaker and executive secretary to the Senate Majority Leader, were present along with one Republican staff member, one member of the Governor's staff, two Common Cause members including its executive director, the Legislative Service Bureau draftsman, a lobbyist, and members of the Capitol Press Corps.²

¹Verification of approximate number of signatures gathered was supplied by Common Cause activist.

²Unofficial minutes, House Policy Committee, June 23, 1975.

Committee members' amendments were considered; some were drafted, written, and submitted on the spot. Thirty-seven roll call votes were taken, on one to five amendments per vote. Democrats, who outnumbered Republican committee members 7-4, did not vote as a block. A mid-afternoon recess was called, and it was evident that the Speaker himself was in a nearby room, ready to talk to Democratic caucus members. A press corps member commented (in an aside to this writer) that it was his assumption the Speaker was there to "whip Rosenbaum into line." But a look at the recorded votes showed it wasn't just Rosenbaum--it was also Representative George Cushingberry, Jr. (D-Detroit), Representative Josephine Hunsinger (D-Detroit), and, occasionally, Representative Jack Legel (D-Detroit). Only chairman Markes, vice-chairman Forbes, and Representative Barbara-Rose Collins (D-Detroit) could be considered "leadership block" voters.¹

All committee members were present. And all committee member amendments were considered. Eight Rosenbaum amendments were accepted, along with five of Engler's amendments. Representative Rosenbaum had to cancel a

¹Official roll call records, House Policy Committee notebook, June 23, 1975.

previously scheduled House Judiciary Committee meeting at 5:00 p.m.; Representative Collins had to cancel a 5:30 p.m. meeting with constituents. The pressure was on!

At 7:00 p.m. Representative Collins requested permission to send out for sandwiches. Request denied by the chair. By 7:45 p.m. the House Policy Committee had adopted close to 150 amendments. At 7:50 p.m., Representative Cushingberry moved to adopt a substitute for HB 5250 (to include all adopted amendments--this was normal procedure for a heavily-amended bill), and report it out of committee with a recommendation for passage. Representative Forbes supported. The motion passed with eight ayes, two nays (Legel, Ostling), and one pass (Engler).¹

One hurdle was passed. The House Policy Committee, with bipartisan support, had recommended passage of a bill basically in tact, though with numerous technical changes. On to House floor action--but not before the question of the "delay" bill would be settled.

On June 25, House Policy chairman John Markes issued a press release in which he predicted floor action

¹Official roll call records, House Policy Committee, June 23, 1975.

"within the next seven days on the most comprehensive governmental ethics bill ever brought before a state legislature."¹

Markes said, "I am extremely pleased to see the continuing strong bipartisan support for this legislation," and "I'm confident that within a matter of weeks Michigan will have the finest governmental ethics statute in the nation."² Markes also noted the original bill was "the product of 4-1/2 months of discussions between the majority and minority leadership of the Legislature, representatives of Common Cause and other interested parties."³

Markes also said the bill was "substantially the same as it was originally introduced," and that the committee "fine tuned it and made it more reasonable and workable."⁴

In the June 26 House Journal, the June 23 House Policy Committee action on HB 5250 was reported.⁵

¹Press Release issued by Representative John Markes, Chairman, House Policy Committee, June 25, 1975.

²Ibid.

³Ibid.

⁴Ibid.

⁵Michigan Journal of the House of Representatives, No. 78, June 26, 1975, pp. 2034-2035.

As the House Policy Committee adjourned at 8:00 p.m. June 23, the House of Representatives session for that day was just getting underway.

One of the first actions on the House calendar was the required reconsideration of the vote by which HB 5363 passed the House in the previous session, June 19. Representative John Engler moved that consideration of the bill be postponed until the next legislative session (which would assure the implementation of the 1974 political reform laws, because of the time element discussed previously). Thirty-seven Republicans voted with Representative Engler; sixty Democrats and five Republicans voted against¹ further delay.

Representative Forbes had moved to reconsider the vote; thirty-seven Republicans voted "yea," fifty-nine Democrats and six Republicans voted "nay."² HB 5363 was then sent to the Michigan Senate for action. Once introduced into the Senate, the bill was referred to the Committee on Municipalities and Elections.

¹Michigan Journal of the House of Representatives, No. 75, June 26, 1975, p. 1961.

²Ibid., p. 1962.

The June 26 Senate Journal reported that the Senate Committee on Municipalities and Elections reported HB 5363, with an amendment, with the recommendation that the bill pass. The bill, following normal Senate procedure, was referred to the Committee of the Whole.¹ (Motions and discussion are not recorded in Senate Committee of the Whole sessions.)

On Monday June 30 (the last day), the Senate was called to order at 2:00 p.m. and soon thereafter voted to pass HB 5363, 32-2 (Senators John Toepp, R-Cadillac, and John Welborn, R-Kalamazoo, dissenting).²

Senator Toepp moved to reconsider the vote by which the bill was passed. The motion did not prevail (no recorded vote). Senator Welborn raised a Point of Order:

After the passage of a bill, a motion was made to reconsider the vote by which the bill was passed. The point was raised that since a notice of intent to reconsider had been filed under provisions of the Joint Rules, that the motion to reconsider was not in order.

The President ruled that the filing of a notice of intent to reconsider did not prohibit

¹Michigan Journal of the Senate, No. 77, June 26, 1975, p. 1386.

²Michigan Journal of the Senate, No. 78, June 30, 1975, pp. 1409-1411.

consideration of the motion to reconsider by the Senate.

The President further stated that disposition of the motion to reconsider by the Senate would render null and void the notice of intent to reconsider.¹

A parliamentary ruling came to the assistance of the leadership. Senator Welborn protested the President's ruling, and had his reasons printed in the Journal: "I believe . . . this bill was greased, the skids were greased--I know that."²

Senator Welborn (by his own admission a conservative Republican), also protested the Senate's voting to give the bill immediate effect (2/3's vote required). He stated for the Senate Journal:

We passed a bill that was supposed to be campaign reform and take care of those glaring loopholes we've had in the law up until now, but suddenly now we are passing an extension of time, another bill that has been written by a lobbying group. Put out another bill that's going to take care of those problems. I think if we really review the two bills (1974 political reform, enacted; 1975 political reform HB 5250, in process) we'd find that 1016 (1974 bill) is much tighter not only in the reporting but also in the areas of total amount of expenditures I think we're taking a step backward in passing this bill today. However,

¹Michigan Journal of the Senate, No. 78, June 30, 1975, p. 1410.

²Ibid.

in my own minority party there seems to be some disregard in responding to questions on this. So I stand in opposition to passing this legislation in this hurried fashion until we've really taken a look at it and responded to the questions that are being asked about the comparison of the two bills.¹

The Senate passed version of HB 5363 was immediately sent to the House, which had to concur in the Senate amendment to complete the legislative process, so the bill would be eligible for signing by the Governor before midnight. The House had convened in an early 2:00 p.m. session, one reason being to allow sufficient time for action on HB 5363.

When the Senate returned HB 5363, Representative Forbes placed the item on the calendar and moved that the bill be given immediate effect. Pursuant to Section 18 of Article IV of the Michigan Constitution,² twenty-four Republican members requested a record roll call vote on immediate effect for House Bill 5363.³ (Record roll call votes on immediate effect are not the usual manner of handling routine concerns.)

¹Ibid., p. 1411.

²Michigan Constitution of 1963, Article IV, Section 18.

³Michigan Journal of the House of Representatives, No. 80, June 30, 1975, p. 2101.

After debate, the bill was given immediate effect by an eighty-four (bipartisan) to twenty-one (all Republican) vote, with seventy-three votes, or 2/3's of 110, necessary for immediate effect.¹

The bill was then referred to the Clerk for enrollment printing and presentation to the Governor, who happened to be in town that day, and was thus available for immediate signing.²

Representative Robert Welborn (R-Kalamazoo), brother of Senator John Welborn, having previously reserved the right to explain his nay vote, made the following statement, reprinted in the House Journal:

I voted against immediate effect on House Bill 5363 because the Legislature is stalling on the Campaign Reform Issue. Senate Bill 1016 (P.A. 272 of 1974) could work, the forms are printed, so why do we want to stall until September 1, 1975, what do we have to hide? Will we again stall prior to the effective date of September 1, 1975? What is wrong with Campaign Reform now? If we don't want it now, why should we vote for so-called Campaign Reform in the future? Looks like the skids are greased! Seems rather strange that only 21 voted for some sort of campaign reform today.³

¹Ibid.

²Ibid., p. 2102.

³Michigan Journal of the House of Representatives, p. 2102.

Representative John Engler protested the House action by taking the "this violates the state constitution" approach. He calimed an omission in title was "a fatal flaw in the constitutionality of the enrolled HB 5363," and said House action on the bill

was motivated by a desire to once again delay long-needed and long-overdue campaign financing reporting and disclosure. However, the unworthy cause does not and can not justify the illegal measures used. I must protest the action of the House of Representatives on HB 5363.¹

The July 1, 1975 House Journal contained the following statement: "The Clerk announced the enrollment printing and presentation to the Governor on June 30, 1975, for his approval of the following bill: Enrolled House Bill No. 5363 at 5:05 p.m."²

The July 2, 1975 House Journal contained the following message from the Governor: that on Monday, June 30, 1975, he had approved and deposited in the office of the Secretary of State Enrolled House Bill No. 5363 (P.A. 121 of 1975)--signed at 6:00 p.m.³

¹Ibid.

²Michigan Journal of the House of Representatives,
No. 81, July 1, 1975, p. 2143.

³Michigan Journal of the House of Representatives,
No. 82, July 2, 1975, p. 2185.

Perhaps the skids were greased--but the state could not, for all practical purposes, live under three different sets of campaign reform rules and regulations in less than a year, and it looked as though HB 5250 would be enacted before the summer recess.

While HB 5250 was in the House Policy Committee, the press covered various aspects of the political reform bill's progress, along with related events. Coverage included some front page news stories, editorials, features or interviews with public officials or lobbyists for personal reactions, letters to the editor, points of view columns, and general news articles. News articles focused on a general discussion of the political reform bill itself, the GOP opposition (to public funding), and lobbyist comments criticizing the bill. A story concerning Common Cause lobbyist Doug Ross's living arrangements (he was sharing an apartment in Lansing with State Representative Jeffrey Padden, D-Wyandotte) was carried in the Free Press.¹ Articles about local Common Cause chapter activities, local town councils expressing opposition to disclosure requirements in the bill, pictures of Common Cause members

¹Roger Lane, "Gift Law May Affect Lobbyist's Shared Flat," Detroit Free Press, June 5, 1975, p. A-14.

soliciting signatures on petitions, explanations of additional agreements between the Governor and legislative leaders, and articles concerning the 1974 law, which would be "outdated" almost before its effective date, were all included.

Specifically, the Grand Rapids Press discussed the fact that a group of lobbyists hired their own special lobbyist, William Palmer, a former state senator and lobbyist for the state's petroleum industry, "to analyze the potential effects of the proposed comprehensive political reform bill."¹

The political reform bill, or related concerns, were discussed almost daily in the Michigan press in June.

On Monday, June 2, Zolton Ferency was interviewed concerning political reform. Ferency said there were at least 50 things wrong with the bill, and called the measure a "malignant mishmash concocted by a curious combination of political amateurs from Common Cause and a handful of entrenched officeholders."²

¹John O'Connor, "Lobbyist Analyzes Political Reform Bill," Grand Rapids Press, June 1, 1975, p. 7-A.

²"Ferency says Reform Bill Invites Corruption," Battle Creek Enquirer & News, June 3, 1975, p. B-8.

Ferency also stated: "There is no need to burn down the church just to get at a few mice, and that's exactly what the so-called 'political reform bill' threatens to do."¹

A State Journal article on June 8 discussed at length the problems faced by Bernard Apol, State Elections Director, with the rules procedure for 1974 which were scheduled to go into effect on July 1, and the strong possibility of another reform measure being adopted that summer. This would mean starting all over again on the rule writing, form designing, and other planning. Although the article did not specifically state that it was impractical for one set of rules to go into effect July 1, with another, entirely different set, to go into effect possibly in another six months, the message was clear.

At the same time, Common Cause Executive Director Doug Ross was mounting a statewide letter-to-the-editor campaign. Ross himself sent letters praising individual representatives and senators to newspapers within each elected official's district, and urging residents to write their elected officials, also. Ross also used, effectively,

¹Ibid.



press conferences (usually held in several cities the same day, in order to increase the coverage), and calls to media representatives.

On June 11 the Detroit News carried an article concerning a Senate public hearing, held in Lansing, June 10. Zolton Ferency spoke, along with Elton K. Andrews of Detroit, a former Conservative Party candidate for Governor. Both men denounced the political reform bill. Doug Ross defended the bill by stating Common Cause had consulted with business, labor, and other groups while drafting the bill. "There was nothing hasty about it," Ross emphasized.¹

The Detroit News reported that the Senate and House were expected to pass the bill by early August.²

The Free Press in its "inside front page" headline story discussed Ferency's negative reaction to the bill, and also highlighted comments by Howard Simon, executive director of the American Civil Liberties Union's Michigan chapter, who also opposed the bill. Simon claimed

¹Pat Murphy, "Political Reform Praised, Denounced," Detroit News, June 11, 1975.

²Ibid.

provisions of the bill would invade constitutional guarantees of citizen privacy and would allow "open-ended surveillance and monitoring of protected political activity."¹

A Free Press lead editorial on June 15 discussed the bipartisan approach to reform, and called the bill "a constructive step."²

The Detroit News discussed the Michigan Republican State Central Committee's resolution, in a June 15 article, opposing the political funding section of the bill. William McLaughlin, state GOP chairman, was quoted as saying "We think that political campaigns are best financed by small contributions."³

The news release issued by Republican State Central, on June 16, stated:

The Republican State Committee hereby resolves to oppose the public financing of primary and general election campaigns for the office of Governor and further . . . forward to the Republican members of the Michigan Senate and House of Representatives this resolution

¹ Roger Lane, "Ferency Assails Vote Reform Bill," Detroit Free Press, June 12, 1975, p. A-3.

² "State Has Chance to Prove Itself a National Pace-setter," Detroit Free Press, June 15, 1975, p. 2-D.

³ Pat Murphy, "State GOP Opposes Campaign Reform Bill," Detroit News, June 15, 1975, p. 3.

underscoring our continued opposition to public financing of elections.¹

Lobbyists' comments on the bill were featured in a State Journal article June 16, which began: "The lobbyists don't like it, but they figure it could be a lot worse."² The article outlined regulations pertaining to lobbyist activities and expenditures, and mentioned that "one busy lobbying partnership," that of Jerry Coombs and Emil Lockwood, did support the bill. The article quoted Coombs:

It was so restrictive when it started, it would have forced lobbyists underground At least we would know what the standards are. What we have now is the media standard, and whatever they can find out.³

An endorsement of the political reform concept was finally given by the Detroit News on June 17, almost a month to the date after the bills were initially introduced into the Legislature. The editorial commented on different provisions of the bill, and stated:

The bill also eliminates an objectionable feature of the original Common Cause proposal

¹ Press Release issued by Republican State Central Committee, June 16, 1975.

² Pat McCarthy, "Lobbyists Up in Arms About Control Bill," Lansing State Journal, June 16, 1975, p. B-6.

³ Ibid.

which would have tipped the scale heavily in favor of candidates backed by big unions.¹

Susan Rennels had publically commented that the provision referred to in the News editorial had never been officially considered as a part of the Common Cause package.

Several newspapers carried article interviews with local elected officials who voiced strong objections to the financial disclosure provisions of the reform legislation. City councilmen in Mason,² Hudson,³ Farmington,⁴ and officials in Hillsdale⁵ voiced opposition to the bill. The Battle Creek City Commission voted to oppose the bill, also.⁶

¹"Good Bill Offered," Detroit News, June 17, 1975, p. 6-B.

²"Disclosure Bill Upsets Councilmen," Lansing State Journal, June 19, 1975, p. B-2.

³Mary Anne Leffingwell, "State Bill Bitterly Criticized at Hudson Council Meet," Hillsdale Daily News, June 23, 1975, p. 14.

⁴Wylie Gerdes, "Councilmen support Disclosure but Oppose Bills," Farmington Eccentric and Observer, June 19, 1975.

⁵Dale Duncan, "Local Officials Voice Objection Over Finance Bill," Hillsdale Daily News, June 28, 1975, p. 1.

⁶"Commission Opposed Reform Bill," Battle Creek Enquirer & News, July 23, 1975, p. A-3.

Several state representatives wrote newspaper columns in support of or in opposition to the political reform measure. Representative E. Dan Stevens (R-Atlanta) questioned Common Cause, and in a Detroit Free Press letters column, Representative David Bonior (D-Mt. Clemens) jumped on the paper's editorial board for its reversal from the 1974 stance on political reform. Bonior wrote:

You suggest that disclosure of activities is more effective than restriction in your June 22 editorial. That's what House Democrats were saying last year when you were agreeing with the governor on our disclosure bill being a farce and a sham.¹

Bonior discussed the fact that the Free Press was, at present, saying a \$15 floor for reporting of campaign contributions was too low, and the Legislature should allow Michigan citizens to make higher contributions, perhaps up to \$50 or \$100, without having their names and addresses listed on forms available to everyone.

That's what the House Democrats were saying last year when you characterized us as villains for wanting to compromise on a \$25 floor on contributions to be reported while the governor and House Republicans were clamoring for a zero floor.²

¹ Representative David Bonior, Letter to the Editor, Detroit Free Press, July 6, 1975.

² Ibid.

Bonior went on to remind the Free Press and its readers that in 1974 the editorial position of the paper had maintained that the Democratic position (\$25 floor) "was so compromising" that the Free Press had published the names of 55 House Democrats, and one Republican, who voted to reject a Republican proposed amendment that would have eliminated the \$25 floor provision.

Bonior concluded:

I am encouraged that you have elected to furnish the details of this critical legislation in the editorial page columns adjacent to your personal opinion of that legislation. With factual reporting by the media, and a willingness on the part of a majority of legislators, I believe Michigan can move forward on comprehensive political campaign reform, setting an example for the rest of the country. I think we now have the vehicle to do so.¹

In the meantime, Lt. Governor James Damman was predicting passage of the election reform bill, in an interview with Pat Murphy, Detroit News writer.² While a candidate for Lt. Governor, Damman was forced to admit, following a newspaper investigation of decisions he made as a Troy councilman, that he belonged to an investment club dealing

¹Ibid.

²"Damman Sees Election Reform Bill's Passage," Detroit News, June 25, 1975.

in Troy properties. It was alleged he made decisions affecting those properties as a Troy councilman and planning commissioner. One of the provisions of the proposed political reform law would subject any public official, elected or appointed, to a three-year prison term and/or a \$10,000 fine for participating in governmental decisions benefiting himself.¹

A State Journal article on June 22 noted that letters to legislators on political reform might not be plentiful, "but the support is still there," according to Doug Ross.² More impressive than an avalanche of letters, however, were the numerous petitions being received by legislators. Petitions, circulated by Common Cause urging support for the big political reform bill, had collected an estimated 25,000 signatures. "The reports we get are that 99 percent of the people sign without any hesitation," reported Ross. "If there's any doubt about support for the bill, I think this demonstrates otherwise."³

¹"Damman 'loophole' cited at hearing on bill," Oakland Press, June 19, 1975.

²Pat McCarthy, "Political Reform Letters Slow," Lansing State Journal, June 22, 1975, p. B-8.

³Ibid.

Also on June 22, the Detroit Free Press devoted almost its entire editorial page to political reform articles, and an editorial. The editorial mentioned the \$15 floor, and commented,

The strength and comprehensiveness of the new legislation persuades us that \$15 is too low a floor . . . we think the bill is a good one that may need modification so that it will not discourage people from entering public life and too severely restrict freedom of expression.¹

Free Press Associate Editor David Cooper commented in his article that most labor unions, political groups, key legislative leaders and others "are backing the broad principles of the Common Cause bill" and they were "hoping the Legislature will work out a compromise acceptable to Common Cause and voters and prevent more restrictive laws from being passed by a statewide vote of the people."²

"In short," the article stated, "the politicians suddenly figure reform is next to motherhood with a strong majority of the Michigan public."³

¹"Bill Has Good Features but May Need Revision," Detroit Free Press, June 22, 1975, p. 2-D.

²David Cooper, "Legislature Told to Clean Up Michigan Politics--Or Else," Detroit Free Press, June 22, 1975, p. 2-D.

³Ibid.

Cooper concluded his article with the comment that

. . . a new law--either passed by the Legislature or by the people in a statewide vote--is likely to have a profound effect on the way in which politics and public officials operate in Michigan. One way or another, it seems obvious that the rules of political conduct in Michigan are in the process of being changed.¹

On Tuesday, June 24, a number of newspapers across the state carried articles about the House committee passage of the political reform bill.²

The State Journal article discussed both the "delay" bill and the comprehensive reform bill. The Free Press article stated that four ranking legislators, who are also lawyers, "agreed . . . that campaign spending limitations in the bill might not stand a court test. They said the measure raised serious constitutional questions."³

On July 1, the State Journal discussed the 1974 delayed implementation:

A new law governing campaigning in Michigan--set to go into effect in April, then

¹Ibid.

²Pete Yost, "Two Bills Advance," Lansing State Journal, June 24, 1975, p. B-4. Also, "Full House to Debate Election Reforms," Detroit Free Press, June 25, 1975, p. 1-A.

³Ibid.

postponed until today--won't go into effect until September 1,--if at all.¹

The article stated that Governor Milliken and leaders of both parties agreed to the delay "in hopes of passing a more extensive measure which would take its place anyway."²

Had the 1974 law been allowed to take effect that day, July 1, and the House bill been enacted later, supporters argued, "candidates in Michigan would have operated under three sets of rules in a six-month period."³

HB 5250 had been reported out of the House Policy Committee on June 23 with the recommendation that the substitute be adopted and that the bill then pass. On June 26 the bill and substitute were referred to the order of Second Reading of Bills.⁴ Almost three weeks later, on July 15, the substitute bill was accepted by a majority of the members, and for the first time, House Substitute for

¹"Campaign Reform Start Stalled Until Sept. 1," Lansing State Journal, July 1, 1975, p. B-4.

²Ibid.

³Ibid.

⁴Michigan Journal of the House of Representatives, No. 78, June 26, 1975, p. 2034.

HB 5250 was open for discussion on the floor of the House of Representatives. Both Democratic and Republican staff members sat with key leadership members during ensuing House debate.

There were a limited number of press articles on political reform during the first two weeks in July. Coverage increased as the bill came under discussion on the House floor.

On July 15, the first day the bill was discussed, more than 150 amendments were offered, and, during five hours of floor debate, only five amendments were adopted.¹ This pattern was followed throughout most of the floor debates: numerous amendments offered, but few adopted. Legislative leadership was apparently able to "hold the troops in line" so that the bill would pass the full House in virtually the same condition it was in when it emerged from committee. So far, the "Quadrant agreement" was working.

An Associated Press wire story sent out following the July 15 session noted that the House had debated the

¹Pete Yost, "Financial Disclosure Battle Ammo Prepared," Lansing State Journal, July 7, 1975, p. B-6.

bill "with Michigan Common Cause executive director Doug Ross observing from the spectators gallery."^{1,2,3,4}

In reality, Mr. Ross was not in the spectators' gallery that day.⁵ But the reporter was perhaps confused on this point because Republican Representative Quincy Hoffman (sponsor of the House Resolution to investigate Common Cause), moved to refer HB 5250 to the Committee on Appropriations, which would more than likely have "killed" the bill that session. In his comments to the House, Representative Hoffman had suggested the House erect a rear-view mirror at Ross in the gallery so Ross could "signal" the representatives, and the legislators could coordinate their votes with Common Cause wishes. Hoffman said Ross "was flashing legislators signals on how to vote."⁶

¹"Politics Proposal Revised by House," Detroit News, July 16, 1975.

²"Public Funding Plan Kept Alive," Lansing State Journal, July 17, 1975, p. B-4.

³"Political Reform Foes Speak," The Port Huron Times Herald, July 16, 1975, p. 8D.

⁴"Vote Reform, School Strike Bills Debated," Lansing State Journal, July 16, 1975, p. B-1.

⁵Personal observation, with verification from Douglas Ross.

⁶"Politics Proposal Revised by House," Detroit News, July 16, 1975.

In other action that day, a Democratic representative, Alfred Sheridan (D-Taylor), moved to eliminate public funding. The amendment was defeated, 56-44.¹ House Leaders Crim and Cawthorne spoke and voted against the proposed amendment. Public funding was a vital part of the political reform package which the Quadrant leaders and the Governor were supporting with their bipartisan agreement.

The bill was debated at length on Wednesday, July 16, and on Friday, July 18, before the House adjourned for the weekend at 2:10 p.m.

It had been hoped by majority leadership to put the bill on third reading on July 18, and get it passed. But the delaying tactics and lengthy discussions, by a handful of House members, made it clear that it would not be possible to pass the bill without going into a marathon weekend session, which prospect none of the leadership was eager to follow.²

At the July 18 session, the first amendment discussed was one which stated "This act shall not take effect

¹Michigan Journal of the House of Representatives, No. 90, July 15, 1975, pp. 2384-2385.

²Comments of Representative John Markes, Chairman, House Policy Committee, to House Democratic Staff members, July 18, 1975.

until approved by a majority vote of the qualified electors of the state at the general election of 1976." This was a key amendment, obviously, because it could be considered a definite "cop-out" by those supposedly in favor of political reform. The amendment passed, 56-43. Nineteen Democrats joined 37 Republicans to pass the amendment.¹ Representative David Hollister (D-Lansing) explained his nay vote by stating the amendment to place the campaign reform package on the ballot was a cop-out. He affirmed:

We were elected to make tough decisions, not to pass the buck to someone else. I find it inconceivable that anyone can seriously consider putting a 72 page law on the ballot. How can this law be reduced to the 100 word statement which is required for ballot issues? If Representatives want the people to decide this issue let them continue this game of gutting the bill, stalling, and amendments. The initiative route may become the only way we are going to get meaningful campaign reform in Michigan.²

More amendments were offered; one amendment passed, before Representative Forbes moved that the vote by which the House adopted the amendment offered regarding the ballot question be reconsidered. (In the meantime, activity on the

¹Michigan Journal of the House of Representatives, No. 93, July 18, 1975, p. 2520.

²Ibid., p. 2522.

House floor was full of more hustle and motion than usual. It appeared that an above-average number of phone calls were being made to representatives on the floor on their private floor phones. Most of the calls seemed to be directed to Democrats who had voted for the ballot question placement.)¹

The representatives were asked to vote on the question "Shall the main question now be Put?" On a slim 51-50 vote (the motion prevailed as a majority of the members present voted for it), the motion to reconsider was passed, 56 to 44. Upon reconsideration, the ballot question issue then failed to pass, on a 44 to 58 vote.² This meant that the issue would not be placed on the ballot after all. Eleven of the original 19 Democrats supporting that vote had changed their minds (or been persuaded to change their minds).

The remainder of the July 18 session was spent in voting down proposed amendments, mostly those presented by Representative John Engler, but which involved considerable

¹Personal observation.

²Michigan Journal of the House of Representatives,
No. 93, July 18, 1975, p. 2525.

debate on the House floor. It was almost in exasperation that the meeting was adjourned mid-afternoon, to reconvene on Monday, July 21, at 2:00 p.m.¹

Before Monday's session, it was apparent to majority leadership that the minority leadership was having difficulty living up to previous "Quadrant agreements" on various points of substance in the 71-page document. A close look at record roll call votes in House Journals regarding 17 key amendment votes indicated that the Cawthorne (Minority Leader) and Bryant (Minority Floor Leader) votes differed from the Crim (Speaker) and Forbes (Majority Floor Leader) votes. Those four leaders had previously agreed to support the package, and not to gut it with numerous amendments. It must be noted that Minority Leader Bryant was the one who most often "broke the agreement," and Cawthorne voted along with Crim on major issues. Representative Cawthorne had the difficult task of trying to keep his word, made in Quadrant meetings, while trying to appease his minority caucus and his Governor. Open breaks between Cawthorne and Bryant were obvious to observers in the House Gallery and on the House floor, although the press failed to comment about the disagreements.

¹Ibid., p. 2527.

The Detroit News, on July 19, carried a small article to the effect that substantive amendments were being rejected, and the reform bill was emerging virtually unscathed.¹

A longer article in the State Journal, on Sunday, July 20, quoted Speaker Bobby Crim and House Minority Leader Dennis Cawthorne, both of whom voted against the move that would have delayed the bill's implementation by letting voters decide the fate of the proposal on the November 1976 ballot. "We have to face up to our responsibility and we have to do it now," Cawthorne was quoted as saying.²

On Monday, July 21, the State Journal carried an interesting article by Malcolm Johnson. The article discussed the fact that the State Senate "already three weeks into the new fiscal year without a budget," had "watched an entire week melt away" as Democratic leaders "fruitlessly tried to hammer out an agreement on a bill legalizing teacher strikes." The Senate would also have to act on "another hot potato," Governor Milliken's revision in

¹"State Lawmakers Refuse to Change Campaign Bill," Detroit News, July 19, 1975.

²Pete Yost, "State House Rejects Disclosure Amendment," Lansing State Journal, July 20, 1975, p. B-2.

business taxes. The Senate couldn't seem to get any bill of major import passed.¹

"The Senate is the best argument I know of for a unicameral legislature," cracked House Democratic Floor Leader Joe Forbes, of Oak Park.²

Also on July 21, the Detroit News commented on the major bills the Senate still had to debate, including the political reform package. The article discussed how Senate Majority Leader William Fitzgerald "was attempting to find another compromise" (on teacher-strike legislation, which eventually died in the Senate) "that would be acceptable to the five Democrats who have teamed up with minority Republicans to thwart Democratic leaders."³

How could the controversial political reform bill, should it pass the House, ever get through the Senate? So far, Senate leadership had not shown it was capable of enacting major legislation. None of the appropriations bills had passed both chambers yet, either. And many Senators,

¹Malcolm Johnson, "Facing Legislative Logjam," Lansing State Journal, July 21, 1975, p. B-1.

²Ibid.

³"Top Bills Stuck in Legislature," Detroit News, July 21, 1975.

as well as Representatives, were anxious for the summer recess to begin.

The House reconvened on Monday, July 21, at 2:00 p.m. It was the intention of majority leadership to "go with it," until the political reform bill was passed. The House adjourned at 11:59 p.m. The Tuesday, July 22 session was called to order at 12:01 a.m. (House Speaker Bobby D. Crim offered the following invocation: "Please, dear God, Give us the wisdom and knowledge to do what is right and please, Lord, the good sense to do it expeditiously.")¹

Legislators' attempts to thwart the bill included the obvious--almost 600 amendments had been offered to the bill, including one requiring "cranial transplants" in order to run for public office! Representative John Engler, Republican, voiced concerns about the "full speed ahead" approach being used on the bill, and requested that the bill remain on Second Reading "in order to allow for full debate and consideration."²

¹Michigan Journal of the House of Representatives, Nos. 94 and 95, July 21, 1975 and July 22, 1975.

²Michigan Journal of the House of Representatives, No. 95, July 22, 1975, p. 2604.

Representative Wayne Sackett (R-Portage) requested, at 1:45 a.m., July 22, that the bill, in its entirety (71 pages, with amendments) be read to the House. Motion denied.¹

The question (finally) was on the passage of the bill. The bill passed 74 to 29 (57 Democrats for, 5 against, 4 not voting). The bill was given immediate effect. The House had been in session since 2:00 p.m. the previous day. The session was adjourned at 2:50 a.m.²

Eighteen Republicans and two Democrats entered protests in the House Journal, with explanations of their "no" votes.³

Reasons offered for the "no" votes included objections to the public funding of gubernatorial campaigns, unconstitutionality, and confusion as to contents of the bill.

Representative Ernest Nash (R-Dimondale) called the bill "One of the worst pieces of legislation this session has debated." He also commented, "The bill was prepared,

¹Ibid.

²Ibid., pp. 2607-2608.

³Ibid., pp. 2608-2615.

debated and passed under conditions that clearly establish the crime of extortion. The extortion being perpetuated by a special interest group, that are self appointed and self annointed calling themselves Common Cause."¹

Representative Quincy Hoffman called the bill

a blatant, shocking invasion of my constitutional rights. The news media and sponsor of this bill, so-called "Common Cause," only address themselves to lobbying expense and financial disclosure in this piece of legislation. The news media and sponsor of House Bill 5250 ignore those features in between which would make me a second class citizen and invade the liberty and privacy of all elected officials which we, as well as any other citizen, should enjoy under our constitution.²

And Representative John Engler, who had passed on the vote to report HB 5250 out of the Committee on House Policy, and who single-handedly offered more amendments than anyone else to the bill, and who spoke in debate more than any other House member, mostly against the measure, protested:

It was not easy to vote NO on House Bill 5250. The public has been conned into believing that this measure means reform. The legislative leaders have worked closely with the leaders of Common Cause to arrive at what

¹Ibid., p. 2612.

²Ibid.

Speaker Crim called a "practical" solution to the need for political reform. This practical solution needs to be examined closely and explained to the public. The House of Representatives has been told by its leaders that the measure represents the best possible compromise attainable from Common Cause. Translated, this means that passage of this bill will mean little change in the way campaigns are financed and that the reporting requirements are not any problem The supporters of HB 5250 argued that this measure contains many improvements over existing laws and that we should weigh that fact against any specific problems. I have carefully done that and my conclusion is that the people, especially members of Common Cause, are being played for suckers. I will continue to fight for political reform but, in good conscience, I can not participate in the legislative charade that is titled HB 5250 Common Cause founder, John Gardner in the book "In Common Cause" states ". . . if there is public clamor for effective action, defeat of the legislation might increase the citizens' anger. In that case the lobbyists generally think it is wiser to pass a law that looks reassuring but has been weakened at crucial points so that it cannot be administered or enforced. This is much easier than trying to defeat the legislation altogether." Mr. Gardner's words explain HB 5250. It is a "Paper tiger" and it doesn't deserve legislative approval or public acclaim.¹

But the Legislature--at least the House--had approved the measure. And the public did acclaim it--with assistance from the press.

¹Ibid., pp. 2614-2615.

UPI reporter Joanna Firestone wrote about the bill's passage "shortly before 3:00 a.m.," and "after more than 24 hours debate spanning four days."¹ Firestone quoted Speaker Crim, who conceded there could be a court test, but who said the bill was "the best product we could get before us. I'm sure there are problems with this bill," Crim said, "but if we waited around for a perfect bill, we wouldn't pass it this session or any other session."²

As to the question of constitutionality, Crim commented: "We're the Legislative Branch--the Judicial Branch will decide that question."³

The Free Press carried the House passage story as the lead article on "the second front page" on July 23.

Roger Lane wrote that

Among a blizzard of 600 amendments--most of them rejected in a week of floor action--was one to apply the stringent financial disclosure requirements to dogcatchers and their wives.

That proposal was defeated 66 to 36.⁴

¹Joanna Firestone, UPI, G 563, "Reform," July 22, 1975.

²Ibid.

³Ibid.

⁴Roger Lane, "House OKs Political Reform," Detroit Free Press, July 23, 1975, p. 3-A.

The article noted:

In the end, 58 of Crim's Democratic followers provided more than enough votes for its approval.

The Republicans, who once favored the bill as much as the Democrats did, withdrew their support when they were unable to amend it to reduce what they felt was favored treatment for labor unions.¹

The Sunday, July 27 Free Press devoted a major article on page one, including a picture, plus an entire page (with five more pictures), to the House passage of the political reform bill. The news-feature article discussed the political reform bill in particular, legislation in general, and included an assortment of "little known facts" such as wearing attire, unrelated "quips," philosophizing, and word-for-word floor debate comments. The article concluded with a comment from House minority leader Cawthorne, who had spoken to the House and said, as the bill passed, "I am reminded of Von Bismarck who said there are two things one should never see being made--sausages and laws."²

¹ Ibid.

² Jo Thomas, "How Our Laws Are Made--Yipes!," Detroit Free Press, July 27, 1975, p. 1-A (continued on p. 12-A).

CHAPTER V

THE BATTLE CONTINUES IN THE SENATE

The House Substitute for House Bill 5250 was sent to the Senate and referred to the Senate Committee on Municipalities and Elections. But a little bit of "Donald Segretti Dirty Tricks" seemed to emerge as an official-looking letter, received by a number of state senators, was interpreted as a fraudulent, Watergate-style attempt to undermine passage of the political reform bill in the Senate.^{1,2}

Labeled "confidential," the letter³ carried a House of Representatives letterhead and a typed signature, "Common Cause Caucus." Director Doug Ross said "There is no such thing" when asked to identify the group. He also said,

¹Tom Hennessy, "Fake Note Sent to Undermine Reform Bill," Detroit Free Press, July 27, 1975, p. 3-A.

²"Letter Called 'A Phony,'" Lansing State Journal, July 28, 1975, p. B-1.

³Letter from "Common Cause Caucus" to Democratic Senators (House of Representatives stationery), July 23, 1975, 2 pages.

"This is a Donald Segretti-type of dirty trick."¹ The letter, dated July 23, 1975, was sent as a "Memo to Democratic Senators" and read, in part, "It is vital to the fortune of us Democratic legislators that you pass this speedily since our labor supporters are not handicapped by it while the opposition is."²

Senator Anthony Derezinsky (D-Muskegon) said, "This stinks to high heaven."³

The Kalamazoo Gazette said the letter apparently went only to Republican senators, and was sent by someone with access to House stationery and the Senate's interdepartmental mail system.⁴

The Free Press quoted Doug Ross who said he knew of no Republican senators who got this. It had to be represented as something confidential that came from Democrats in the House. If it had been leaked by a Republican senator, it wouldn't have been credible.⁵

¹Tom Hennessy, op. cit.

²Letter from "Common Cause Caucus," op. cit., p. 1.

³Tom Hennessy, op. cit.

⁴"Phony Letter Aims At Defeating Political Reform Bill in Senate," Kalamazoo Gazette, July 28, 1975, p. C-5.

⁵Tom Hennessy, op. cit.

The Free Press also said that the letter had not been brought to the attention of Governor Milliken, but noted that George Weeks, Milliken's executive secretary, said, "The governor would disavow any suggestion that this is a Democratic-labor bill."¹ Weeks also commented that Milliken had met with Republican senators on Friday, and had, among other things, discussed political reform. "The governor made the point that he's long advocated this approach and that it would be wrong for Republicans to oppose it."²

The letter also claimed that use of tax funds for campaigns, as provided in the bill, "will benefit Democrats more than Republicans." Elsewhere, the letter read, "The disclosure provisions of the bill will hurt Republicans far more than Democrats."⁴

Doug Ross was very upset with the letter, and said it could hurt chances of the bill's passage "if it is

¹Tom Hennessy, op. cit.

²Ibid.

³Ibid.

⁴Letter from "Common Cause Caucus," op. cit.

accepted by any senators as valid." He feared the letter might "shake up some Republican senators."¹

Ross also said:

The letter implies labor is delighted with the bill, which is not so. If the bill passes, the United Auto Workers, for example, will be able to put up far less money for candidates for state offices than they were able to do previously.²

(Although it has never been documented who the actual source of the fake letter was, it has generally been attributed to one of two lobbyists, headquartered in Lansing, who were much opposed to the legislation. A Common Cause activist, who was helpful to this writer in obtaining a copy of the letter, commented "I'm not sure about who did it.")

A second item was also circulated in the Senate ("credited" to a specific lobbyist, by a Common Cause activist), but it did not receive any press coverage as the "fake letter" on House of Representatives stationery did. The second item, a three page "Rough Draft--Confidential" letter titled "The Big GOP Sellout," commented:

¹Tom Hennessy, op. cit.

²Ibid.

Rarely have Republicans been so betrayed by nominal members of their own party as in the case of the recent deal between the Governor, the House Republican Minority Leader, Democrat leadership, and the union bosses in passing the Common Cause-inspired "political reform" legislation.¹

The letter also stated:

In a sellout for media headlines and the promise of tax dollars to finance their campaigns, Milliken and the Republican House Leader helped ram through the following provisions:

- Unlimited use of union dues, collected through mandatory union membership, for political campaigns
- Unlimited expenditures exempt from the contributions reporting law to run "get-out-the-vote" campaigns . . .
- A complete exemption from the campaign finance and lobbying regulations for Democrat-dominated newspapers and other media.²

The letter also outlined other "Democrat provisions" of the political reform legislation, most of which were misconstrued to the point of total misrepresentation as to the contents of the bill. The document was unsigned.³

On July 27, the Free Press lead editorial was obviously intended to serve as a "prod" to get the Senate to

¹Unsigned letter titled "The Big GOP Sellout," undated.

²Ibid.

³Ibid.

move on the bill before the summer recess. The editorial urged "The Senate should pass this needed reform package. Further delay will only prevent new laws from covering the 1976 elections."¹

On Monday, July 28, the five-member (three Democrats, two Republicans) Senate Committee on Municipalities and Elections discussed House Substitute for HB 5250, as amended. A number of amendments were discussed.²

On Tuesday, July 29, 67 amendments were discussed, including a key motion made by Republican Senator John Welborn, and seconded by Democratic Senator Arthur Cartwright (D-Detroit), to delay further discussion on political reform until after the summer recess, in order to give committee members more time to study and analyze the complicated bill.³

It was a "guts ball" vote, according to Committee chairman Patrick McCollough (D-Dearborn).⁴

¹"State Senate Can Improve Needed Political Reform," Detroit Free Press, July 27, 1975, p. 2-D.

²Personal notes, Senate Committee on Municipalities and Elections meeting, July 28, 1975.

³Ibid., July 29, 1975.

⁴Personal comment, following Senate Committee on Municipalities and Elections meeting on July 29, 1975.

The key voter was Senator Robert Young (R-Saginaw), and in a tense atmosphere the motion was defeated, 3-2, with Senator Young, the last voter, breaking the tie by casting his vote with Chairman McCollough and Senator Kerry Kammer (D-Pontiac).¹

The atmosphere was equally tense on July 30, as Democratic members met behind closed doors several hours that day, presumably talking to Senator Cartwright. In the meantime, Senator Young was listening to someone too. It was "nearly a full day of party caucuses,"² and some last-minute amendments were put together by the caucuses also. Governor Milliken made an unusual appearance at the closed door session of Republicans, urging action on the bill before summer recess.

On July 30, at the committee meeting, previously submitted amendments along with new amendments were discussed. Ten amendments were adopted, including one which would ask the Michigan Supreme Court to rule on the constitutionality of certain parts of the bill prior to January 1, 1976. Senator Cartwright was very much in favor

¹Personal notes, Senate Committee on Municipalities and Elections meeting, July 29, 1975.

²Ibid., July 30, 1975.

of that latter amendment.¹ Senator Welborn then offered four amendments, including one to delete all of Chapter III (public funding). His amendments died for lack of a second. At that point, it was not clear how the voting would go.

Senator Young then commented in general about the bill, and said Mr. Douglas Ross, Common Cause director, would be doing a disservice to his people if he didn't allow the people in the state of Michigan "to have a good look at this bill, with ALL its amendments."² Senator Young, who was an original sponsor of SB 880, said he was in favor of reform, but didn't want to do a disservice to his people by "rushing through" the legislative process.³

Senator McCollough then stated, "I think the bill clearly represents a new day in politics," and said he was pleased to be sitting as chair of the committee. He also said this bill "is totally unlike what Common Cause originally offered," and called the bill a product of the Legislature, of legislators and staff. "We want to and we have sought bipartisan support in committee," and "to leave the bill in committee is to kill the bill."⁴

¹Ibid.

³Ibid.

²Ibid.

⁴Ibid.

The committee agreed to prepare a substitute bill, as amended. Stating that "the problem is that this is a different bill from the one introduced," Senator Welborn expressed opposition. He also objected to "Quadrant staff," saying "they don't vote," and to the citizens' lobbying group, Common Cause.¹

Senator Young then commented that he first saw this particular amended bill on Monday, July 28, at 2:00 p.m. "Not enough time," he said. Also, "there are holes in this bill." He further stated that all his colleagues "are honest and sincere and certainly have nothing to hide," and "you can't legislate honesty." Young queried, "What would Thomas Jefferson say here? Where is he today?"²

At that point, Senator Young moved to delay, or postpone, action on the bill until fall. Motion seconded by Senator Welborn. Senator Cartwright, who the day before had voted to postpone action, then turned to Young, pointed his finger and said, "You're a day late and a dollar short!" Cartwright explained he had been "pounded all day by the Democratic caucus," and he was "O.K. because of the constitutionality amendment."³

¹Ibid.

²Ibid.

³Ibid.

Senator Young's motion to delay was defeated on a straight party line vote, 3-2.¹

Senator Kammer then moved that the substitute bill be reported out of committee. Cartwright supported, and by a straight party line vote, the bill was reported out, with recommendation to pass, by 3-2. It was 7:00 p.m.²

On July 29, the Kalamazoo Gazette quoted Doug Ross: "We now have a coalition of Republicans and Democrats and I expect that it will receive at least 23 or 25 votes in the Senate."³ Twenty votes are needed for passage.

Senate Committee chair Patrick McCollough said he hoped to report the bill to the full Senate that day (July 29), giving lawmakers time to examine its latest form before a vote, "perhaps later this week."⁴

Ross was asked by reporter William Kulsea if Common Cause made a deal with labor to get the measure through a

¹Official minutes, Senate Committee on Municipalities and Elections, July 30, 1975.

²Ibid.

³William Kulsea, "Common Cause Leader Says Coalition for Political Reform," Kalamazoo Gazette, July 29, 1975.

⁴Ibid.

Democratically controlled legislature. "No we didn't," said Ross,

despite all the stories that are going around. Both business and labor get an even break, both have to report what they spend on campaigns and for lobbying. We're just legalizing what some folks have been doing illegally.¹

Ross was asked "are rumors that the legislation is unconstitutional and can not withstand a court test disturbing?" He replied: "If a court test comes, we'll wait for the final decision."²

The UPI wire service story on Senate committee passage of the political reform bill was written by William J. Holstein, and the lead paragraph stated:

The Senate Elections Committee has sent far-reaching political reform legislation to the full Senate after a day of behind the scenes arm-twisting by Governor William G. Milliken and Democratic leaders.³

The article stated that Milliken had made "an unusual appearance" before a closed-door caucus of the 14 Republican Senators urging action on the reform measure before the Legislature recessed for a summer break. (Later

¹Ibid.

²Ibid.

³William J. Holstein, UPI, "Campaign," G457, July 30, 1975.

that same day, Senators Young and Welborn voted against committee passage of the bill.)

The article also stated that the 24 Senate Democrats held a lengthy caucus "to persuade Senator Arthur Cartwright, a member of the committee, to vote to clear the 71-page bill." The article noted that Cartwright "has been a staunch opponent of the legislation."¹

On July 31, the UPI wire service story said that minority Republicans were expected to take "a united stand against the public financing of elections for governor in Senate debate today on a comprehensive political reform bill."²

The opposition "firmed up" Thursday, July 31, at a GOP caucus meeting.

A Milliken aide said, "the Governor considers the (public funding) provision an important component of the bill and would strongly oppose any attempt to kill the plan."

The Quadrant agreement, in which Senate Minority Leader Robert Davis participated, called for support of the

¹Ibid.

²UPI, "Campaign," G456, July 31, 1975.

complete political reform package, which included as one of the major provisions, public financing of gubernatorial campaigns.

A State Journal article on August 1 quoted Senator Davis as saying there was "strong support" in his 14-member caucus to take out the public funding provision. He said he "disagrees with Milliken and supports that effort." Davis also was quoted as saying, "We should not spend state funds for that purpose at this time."¹

The August 1, 1975 Senate Journal reported that HB 5250 was passed by the Senate Committee, and the bill was referred to the Senate Committee of the Whole (where extensive discussion takes place, and roll call votes are taken but not recorded).²

On August 3, the State Journal reported that Senate leaders had led a successful fight against weakening amendments. "We got a lot of miles of bad road behind us on this thing," commented Senate Majority Leader Fitzgerald, as the session broke up Friday night, August 1. The debate

¹"GOP Hits Public Funding," Lansing State Journal, August 1, 1975, p. B-3.

²Michigan Journal of the Senate, No. 99, August 1, 1975, p. 1750.

had extended through the dinner hour, "as weary lawmakers engaged in acrimonious bickering."¹

Fitzgerald also said discussion on the major bill would continue Monday, August 4, with passage slated for Tuesday, August 5.

The Free Press, in a strong, well-timed editorial on Sunday, August 3, stated that the political reform bill, on balance, "represents the best chance Michigan has had to get strong comprehensive legislation . . . ," and continued, "It is a product of the wave of national revulsion that followed the Watergate and would do much, we believe, to protect Michigan politics from corruption."²

The editorial criticized Senate Republicans for trying to delay action on the bill, and said those Republicans were "going directly contrary to Governor Milliken's strongly expressed position on the bill."³

After all, the editorial concluded,
the Republican Party, having been victimized by
Richard Nixon's breach of faith, has an obligation

¹Malcolm Johnson, "Political Reform Debaters Weary," Lansing State Journal, August 3, 1975, p. B-7.

²"Senate Shouldn't Delay on State Political Reform," Detroit Free Press, August 3, 1975, p. 2-D.

³Ibid.

of an especially high order to help put politics back on a solid footing. We would hope the Governor will bear down harder to impress that point on those of his party in the state Senate.¹

An interesting AP wire service story was carried by the State Journal on August 3. The article began: "Some lawmakers complain that something called 'the quadrant' is grabbing too much power, and doing most of it behind closed doors."²

The article explained that the "quadrant" referred to the leadership of the House and Senate, both Republican and Democrat. But some lawmakers, the article continued, "talk sarcastically of 'a new branch of government--the 'quadrant,'" and complained about being a "rubber stamp" to implement the decisions of their leadership. The article noted that "quadrant" often included staff aides of the four leaders, their floor leaders and a few top lawmakers. "Representatives of the governor are often involved" the article noted.³

¹Ibid.

²Malcolm Johnson, "'Quadrant' Grabs Power," Lansing State Journal, August 3, 1975, p. B-12.

³Ibid.

A further commentary mentioned that the quadrant was becoming more and more important on reaching bipartisan agreements on major bills before sending them to the floor. "And the quadrant has never been so evident as on the sweeping political reform bill now up for passage," the article emphasized.¹

Quadrant staffers, with Governor Milliken's support, had met for weeks with Common Cause to draft the political reform bill, the article continued. "That done, neither the quadrant nor Common Cause has given up much of their hold on the measure."²

An observant comment noted:

On the House floor, legislative leaders maintained their control of the bill. Although innumerable amendments have been tacked on, major alterations of its intent have been rebuked.³

Lawmakers who disagreed with some of the basics of the political reform bill "found themselves all but ignored," and in capitol parlance, the bill was "greased" to slide through easily. Representative John Engler was quoted bitterly complaining: "Things are reversed--the staff is

¹Ibid.

²Ibid.

³Ibid.

across the street making policy decisions, and we're here to write the language to fit the amendments into the bill."¹

In the article, reporter Johnson commented that complaints about "railroading" and "steamrolling" are common, and vary only as to whose ox is being gored. "And the quadrant would be ineffective if its decisions were not supported by most legislators."²

But, the article concluded, "more than a few lawmakers have sighed in annoyance when they find their decisions have already been made for them by 'the quadrant.'"³

The next day, August 4, the State Journal carried another Malcolm Johnson article in which he quoted Senate Majority Leader William Fitzgerald: "Wear your track shoes We're going to meet in the morning, the afternoon, and, if necessary, in the evening." The Senate was anxious for a belated recess. The budget had yet to be passed; the Senate would have to pass Milliken's "single business tax" proposal, and, "Still not out of the Senate is the massive political reform bill." The bill, noted

¹Ibid.

²Ibid.

³Ibid.

Johnson, "must also go to a House-Senate conference to work out differences."¹

On Tuesday evening, August 5, the Senate Committee of the Whole reported back to the Senate, favorably, with an amended substitute to House Substitute for HB 5250. Seventy-nine more amendments had been adopted. But an amendment to delete all of Chapter III--the public financing of gubernatorial campaigns--had not been adopted. That amendment had the backing of the 14-member Republican caucus, including Republican Senate Leader Robert Davis. It was a significant vote.

On August 5, most Michigan dailies carried articles concerning the GOP efforts to delete the public funding chapter in the bill.²

Senator Davis, who had been a part of the Quadrant leadership involved in negotiating sessions with Common Cause and the Governor's office, and who had pledged to support the entire package, but who had "broken Quadrant

¹Malcolm Johnson, "Weary Lawmakers Warned to Put on Track Shoes," Lansing State Journal, August 4, 1975, p. B-2.

²"GOP Fails to Weaken Political Reform Bill," Lansing State Journal, August 5, 1975, p. B-3.

agreement" on several crucial amendments, stated in the Senate Journal that he supported the bill, but also:

I think we now find ourselves in the position that if we do not vote for this bill all of us are going to look like we are not in favor of political reform One of the main reasons why I support this legislation was because, some time ago, when a group of people in this State got together, we recognized that if we did not take some action forthright, the distinct possibility of a petition drive existed. In all the states where petition drives have been initiated by the organization known as Common Cause, they have all been successful and all issues have been adopted overwhelmingly by the public. We felt that the issue that Common Cause was presenting us at that time had many areas in the bill which should be amended and should be changed. We have made substantial changes in the legislation that was first presented by Common Cause.

The main reason why we did decide to take action was because, I think we all recognize that a petition by referendum that was placed on the ballot and adopted by the people, and I have no doubt in my mind that it would have been adopted, takes a three-quarters vote by both House and the Senate to amend it. By doing it by law, we can come back year after year and correct it by a simple majority. And that is the overwhelming reason and rationale why I believe the leadership in both the House and the Senate, of both political parties decided that we should take this kind of action.¹

Senator Davis said, for the record, what others had implied and said before.

¹Michigan Journal of the Senate, No. 101, August 5, 1975, p. 1810-1811.

Senator Welborn, raising a number of objections to the bill, also stated:

Right now we have before us a quadrant bill or a Common Cause bill. Few amendments of any value were ever even given consideration in the committee, only the ones that were technical amendments. This legislature has acted under the shotgun threat of Common Cause to put this on the ballot but yet when the opportunity came for this legislature and this Senate to consider putting this on the ballot on our own--it was turned down.¹

The Senate then considered 39 amendments. What would become known as the famous--or infamous--"Cooper amendment" (Senator Daniel Cooper, D-Oak Park) was adopted without much concern, and with bipartisan support. Later, Republicans would claim that this amendment, which permitted "the transfer of funds between an organization and a subsidiary, subunit or affiliate of that organization" was onerous, and allowed too much labor support in elections. (The "Cooper amendment" meant that a parent organization, such as a Union, could transfer monies to a local union unit, which could then contribute to various candidates.) "Foul," the Republicans cried. The "Cooper amendment" wasn't part of the Quadrant agreement. But the response

¹Ibid., p. 1811.

was that public funding was a part of that agreement, and Senator Davis had broken the trust by supporting an amendment to delete that major part of the political reform package.

On the passage of Senate Substitute for HB 5250, 25 Senators voted in favor, with 7 (6 Republicans, 1 Democrat) voting no.¹

On the crucial question of giving the bill immediate effect (so that the bill would not have to wait 90 days after the official end of the 1975 session, or March 31, 1976 to go into effect), the motion passed 19 to 11, but did not prevail, as 2/3's of the Senators did not vote for the motion. Among those not voting for immediate effect were Minority Leader Davis, and Municipalities and Elections committee members Young and Welborn. It was a party line vote.² The Republicans could be "blamed" for delaying implementation of political reform in Michigan in time for the 1976 elections.

For the record, Senator Welborn stated:

It is shocking that anyone familiar with the total impact of this bill would unreservedly

¹Ibid., pp. 1812-1814.

²Ibid., p. 1814.

endorse the contents. This bill goes far beyond the original purpose of the bi-partisan attempts to correct political abuses relating to political campaigns.

This constitutes abdication of responsibility by the political leaders of this state. If Common Cause can blackmail the leadership of both political parties into taking such insidious action, it is time we stop pretending that we have representative government in Michigan and openly admit that one selfish interest group of dubious distinction or at least a few selfish interest leaders, can run the state by a series of threats to get a petition on any issue at any time unless the exact whims of the organization are followed promptly and precisely.¹

It was 11:00 p.m. The political reform package had cleared almost all of the major hurdles--House committee, House floor, Senate committee, and Senate floor. The next procedure would be to send it back to the House, to either be sent to a conference committee (a logical parliamentary procedure, because of the numerous Senate amendments offered) or to House floor action, for approval of all Senate amendments. If the latter approach were taken, there could be no changes whatsoever to the Senate passed version, or the bill would automatically be sent to Conference, and chances were slim that the Senate passed bill, which contained some favorable Democratic amendments, would

¹Ibid., pp. 1816-1817.

emerge unscathed from Conference Committee before summer recess.

The Detroit News gave page three coverage to the Senate's passage of the political reform bill. "The vote was 25-7 last night and Senate passage was considered the last major hurdle for the measure, which is expected to be sent to a conference committee to work out differences between House and Senate versions."¹ There was no mention of the controversial "Cooper amendment" in the Detroit News, Lansing State Journal, Detroit Free Press, or any other newspapers reporting Senate passage of the bill on August 6 or 7.

An article in the State Journal on August 7 stated that House leaders said they would vote to accept minor Senate amendments and send the bill to Governor Milliken, who supports the legislation. "From what I've seen, there really aren't any major changes," said Speaker Bobby Crim, who said he would vote to concur with them. "I don't see any problems," he said.²

¹George Bullard, "State Senate OK's Political Reform Bill," Detroit News, August 6, 1975, p. 3.

²"Political Reform Legislation Nears Final Passage," Lansing State Journal, August 7, 1975, p. B-1.

The article noted that it was possible, however, that "Republican dissidents in the House who have opposed the measure from the start might muster enough votes to send the legislation to a House-Senate conference committee."¹

Doug Ross, from Common Cause, was quoted as saying he saw "No significant differences" between the House and Senate versions of the bill. "We're convinced the bill constitutes meaningful reform," he said.²

The Free Press complimented the Legislature with its lead editorial on August 7, calling the passage of the political reform bill "a major achievement . . . made possible by bipartisan cooperation and willingness to try to put the public good above narrow political interest."³

In a news article that same day, it was noted that the bill only needed House agreement to Senate changes--"or routine adjustment of inter-chamber differences" to reach

¹Ibid.

²Ibid.

³"State Political Reform Bill A Landmark Achievement," Detroit Free Press, August 7, 1975, p. 10-A.

Governor Milliken. "The governor's signature is assured," Lane wrote.¹

The first "hint" of "trouble" was reported in an AP wire service story sent out on August 8, which quoted House Minority Leader Dennis Cawthorne (who, by the way, was the roommate of Senate Majority Leader William Fitzgerald) who accused the Senate Democrats of "loading" the political reform bill in favor of labor unions with the provision which allowed transfer of campaign funds between parent organizations and affiliates. "The Cooper amendment provides unfair advantages to labor unions and makes the bill totally unacceptable," Cawthorne said.²

Another problem with the bill was that the Senate had withheld immediate effect, which meant that even if the House approved the Senate amendments, and the Governor signed the bill, it would not go into effect until March 31, 1976.

With another of its well timed editorials, the Free Press on August 9 noted that a fight was developing over

¹Roger Lane, "State Financial Disclosure Bill Nears Passage," Detroit Free Press, August 7, 1975, p. 16-C.

²Associated Press wire service, "Campaign," August 8, 1975.

the Cooper amendment. But the Free Press did not seem overly concerned with the situation:

At this stage, the process of accommodation becomes difficult to keep from getting out of hand. On principle, we have no objection to attempts to reach further compromises, as for example on Representative Cawthorne's concerns. What ought not to happen, though, is for the whole bill to be opened up again, because that would prevent enactment by the recess.¹

¹"Legislative Dealing Could Weaken Political Reform," Detroit Free Press, August 9, 1975, p. 6-A.

CHAPTER VI
FINAL LEGISLATIVE ENACTMENT

It was widely speculated that the Democratic majority realized they had the votes to pass the political reform bill, whether it went to conference or not. As had been previously noted, the Democratic leadership favored the controversial Cooper amendment. If the bill went to conference, the Cooper amendment would probably be eliminated, and the Senate was short of some of their Democratic members (who took off early for vacations). Republican votes would be needed to pass a compromise, conference measure in the Senate.

Democrats also felt that Republican leaders Bryant in the House and Davis in the Senate had broken bipartisan agreements several times by supporting issues to hurt the Democratic party. It was time for a partisan show of strength.

Joint Administrative Rules dictated that amendments to the Senate version would have to be considered before

the House as a unit could vote to concur with the Senate Substitute for HB 5250. Democrats knew the Republicans would introduce amendments, and probably some which various Democratic members would find appealing. But if just one amendment was passed, the entire bill would have to go to conference. It was a "go for broke" situation. The majority caucus would have to stay together. "Immediate effect" would have to be forfeited for the advantageous Senate amendments--because the Senate version would never garner sufficient Republican votes to give HB 5250 immediate effect--not to mention the fact that the Senate had already failed to give the bill immediate effect on August 5.

By Monday, August 11, it was common knowledge that the governor's office had joined the GOP in "demanding a conference committee to remove some key Senate changes." It was noted that "The division is in marked contrast to the solid front displayed by the party leadership in the two Houses when HB 5250 was first introduced." A news service noted that "House Democrats have planned to use their majority status to accept the Senate amendments over the Republicans' objections and send the bill to the governor." Also, "Democrats were confident Friday (August 8)

they had 57 votes to accept the rest of the Senate changes, but Republicans stalled a vote by threatening to call a caucus. GOP Leader Dennis Cawthorne said the "caucus is unanimously against accepting the amendments, and will not support a motion for immediate effect."¹

The House reconvened on Wednesday, August 13, at 2:00 p.m. House members were anxious for summer recess, and had political reform plus many appropriations bills to discuss. The House had been adjourned since the previous Friday, and Democrats had put forth unusual effort to have all members present. Representative William Keith (D-Garden City) had even driven back from his family's vacation site in Florida to be present for the crucial votes scheduled on the calendar.

Sixteen amendments were offered to the Senate Substitute for HB 5250, and each amendment was to be considered separately. The first amendment discussed seemed reasonable and logical enough--Representative John Engler moved to amend the bill's reference to the "Michigan Constitution of 1973" by striking out "1973" and inserting the proper

¹Michigan Report, Gongwer News Service, No. 154, August 11, 1975, p. 1.

"1963." But just one change in the Senate version would send the bill to Conference--something the Democratic leadership did not want to happen. That amendment was defeated with 45 yeas, and 55 nays. (Four Democrats joined 41 Republicans in the "yea" vote; all 55 nays were Democrats).¹

No other amendment proposed received more than 42 yea votes. When the question was on concurring in the adoption of the substitute from the Senate, there were no House amendments tacked on. The substitute, in a 59 (all Democrats) to 43 (42 Republicans, 1 Democrat) vote, was concurred in--with three votes to spare.²

Six Republican representatives entered statements in the Journal, explaining their no votes. Representative Bryant entered a strong statement:

the Senate Democrat majority and the Speaker of the House, Democrat Bobby Crim, have neglected and refused to make necessary changes and in fact have gutted the bill as it had impact on the inordinate political power of the UAW by their manipulation of dollars, committees, candidates and office holders. I wanted a good and strong bill. I voted for the bill as it

¹Michigan Journal of the House of Representatives, No. 107, August 13, 1975, pp. 3014-3015.

²Ibid., p. 3020.

left the House. I am sad to have had to remove my name as a co-sponsor and to have to vote not to concur in the Senate amendments.¹

An outspoken critic of the bill, Representative Robert Welborn, commented:

After listening to the procedure today on House Bill 5250 I am constantly amazed at the number of my colleagues who have stressed their interest in campaign reform yet have voted to let the Senate amendment stand, thereby gutting a needed area in campaign reform. By actions of the House today I wonder if we are running on an Amtrak schedule with the train being run by the Mickey Mouse Club. The falsehoods perpetrated by members of this House in the guise of campaign reform is [sic] appalling.²

The vote to give the bill immediate effect fell six votes short, 68-32. (Bryant voted for immediate effect, with seven other Republicans; one Democrat voted "no.") The bill was then referred to the Clerk for enrollment printing and presentation to the Governor. Political reform had been enacted.³

Newspapers throughout the state gave extensive coverage to the final legislative passage of the "landmark" and "comprehensive, far-reaching" political reform

¹Ibid., p. 3021.

²Ibid.

³Ibid., p. 3022.

legislation. Governor Milliken, it was noted, was expected to sign the measure "despite 'flaws and loopholes' vehemently opposed by his own party."¹ Milliken issued a statement, following the House vote, saying he would "in all probability" sign the bill, but would ask the Legislature to correct its defects that fall. Doug Ross called the bill the "most far-reaching" of its kind in the country.²

"Never has the Congress or any state legislature ever passed a single bill that dealt with as many aspects of the political process," Susan Rennels, state chairperson of Common Cause, stated.³

The Free Press gave extensive coverage to the House passage and noted that House Democrats "were so anxious to pass the measure" that Acting Speaker James O'Neill (D-Saginaw), who was presiding, "was declaring defeat of Republican amendments before most House members had a chance to push their electronic (voting) buttons."⁴

¹Paul Varian, UPI wire service, G-479, "Campaign," August 13, 1975.

²Ibid.

³Pete Yost, "House OK's Sweeping Political Reform Bill," Lansing State Journal, August 14, 1975, p. A-2.

⁴David Johnston, "House OKs Political Reform," Detroit Free Press, August 14, 1975, p. A-3.

On Friday, August 15, the Free Press editorially commented that the political reform bill was "a significant accomplishment" and it "represents the first far-reaching effort by the state to assure integrity and openness on the part of public officials."¹

The editorial noted that "too many people are responsible for this package to name all of them here," but did mention Governor Milliken for his three-year fight to enact comprehensive reforms; Common Cause, "especially in recent months under the leadership of Doug Ross, played a major role," Speaker Bobby Crim, on the House side, and the Democratic and Republican leaders in the Senate; Representative John Markes in the House, and Senator Patrick McCollough, who "were effective managers of the bill."²

"Despite its few problem areas," the Free Press commented, "the package is a good one, perhaps a more effective and balanced measure than any state in the country has passed."³

¹"Reform Bill a Major Step Toward Political Integrity," Detroit Free Press, August 15, 1975, p. A-8.

²Ibid.

³Ibid.

In conclusion the editorial noted: "The people of Michigan can take pride in what the Legislature has finally done."¹

On Wednesday, August 27, Governor Milliken signed the historic political control bill, calling it a "remarkable document," but stating he would propose amendatory measures in the fall to correct "certain problems" in the bill. And although the bill would not be effective until 90 days after sine die adjournment--March 31, 1976--he called on public officials to disclose any political contributions received before then.²

Both House Speaker Bobby D. Crim and Senate Majority Leader William Fitzgerald attended the bill signing ceremonies, but Republican leaders Davis and Cawthorne were noticeably absent. Two House Democratic staff members, one Senate Democratic staff member, and one Senate Republican staff member attended the ceremony, along with about two dozen representatives from Common Cause.

Also absent from the public ceremony were a representative number of press corps members. It was indeed

¹Ibid.

²Michigan Report, Gongwer News Service, No. 166, August 27, 1975, p. 3.

unfortunate that the timing of the ceremony for a piece of widely touted "landmark legislation" (with the Governor also signing the new "single business tax" legislation immediately preceding the political reform bill) conflicted with another press conference that morning. "Miss Nude Universe" was entertaining press corps members at an "adult theatre" on the south side of Lansing, about five miles from the Capitol, at the time of the Governor's signing ceremony.

As he signed the political reform bill, Governor Milliken made the following statement: "I am most pleased to sign House Bill 5250, which gives Michigan the most comprehensive political reform law of any state in the nation."¹

In Milliken's press release, he was quoted: "As I have said before, this democracy can not continue to function unless public confidence in its institutions, and especially in its political system, is restored."²

¹Jim Keegstra, "Milliken Signs Political Reform, Business Tax Bills," Lansing State Journal, August 27, 1975, p. B-1.

²Press Release from Executive Office, William G. Milliken, Governor, August 27, 1975.

He also stated:

This bill represents one important means by which we in public life can bring about that restoration. We must follow the spirit as well as the letter of this law, recognizing that public office implies an openness and candor not always required in private life.¹

He concluded:

In its essence, this bill accomplishes the objectives I set in an October, 1973, Special Message to the Legislature on ethics and elections reform . . . everyone connected with the enactment of this new law can be proud that we in Michigan are making an effort to restore trust in government at all levels.²

Thus Political Reform, 1975, had completed its progress through the Michigan Legislature, and had emerged as the most comprehensive political reform law enacted in the nation. Despite the criticisms of "glaring loopholes" and partisan preferences, the bill was strict, required full disclosure, and contained strict penalties for enforcement. Michigan would be the first state to have partial public funding of a gubernatorial election; campaign contributions from individuals and groups would be limited; expenditures would be limited in state campaigns; virtually all elected officials, on the local as well as

¹Ibid.

²Ibid.

statewide level, would be required to file financial statements on sources of income, to avoid conflict of interest; campaign statements would be required to be filed at least six times for election to a two-year post; a six-member Political Ethics Commission would be established to oversee and regulate the reform measures; lobbyists would be required to file disclosure reports on lobbying activities and spending. HB 5250, as enrolled, was strict, complicated, and comprehensive. "With so many people (local officials, lobbyists, Michigan Chamber of Commerce) against it, we must have a good bill," a political observer commented.

PART III

POST-ENACTMENT; ASSESSMENTS

CHAPTER VII
COMMON CAUSE ASSESSMENT

It is interesting to see how Common Cause assessed the political reform legislative battle. In a "Memorandum to Common Cause Activists" from the Common Cause state office staff, it was noted that the principal differences between the Common Cause original proposal and the joint Democratic-Republican bill, HB 5250, were as follows:

1. The Governor, Democratic leadership, and Republican leadership agreed that labor unions should be allowed to continue using dues money from their members for political purposes. The Common Cause proposal would have banned the use of dues money for political contributions. (The demand for this change came from the Democrats and the labor unions.)
2. In return for this concession to the labor unions, the Republican leadership and Governor insisted that the contribution reporting floor (\$50.00 in the Common Cause draft) be dropped to \$15.
3. The Democrats and the Republicans also altered the Common Cause contribution limitation formula that would have permitted an individual to give up to \$1000 to a statewide candidate and a group to give up to five times that much. The Democratic-Republican formula raised the individual

donation limit to \$1700 with groups being permitted to give up to ten times that amount.¹

The Memo stated that before recommending the joint Democratic-Republican proposal to the State Program Action Committee (PAC), Michigan Common Cause staff and leadership consulted with the Washington office. "Common Cause Washington was extremely pleased with the legislative proposal, indicating that if we could steer it through the Legislature intact it would be the most comprehensive reform bill ever enacted in the United States."²

The report stated,

We succeeded in protecting the proposal from major alteration in both the House and Senate. The bill which the Governor signed into law was essentially the same with respect to every major provision as the bill we had agreed to support in May.³

A boast: "In short, we got 95% of what Common Cause set out to achieve. And, in a legislative fight, 95% constitutes Victory with a capital 'V.'"⁴

¹Memorandum to Common Cause Activists, from State Office Staff, "Analysis of the Political Reform Law: What It Does and How It Passed," October 21, 1975, p. 1.

²Ibid., pp. 1-2.

³Ibid., p. 2.

⁴Ibid.

In discussing the significance of HB 5250, the report stated:

Michigan showed that tough, comprehensive reform can be won in a state legislature through the building of a broad-based coalition. In California, the fight for reform split the state badly with business, labor and both political parties opposing the Common Cause proposal. Common Cause finally won after taking the issue to the ballot and expending enormous amounts of resources. By building a coalition with the leaders of both parties and organized labor, Michigan Common Cause demonstrated that even more dramatic results can be achieved without incurring major cost in resources or acrimony.¹

In discussing key legislative fights in the House, the report noted, "The battle to move the reform bill through the House unscathed was an awesome one, with more than 24 hours of floor debate and over 600 amendments offered." Both Cawthorne and the Governor fully kept their commitment to the bipartisan agreement "and worked hard to deliver the votes of Republican House members in support," the report commented.²

However, unlike the Democratic Party which formally endorsed the reform bill, the Republican Party withheld support from the bill as a whole and officially opposed the key provision of partial public funding of the gubernatorial

¹Ibid.

²Ibid.

race. Cawthorne's job was further complicated by the fact that important Republican support groups like the Michigan Chamber of Commerce and other commercial political action groups either remained silent on the reform bill or were mildly critical. (By way of contrast, the major Democratic support groups, the UAW and the AFL-CIO, were vigorous supporters of the bill.) Thus, trapped between a supportive leadership and a negative party, the Republican caucus split on the question of reform.¹

The most serious threat to the bill, in the House, came in an amendment to place the entire reform proposal on the 1976 ballot, it was reported. Supported by all but a handful of Republican legislators and several anti-reform Democrats, it was initially adopted. "At that point," according to the Common Cause report, "House Speaker Bobby Crim, Democratic Floor Leader Joe Forbes, UAW Lansing lobbyist Harold Julian, and Democratic Party Chairman Morley Winograd went to work changing the minds of those Democrats who had supported the amendment." When the vote on the amendment was reconsidered an hour later, it was defeated.²

The second serious challenge to the bill came on the issue of publicly financing the gubernatorial race. "A majority of Republicans opposed the provision and threatened

¹Ibid.

²Ibid., p. 3.

a coalition with anti-reform Democrats to knock it out." Again, the Democratic leaders went to work, and this time they were joined by Republican leader Cawthorne "who was able to come up with six supportive Republican votes--enough to keep public financing in the bill."¹

In the Senate, the report continued, "the bipartisan coalition so tenuously held together in the House by Speaker Crim and Minority Leader Cawthorne, finally fell apart."² The problems encountered in the Senate Committee on Municipalities and Elections were discussed, with an emphasis on the role of Senator Arthur Cartwright.

Again the Democratic leadership went to work. Democratic Majority Leader William Fitzgerald and lobbyists for the UAW and AFL-CIO finally convinced Cartwright to take the matter to the full Senate Democratic caucus, and abide by their decision. The caucus met a full day on the issue and finally requested Cartwright to vote favorably to report the bill out of committee. For nearly an hour Cartwright maintained he would still vote "no," however, Fitzgerald succeeded in convincing him to accede to the caucus' decision.³

¹Ibid.

²Ibid.

³Ibid.

The next crisis arose when the Senate Republican caucus decided to abandon the bipartisan leadership agreement and moved to delete the public funding portion of the bill, the report continued.

Despite personal pleas from Governor Miliken to stick with the agreement, the Senate Republican caucus issued a press release announcing its opposition to public funding. With that release the growing partisan break in the Senate was finally public.¹

Led by Senators Fitzgerald and McCollough, Common Cause reported, the Democrats handily defeated the amendment to delete public funding. However, "because the Republicans bolted from the confines of the original bipartisan agreement, the Democrats no longer felt bound by it. The result was the last minute passage in the Senate of the much publicized Cooper amendment."²

According to the report:

Common Cause favors modifying the Cooper amendment and has said so publicly. It was not a part of the original bipartisan agreement, and does make it easier for labor to get its money into the political process. However, we do not believe that the Cooper amendment destroys the bipartisan balance of the bill; nor do we believe it enables

¹Ibid.

²Ibid.

labor to escape the bill's limits on group contributions.¹

An an overall comment, the report concluded:

As Common Cause Chairman John Gardner said upon learning of the Governor's signing the bill, "This is one of the most notable citizen victories since Common Cause was founded." And, Governor Milliken, a Republican of no small repute, called the measure "the most far-reaching political reform legislation ever enacted in the United States." We agree with both of them!²

¹Ibid., p. 4.

²Ibid.

CHAPTER VIII
A QUESTION OF CONSTITUTIONALITY

The political reform bill, HB 5250, had been enacted. It had been signed into law by Governor Milliken, on August 27, 1975. But was this comprehensive legislation, now known as P.A. 227 (1975), constitutional?

Between November 18, 1975 and December 17, 1975, four separate House and Senate Resolutions were introduced, which questioned the matter of constitutionality. More than seventy different representatives co-sponsored the measures.

HR 238, HR 248, HR 272, and SR 298 requested the Michigan Supreme Court to rule on the constitutionality of the political reform package.¹

A Complaint for Declaratory Judgment and Injunctive Relief, to prevent implementation of the Political

¹Michigan Journals of the House of Representatives, No. 126, November 18, 1975; No. 136, December 2, 1975; No. 140, December 17, 1975; Michigan Journal of the Senate, No. 126, November 20, 1975.

Ethics Commission, was filed in Ingham County Circuit Court in December 1975.¹

On March 5, 1976, the Supreme Court heard oral arguments on the constitutionality of P.A. 227. Assistant attorney generals argued both sides of the question.

Late afternoon, March 29, 1976, just two days before Enrolled House Bill 5250, P.A. 227 (1975) was to take effect, the Michigan Supreme Court, in a five to two decision, issued an Advisory Opinion that the entire act was unconstitutional, on the basis of a technicality. The Court ruled that since the Act dealt with several areas of concern within one Act, that the Act violated Article IV, Section 24 of Michigan's 1963 Constitution which stipulated that "No law shall embrace more than one object"²

Political reform, 1974 and 1975, was effectively dead in Michigan.

¹Complaint for Declaratory Judgment and Injunctive Relief, State of Michigan in the Circuit Court for the County of Ingham, File No. 75-18345.

²Michigan, The Supreme Court, Advisory Opinion on Constitutionality of 1975 PA 227, Docket No. 57850. Argued March 5, 1976, Decided March 29, 1976.

CHAPTER IX
PRESS RESPONSIBILITY

If, indeed, political reform was dead, it had not died--nor had it "lived"--quietly, or in vain. The press had fulfilled its vital role of keeping the public informed. The press had played its "watchdog" role well. What better way to "watchdog" the politicians than to report--meticulously--on the way they reacted, individually and as party caucuses, to enacting a whole new set of rules to "watchdog" themselves!

In 1974, the press made the Democrats out to be the "heavies"--the ones who caused the delay; the ones who balked at the low reporting floors; the ones who kept pushing for "loopholes." Not so in '75!

A basic question to ask the politician, the press, the public: what is the role of the press, in reporting to the public the activities and decisions of the politician?

The Social Responsibility Theory of the press notes that the press, "which enjoys a privileged position under

our government, is obliged to be responsible to society for carrying out certain essential functions of mass communication in contemporary society."¹

Among those functions of the press, under the social responsibility theory, are:

- 1) servicing the political system by providing information, discussion, and debate on public affairs,
- 2) enlightening the public so as to make it capable of self-government,
- 3) safeguarding the rights of the individual by serving as a watchdog against government.²

The Commission on Freedom of the Press, established in the early 1940's and which published its report, A Free and Responsible Press in 1947, made the fundamental point that the press has a social responsibility.³ Few media took issue with the Commission on that point.⁴

¹Fred S. Siebert, Theodore Peterson, Wilbur Schramm, Four Theories of the Press (Urbana: University of Illinois Press, 1956), p. 74.

²Ibid.

³U.S., by The Commission on Freedom of the Press, A Free and Responsible Press (Chicago: The University of Chicago Press, 1947).

⁴Siebert, p. 85.

The Commission on Freedom of the Press, in its Report, considered, in general, the freedom, functions, and responsibilities of the major agencies of mass communication, including newspapers.

In the Commission's report it was stated:

Today our society needs, first, a truthful, comprehensive, and intelligent account of the day's events in a context which gives them meaning; second, a forum for the exchange of comment and criticism; third, a means of projecting the opinions and attitudes of the groups in the society to one another; fourth, a method of presenting and clarifying the goals and values of the society; and, fifth, a way of reaching every member of the society by the currents of information, thought, and feeling which the press supplies.¹

The report also noted: "The Commission has no idea that these five ideal demands can ever be completely met. All of them cannot be met by any one medium."²

Recommendations of the Commission on Freedom of the Press might be summed up to the effect that the press should keep the people informed so that they can make intelligent decisions. The Commission recommended that the government inform the public of the facts with respect to its policies

¹A Free and Responsible Press, pp. 20-21.

²Ibid., p. 21.

and of the purposes underlying those policies; members of the press should engage in vigorous mutual criticism; the press should use every means that can be devised to increase the competence, independence and effectiveness of its staff; nonprofit institutions should help supply the variety, quantity and quality of press service required by the American people; and academic-professional centers of advanced study, research, and publication in the field of communications should be created. Another recommendation was that existing schools of journalism exploit the total resources of their universities to the end that their students may obtain the broadest and most liberal training possible. Finally, the Commission recommended the establishment of a new and independent agency to appraise and report annually upon the performance of the press.

Those recommendations, made in the mid-40's, are certainly ambitious. It would seem imperative to keep in mind that the Commission itself also recognized that the ideal demands made on the press can probably never be completely met.

The number of politically relevant events transpiring in any given day is awesome. In the publication Public Officials and the Press, the author discussed the fact that

few people or reporters have either the time or interest to monitor all of the "politically relevant" events and activities. To print a newspaper containing even a moderate portion of these events would require much more space than is available in even the largest newspapers. The press makes significant choices when it decides what will be news. News choices determine the character of political information available to the public at large.¹

According to Dunn, "The reporter envisions himself as serving a number of overarching purposes as he performs his daily work:

- 1) neutral information transmitter,
- 2) translator and interpreter of government to the people,
- 3) representative of the public, and
- 4) participant in policy making.²

According to a reporter quoted in the text, "It is the reporter's responsibility to make clear what the government is doing and why it is important."³ It was also

¹Delmer D. Dunn, Public Officials and the Press (Reading, Mass.: Addison-Wesley Publishing Co., 1969), p. 23.

²Ibid., p. 7

³Ibid., p. 8.

stated that, "Correspondents consider it one of their chief responsibilities to be the public's watchdog. This guides them in their search for news. It is a source of great pleasure when they are able to expose corruption."¹

Another point the author makes is that reporters believe they must do more than merely report official statements; they must also attempt to determine their validity. "Furthermore, time pressures on the reporter are severe. It is often easier merely to report what was said without checking its validity."²

The question may be asked: Did the press fulfill its responsibilities to the people of the State of Michigan, by informing them of the content and progress, and future ramifications, of the political reform act? This writer would have to give the Michigan press a solid vote of confidence for keeping the people informed. Straight news stories, features, interviews, and editorials very adequately informed the public about the content of the complicated, 71-page bill. And the press adequately informed the public of the bill's progress through the Legislature.

¹Ibid., p. 9.

²Ibid., p. 11.

But, the press did not adequately explain "future ramifications." However, according to Delmer Dunn, public officials control access to "much of the information which political reporters need for their stories--particularly if these stories are to go beyond surface events."¹ The ability of reporters to adequately present an in-depth story "often hinges on their capacity to pry information from decision makers."²

The press (Pat McCarthy with the Lansing State Journal; Pete Yost, with Associated Press) alluded to several major items, such as the rules being changed in the political game. But part of their not being able to explain the significance of those rule changes, at least to the satisfaction of this writer, may lie in the fact that the political reporter must rely on the public official for much of his information. And many of the "reliable sources" weren't quite ready to talk about those rule changes, and the significance of those changes, as they were being effected.

¹Ibid., p. 17.

²Ibid.

The point of "future ramifications" becomes moot, because the Michigan Supreme Court declared the Act unconstitutional. Who is to say the reporters didn't second guess the Court, and realize the "future" was bleak? Reporters knew the question of constitutionality was pending. The rules of the game would have been vastly changed, had the Act become effective. For one thing, public financing of the gubernatorial contest was almost drastic in the effect it would have had on that statewide campaign. "Big Money" would have been out of the race. Where was a feature story on the "big money" in the last gubernatorial campaign, and speculation about how the next race would be effected by the change? How would this change affect the Republicans? How would it affect the Democrats? These questions may have been asked, but they were never answered in the news columns and other extensive coverage surrounding this legislation.

In the end, as the Supreme Court announced its decision on March 29, 1976, it didn't seem to matter that the reporters might have done a better job in explaining and outlining how the rules would have been changed. After all, the reporters will have other chances to redeem themselves.

A discussion of press responsibility would not be complete without some comment from the politicians who have their own ideas about the responsibilities of the press, of course. An interesting discussion of those views appeared in a Lansing State Journal article on February 29, 1976.¹

Speaker of the House Bobby D. Crim was a guest speaker before the Central Michigan Chapter of Sigma Delta Chi. The article began:

In this post-Watergate era, many people look upon politicians as occupying a rung on the ladder of respectability just slightly higher than burglars, con men and petty thieves.²

But the majority of politicians are honest and dedicated, the article continued. Speaker Crim told the Sigma Delta Chi members:

I do not suggest reporters should not be critical. Eliminating the watchdog function of the news media would be courting disaster. But overreacting to a legislative abuse can be as dangerous as the abuse itself.³

Crim charged that reporters often do not have the desire or the time to put together as complete a story as possible--a

¹Hugh Leach, "Capitol Press Corps Takes Licks," Lansing State Journal, February 29, 1976, p. B-7.

²Ibid.

³Ibid.

fact which cannot be disputed. But sometimes, Crim said, "reporters are afraid to ask the 'one question too many' that might ruin a juicy story by bringing out all the facts."¹

Crim stressed: "You make our job much harder by printing inaccuracies, stories that are not complete or articles that omit some details." He continued, "I would urge you to get the full story. If you do, we would both be better off."²

Crim charged the news media with perpetuating the idea "that big business controls the Republican party and big labor controls the Democrats."³

"News reporters must take responsibility for causing a number of honest politicians not to seek re-election and influencing some good potential candidates to stay out of politics," Crim said.⁴

Reporter Hugh Leach noted that there was "an almost total lack of questions from the usually inquisitive press

¹Ibid.

²Ibid.

³Ibid.

⁴Ibid.

corps" following the talk. Why the unexpected silence?

One veteran newspaper correspondent said he thought it was "because many of the comments" made by Crim and the second speaker, State Senator Joseph Mack (D-Iron Mountain), "had struck too close to home."¹

¹Ibid.

CHAPTER X

CONCLUSION

One of the major differences in the 1974 "campaign" for reform and the 1975 "contest" was the press coverage and general "enthusiasm" demonstrated by the press for the 1975 "single package."

Many of the young, liberal Democrats who had been so strong for comprehensive reform in 1974 expressed the feelings that they were being thwarted each step of the way by the "beating" they were being given in the press--notably the Detroit Free Press. The Free Press blasted the Democrats, editorially, frequently.

But in 1975 the situation was reversed. The Democrats were praised, the "reformers" were "stroked," and Common Cause was patted on the back at every opportunity. The Free Press actually changed its mind, editorially, on several important points in the political reform package. Perhaps it was that 1975's situation was so unique: a citizens' lobby which had proven successful in other states,

notably California, was gaining wide respect and "clout" in Michigan, and had an aggressive young leader who ably and capably demonstrated that deeds went along with his words. Also, the 1975 package was comprehensive, far-reaching, and would be a landmark piece of legislation, if passed. Michigan would be the first state in the nation to partially publicly fund a gubernatorial campaign, should the legislation be passed. It would, boasted the sponsors, take the big money and "special interests" out of the Governor's race. An appealing thought!

In any event, the press was enthusiastic. The Free Press, in particular, was emphatic and timely in its editorials. Just when the House, or the Senate, could "use" a little shove or a prod, the Free Press was there--urging them on. Well timed, and well written editorials were quite effective. Lawmakers were reading their morning paper, and were heeding its advice.

In the opinion of this writer, the Free Press played a major role in enacting Political Reform in Michigan in 1975. The entire attitude had changed. Instead of criticizing the Legislature (with justification, it could be argued) for stalling tactics and "loopholes" in 1974, and

instead of blasting the Democrats for the reporting floor requirements, the Free Press in 1975 praised a higher floor for reporting, and outlined its reasons.

In a telephone interview, Detroit Free Press Associate Editor David Cooper commented that the newspaper's editorial reversal, from the 1974 "zero-base floor" position on contributors, to the 1975 "\$50 reporting floor level," was very deliberate. "It was a case of the Editorial Board's deciding we had been wrong, and here's why"

Mr. Cooper said, "The privacy question weighed heaviest in our minds, when we changed our position." He also discussed the value of encouraging individuals to make modest contributions. And if those individuals felt their contributions were anonymous, they would be more inclined to make donations to parties or candidates. The Free Press felt it was important for an individual to make a contribution, yet not be subjected to job or political pressures because of that decision or action.

"That goes hand in glove with privacy--but it's another facet of it," Cooper commented.

When asked about his assessment of the Free Press's influence on the 1975 political reform legislation, Cooper

said, "We certainly wrote a hell of a lot about it. It was a key priority for us, on what we hoped to see done in the state that year."

Mr. Cooper also mentioned that the Free Press had received a national award for that particular press coverage. The award was based on editorials (one from 1974, the remainder from 1975, and most of which were written by David Cooper). In 1976, the Detroit Free Press received an Honorable Mention from the Scripps-Howard Foundation for the National Walker Stone Awards. David Cooper is proud of that award, and of the role he feels the Free Press played in stressing the importance of strong, comprehensive political reform legislation in Michigan.¹

In the press, lawmakers were praised for their "deliberate speed" and defended for trying to "rush through" the landmark legislation. The press was making it very worthwhile for the lawmakers to enact a revolutionary reform measure, to change the rules by which they played their game. Lawmakers were praised for writing the rules themselves, as it seemed the press realized it had not been

¹David Cooper, Associate Editor, Detroit Free Press, telephone interview, October 19, 1976.

easy for Common Cause to persuade them to go the legislative route.

As for the future of political reform legislation in Michigan: On May 13, 1976, Representative John Markes introduced HB 6350, a bill to provide for partial funding of gubernatorial campaigns.¹ On June 14, Senator Patrick McCollough introduced SB 1570, a bill to regulate campaign financing and reporting.²

The "dead" reforms of March 29, 1976, have time to be resurrected before the 1975-76 Legislative Session is ended. Legislative leaders--the Quadrant, again--consider political reform a "top priority" for fall session, 1976.

¹Michigan Journal of the House of Representatives, No. 65, May 13, 1976.

²Michigan Journal of the Senate, No. 76, June 14, 1976.

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